

PADSTOW TOWN COUNCIL

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12 May 2021

TO ALL MEMBERS OF THE COUNCIL

Councillors: J H Fidler, A P Flide, K Freeman, R Higman, J O'Keefe, A N Rees, M Rickard, Mrs A E Symons, D N Vivian, Mrs T Walter, C Watson-Smyth and vacancy

Dear Councillor

All Members of the Council are hereby summoned to attend the **ANNUAL MEETING** of **Padstow Town Council** in the **Church Rooms, Church Street, Padstow** on **Tuesday 18 May 2021 at 7.00 pm** for the purpose of considering and resolving upon the business to be transacted at the meeting as set out hereunder.

NB: Please note start time and venue for this meeting.

Yours faithfully

K E Pemberton

Kathy Pemberton

Town Clerk

COVID: Please note this meeting will be operated in a COVID safe way. All attending to respect these provisions which are in place for all our safety.

AGENDA

Public & Press are invited to attend

- 1. Election of Chair of the Council/Town Mayor:** To **ELECT** the Chair of the Council/Town Mayor for 2021/22 and **RECEIVE** the signed Declaration of Acceptance of Office
- 2. Election of Deputy Chair of the Council/Deputy Mayor:** To **ELECT** the Deputy Chair of the Council/Deputy Mayor for 2021/22.
- 3. To receive apologies for absence and announcements**
- 4. To receive declarations of interest from Members** relating to items on the agenda in accordance with Padstow Town Council's Code of Conduct
- 5. Dispensations:** To consider requests from Members for dispensations.
- 6. Public Participation:** To receive questions from members of the public relating to items on the agenda, in accordance with the Council's Code of Conduct and Standing Orders.

- 7. Election of Committees:** To **ELECT** Committee Members for the following (Pg 1)
Committees:
a) Leisure, Tourism and Open Spaces (7)
b) Highways, Roads and Transport (7)
c) Staffing (5)
d) Planning (6)
- 8. Working Groups:** To **re-establish** the Neighbourhood Development Plan (Pg 1)
Working Group, which reports direct to full Council and ELECT Working Group
Members (6)
- 9. Election of Council Representatives:** (Pg's 3-4)
To **ELECT** Representatives to the following organisations:
Formal Appointments:
a) Camel Advisory Group (1)
b) Wadebridge and Padstow Community Network Panel (1)
Informal Appointments:
c) Padstow Area Library Support (PALS) (1)
d) Padstow Sea Cadets Unit Management Team (1)
- To **NOTE:**
e) Appointment of Chairman to the Cornwall Association of Local Councils
(CALC)
- 10. Committee Terms of Reference/Scheme of Delegation:** To **discuss** (Pg 1)
and decide on each Committee giving due consideration to the Terms of
Reference relevant to its Committee and making any recommendations for
changes/updates to Council at a future meeting.
- 11. Emergency Scheme of Delegation:** To discuss and decide on continuation (Pg's 1-2
of Emergency Scheme of delegation. +5)
- 12. Council Vacancy (Padstow Ward):** To receive update and discuss and (Pg 2)
decide on way forward.
- 13. Dates of Council Meetings:** To confirm meeting dates for 2021/22. (Pg 2 + b)

AGENDA ITEM 7: ELECTION OF COMMITTEES

Council is required to give due consideration to the appointment of Councillors on each of its Committees as per the numbers outlined on the agenda front sheet and as noted below:-

- a) Leisure, Tourism and Open Spaces (7)
- b) Highways, Roads and Transport (7)
- c) Staffing (5)
- d) Planning (6)

Finance and General Purposes Committee:

With regards to the Finance and General Purposes Committee, as outlined in the Council's Scheme of Delegation, this Committee's membership is drawn from the Mayor, Deputy Mayor and Chairs of Leisure, Tourism and Open Spaces Committee, Highway Roads and Transport Committee and Staffing, along with 3 other Councillors. In total the Committee's membership is 8.

Therefore, membership to the Finance and General Purposes Committee will be considered by Council once each Committee has met and elected their Chairs.

AGENDA ITEM 8: WORKING GROUPS

Council is asked to note the only group currently established is the Neighbourhood Development Plan Steering Group, which reports direct to the Council. This group should continue to see the Plan through to its conclusion.

Required membership is 6, with the Local Cornwall Councillor invited to attend. This is a time limited project, Councillors involved more recently who are back on this Council are: A P Flide, D N Vivian, Mrs T Walter and C Watson-Smyth. The Town Clerk considers for continuity that these members should still be involved. In the past Cllrs K Freeman and R Higman have also been members.

At present there are no working groups under any Committees.

AGENDA ITEM 10: COMMITTEE TERMS OF REFERENCE/SCHEME OF DELEGATION:

It's recommended that each Committee give consideration to their own terms of reference at their first meeting. This Scheme was sent under separate cover, included within your Councillor Welcome Pack.

