

PADSTOW TOWN COUNCIL

Council Offices
Station House
Station Road
Padstow
Cornwall
PL28 8DA

Kathy Pemberton
Town Clerk
Email: enquiries@padstow-tc.gov.uk
Website: www.padstow-tc.gov.uk
Tel: 01841 532296



25 May 2022

TO: MEMBERS OF THE HIGHWAYS, ROADS AND TRANSPORT COMMITTEE
Councillors P Curgenvan, K Freeman, R Higman, A N Rees, M Rickard, D N Vivian
and VACANCY

Dear Member

All Members of the Committee are hereby summoned to attend a meeting of the **HIGHWAYS, ROADS AND TRANSPORT COMMITTEE** at the **Church Rooms, Church Street, Padstow** on **Tuesday 31 May 2022 at 7.20 pm, or on the rising of the Staffing Committee meeting, whichever the later** for the purpose of considering and resolving upon the business to be transacted as set out hereunder.

Yours faithfully

K E Pemberton

Kathy Pemberton
Town Clerk

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

Agenda

Press & Public are invited to attend

1. Election of Chairman/Vice Chairman
 - i) To **ELECT** Committee Chairman
 - ii) To **ELECT** Committee Vice-Chairman (if Committee so wishes)
2. To receive **apologies for absence and announcements (if any)**
3. To receive **declarations of interest** relating to items on the agenda in accordance with Padstow Town Council's code of conduct.
4. **Public Participation:** to receive submissions from members of the public relating to items on the agenda, in accordance with the Council's code of conduct & standing orders.
5. To agree the minutes of the meeting held on **Tuesday 8 February 2022** (1-2)
6. **Committee Terms of Reference:** To receive the Committee's Terms of Reference and make recommendations for any amendment to Council. (3-5)
7. **Date of next meeting:** Tuesday 7 June 2022 at 7 pm

PADSTOW TOWN COUNCIL

Minutes of the Highways, Roads and Transport Committee meeting held on Tuesday 8 February 2022 at the Church Rooms, Church Street, Padstow at 6.30 pm

Present: Councillors K Freeman (Chairman), Mrs J Dawe, R Higman, A N Rees, M Rickard, D N Vivian and C Watson-Smyth

In Attendance: Mrs K Pemberton (Town Clerk), Mrs S Daly (Support Officer and Minute Taker) and Councillor Mrs T Walter.

- HRT2021/25 Apologies for Absence:** There were no apologies for absence.
- HRT2021/26 Announcements:** There were no announcements.
- HRT2021/27 Declarations of Interest:** There were no declarations of interest.
- HRT2021/28 Public Participation:** There was no public participation.
- HRT2021/29 Minutes: RESOLVED** that the minutes of the meeting held on **Tuesday 14 December 2021** be signed as a true record of the meeting.
- HRT2021/30 Off-Street Parking Service Level Agreement (2022/23) and On-Street Parking Update:** The Chairman informed Committee that as per the agenda report himself, Councillor Higman (Chairman of Finance), the Town Clerk and Responsible Financial Officer had met virtually with officers from Cornwall Council (CC) to discuss parking enforcement in Padstow Town Council (PTC) car parks.

Members noted that despite PTC owning its car parks, due to a legislative error by Government only CC could undertake enforcement of these. It was noted that CC could offer the same number of visits for 2022/23 as for this year, as detailed in the report which coincided with their on-street enforcement visits to avoid PTC paying travel costs. CC had also offered a discount on the hourly rates proposed for the 2022/23 Service Level Agreement (SLA). The Chairman confirmed that in addition to PTC paying CC's hourly rate for off-street enforcement, CC retain fees received from any Penalty Charge Notices (PCNs) issued. This had been raised at the meeting with CC officers providing an update as to why, as detailed in the agenda report. However, there was still frustration expressed, particularly with the service that could be offered by CC.

The Town Clerk clarified that the budget for off-street enforcement was £5,000. The enforcement costs were roughly 1% of the income generated. CC would be happy to discuss any other visits later in the year once more was known around their resources with recent changes taking place at Cornwall Council.

Comment was made that the oversight should be raised with the local MP. In the meantime, it was felt the terms of the SLA for 2022/23 should be accepted.

The on-street parking update was noted as per the agenda report.

RESOLVED to i) agree to the off-street parking SLA for 2022/23 as per the 4 visits per week to align with CC core visits, as per the discounted rates referred to in paragraph 2.1 of the agenda report and with the same terms as the SLA for 2021/22; and ii) to write to the Local MP to raise concern with the Government oversight in respect of Civil Enforcement in Cornwall.

HRT2021/31 **Date of next meeting:** To be confirmed.

Meeting closed at 6.37 pm

Committees Delegated powers

Each committee agenda will clearly indicate if the item under discussion is within the Committees delegated powers. If the item is within delegated powers the minutes will record the decision as **RESOLVED**. If it is not within the delegated powers then the minutes will show **RECOMMENDED** and the item will then be brought to the Full Council for approval and adoption as appropriate.

A power delegated does not always have to be exercised and if a committee is unsure of a decision they may make a recommendation to Full Council.

Committees

All Committees are appointed by and are solely responsible to Padstow Town Council. The Committee's duties are defined and agreed by the Full Council within these terms of reference. Alterations to the terms of reference may be made at any Full Council meeting provided an agenda item is included to amend.

All committees are required to make clear and concise formal resolutions at all times to avoid ambiguity in the minutes and to ensure that the intention of the resolution is conveyed to the members for them to vote on.

Terms of Reference for the Highways, Roads & Transport Committee

Membership

- The Committee will consist of 7 elected Councillors and the first item of business at its first meeting after the Annual Town Council meeting each year will be to elect a Chair for the year. It will also elect a Vice-Chair, if thought appropriate, although any elected member can preside by agreement in the Chair's absence. A quorum will be a minimum of 4 elected members.
- The Committee shall be able to constitute sub-committees and working groups to study any aspect of the Committee's sphere of activity and members of the public can be co-opted on to assist with the recommendations.
-

Records of Proceedings

- The Committee will meet on the 1st Tuesday six times a year, to include June and October at 7pm
- Additional meetings will be arranged as required.
- Written minutes will be taken to record the Committee decisions and will be adopted at the next full council meeting and signed as a true record of the meeting at the next committee meeting. The Town Clerk