AGENDA ITEM 11: EMERGENCY SCHEME OF DELEGATION

Council will know that at the outset of the pandemic it agreed to an Emergency Scheme of Delegation to ensure that the business of the Council continued. Upon advice from the Cornwall Association of Local Councils it is considered that this process remain in place, which is a lawful form of decision making but it must only be used as an emergency measure, when meeting would be inappropriate, unsafe or impossible. The legislation allows for the Council to delegate to an officer not individual Councillors. Therefore, CALC recommend the following be agreed by Council, furthermore that it has an end date to review:-

RECOMMEND THE FOLLOWING: "That the Council delegates authority to the Clerk in consultation with the Chairman and Vice-Chairman/Mayor and Deputy Mayor to take any actions necessary with associated expenditure to protect the interests of the community and ensure council business continuity, informed by consultation with the members of the Council. The scheme of delegation will be reviewed no later than September 2021."

The Town Clerk recommends this be adopted and confirms that if used the same process would be followed to ensure consultation with Councillors and Council decisions published on the Council website. Furthermore, that the same process would be used for any planning applications, as detailed in Appendix 1 to this report.

AGENDA ITEM 12: COUNCIL VACANCY (PADSTOW WARD)

Cornwall Council has advised that this vacancy can be advertised for co-option. Previously, Cornwall Council has confirmed that arrangements for the filling of any vacancy where co-option applies, a Parish Council may co-opt as a member any person who is legally qualified to hold such office, and who is willing to serve, provided he or she satisfies at least one of the following qualification categories:-

- (a) is registered as a local government elector for the parish;
- (b) has during the whole of the preceding twelve months occupied as owner or tenant, any land or premises in the parish;
- (c) his/her principal or only place of work during the preceding twelve months has been in the parish;
- (d) had during the whole of the preceding twelve months resided in the parish or within 4.8 km thereof.

This can now be advertised as a co-option with an application form being made available for completion by any interested people, along with the Eligibility Form and Co-Option Criteria.

In terms of timescales, Council can advertise immediately after this meeting with a deadline for completed applications on/or by **Friday 18 June 2021** for consideration by Council at its meeting on **Tuesday 29 June 2021**. Are Council happy with these proposed timescales?

AGENDA ITEM 13: DATES OF COUNCIL MEETINGS

Council is asked to agree dates for 2021/22 (Appendix 2). It is considered that where possible, until the COVID roadmap restrictions have been further lifted, that meetings are kept to a minimum. This is echoed across all the Town and Parish Councils. The Council is required as a minimum to meet once in May for the statutory annual meeting and at least three other times a during the year.

PADSTOW TOWN COUNCIL: 18 MAY 2021

AGENDA ITEM 9: ELECTION OF COUNCIL REPRESENTATIVES:

Councillor representative roles fall into two categories, those which are formal appointments required by the organisation's constitution/terms of reference (typically regional with an outlined role), and those which are an informal appointment providing a local member link at the organisations request (typically local). Councillors will know the Code of Conduct applies whenever the Councillor is acting as a Councillor or the public perceive you to be acting as a Councillor.

Council annually appoints Councillor representatives however, due to the coronavirus pandemic, for the year 2020-21 Councillor representatives were not appointed and the 2019-20 appointments continued unchanged. Now that we are able to hold the 2021-22 Annual Meeting, the Support Officer has contacted the relevant organisations to ask if these appointments are invited for the year ahead, an update is provided below.

Formal Appointments

The Camel Advisory Group and the Wadebridge and Padstow Community Network Panel (CPN) have both confirmed that they continue to require a formal representative as per their group's terms of reference. In respect of the Wadebridge and Padstow CPN appointment, typically, Council has appointed the Chairman to be the elected representative with the Vice-Chairman attending in his/her absence. However, any member may be nominated, and more than one member is welcome to attend (with notice).

Confirmation has been received that there is "no further ongoing requirement" for the Plastic Free Coastlines Steering Group since Plastic Free Padstow status was achieved, therefore no appointment is required.

Informal Appointments

Padstow Area Library Support (PALS) and Padstow Sea Cadets have both confirmed they would welcome a continued local member link with their organisation with Padstow Sea Cadets defining the role as an informal PTC Liaison Officer.

At this stage, Padstow Memorial Hall has not confirmed that they would like a Council representative to be appointed either in a formal or informal role. It is understood that due to COVID restrictions they have not met for some time. However, when they do meet, we will be duly contacted should they require a Council representative to be appointed.

Padstow Area Tourism Association has confirmed they do not require a representative to be appointed at this time.

It is understood that meetings of these groups/organisations are open to the public and anyone is free to attend if they wish.

Memberships: Council is a member of the Cornwall Association of Local Councils (CALC) and the Chairman and the Town Clerk are the Council's representatives.

Council is requested to make the following appointments:

- a) Formal Council appointment of one Councillor to the Camel Advisory Group
- b) Formal Council appointment of one Councillor to the Wadebridge and Padstow Community Network Panel (CPD)
- c) Informal Council appointment of one Councillor to the Padstow Area Library Support (PALS)
- d) Informal Council appointment of one Councillor to the Padstow Sea Cadets Unit Management Team
- e) To note the appointment of the Chairman to the Cornwall Association of Local Councils (CALC)

- i) The clerk will advertise on the council's website links to all planning applications received from the planning authority on the council's website, offering the public the opportunity to let you know of any views. The notice should give a deadline for public comments to the Clerk in writing (suggested 5 working days)

At the same time the clerk will circulate the list with links to all members of the council.

Note : you may find it helpful to do this on a weekly basis working in full weeks for managing the planning process.

- ii) At the end of the public opportunity to comment, the clerk will forward a summary of the public comments received to all members (or members of the relevant committee) for member comments for a period of a further 5 working days. Under GDPR, the clerk should not circulate individual responses without the writer's express permission. T
- iii) Under the Emergency Scheme of Delegation, the Clerk and appropriate members will agree a council response which identifies relevant material considerations and may give local information or opinion. The draft response is then shared with members for 2 days for any comments, before being sent to Cornwall Council with the following statement :

"Due to the restrictions placed on the council as a result of the pandemic Coronavirus, this response represents the opinion of members of [insert name of council] identified through a consultation process and will be ratified at the next appropriate meeting of the council. "

- iv) The Council's response can then be posted on the council's website.
- v) If the matter is referred back to the council under the 5 day protocol, the Emergency Scheme of Delegation will allow the clerk to take any appropriate action to respond on behalf of the council. As the council's opinion has not been gained through the normal public process, it may be prudent to simply reply that

'due to the restrictions placed on the council as a result of the pandemic Coronavirus, it has been unable to consult further and therefore has nothing further to add'.



**PADSTOW TOWN COUNCIL
NOTIFICATION OF COUNCIL & COMMITTEE MEETINGS FOR 2021-2022**

Date	Time	Meeting
2021 DATES		
Tues 18 May	7.00 pm	Annual Council Meeting
Tues 25 May	7.00 pm	Staffing Committee
Tues 25 May	7.10 pm , or on the rising of the Staffing Committee, whichever the later	Leisure, Tourism and Open Spaces Committee
Tues 25 May	7.15 pm , or on the rising of the Leisure, Tourism and Open Spaces Committee, whichever the later	Highways, Roads and Transport Committee
Tues 25 May	7.20 pm , or on the rising of the Highways, Roads and Transport Committee, whichever the later	Planning Committee
Tues 25 May	7.30 pm , or on the rising of the Planning Committee, whichever the later	Full Council
Tues 1 June	7.30 pm	Annual Parish Meeting
Tues 8 June	7.00 pm	Planning Committee
Tues 29 June	7.30 pm	Full Council
Provisional dates below (if lockdown map kept to): subject to change		
Tues 13 July	7.00 pm	Planning Committee
Tues 20 July	7.00 pm	Finance & General Purposes Committee (GRANTS MEETING)
Tues 27 July	7.30 pm	Full Council
Tues 10 August	7.00 pm	Planning Committee
Tues 7 September	7.00 pm	Leisure Tourism and Open Space Committee
Tues 14 September	7.00 pm	Planning Committee
Tues 21 September	6.00 pm	Staffing Committee
Tues 28 September	7.30 pm	Full Council
Tues 5 October	7.00 pm	Highways, Roads and Transport Committee
Tues 12 October	7.00 pm	Planning Committee
Tues 26 October	7.30 pm	Full Council
Tues 2 November	7.00 pm	Leisure Tourism and Open Space Committee
Tues 9 November	7.00 pm	Planning Committee
Tues 23 November	7.00 pm	Finance & General Purposes Committee (Budget)
Tues 30 November	7.30 pm	Full Council
Tue 7 December	6.00 pm	Staffing Committee
Tue 14 December	7.00 pm	Planning Committee
2022 DATES		
Tues 11 January	7.00 pm	Planning Committee
Tues 25 January	7.30 pm	Full Council
Tues 1 February	7.00 pm	Leisure Tourism and Open Space Committee
Tues 8 February	7.00 pm	Planning Committee
Tues 15 February	7.00 pm	Finance & General Purposes Committee
Tues 22 February	7.30 pm	Full Council
Tues 8 March	7.00 pm	Planning Committee
Tues 22 March	6.00 pm	Staffing Committee
Tues 29 March	7.30 pm	Full Council

Meetings to be held in person at Church Rooms, Church Street, Padstow PL28 8BG, unless otherwise advertised. Extra meetings to be arranged as required. However, Emergency Scheme of Delegation may be used alongside meetings, if required.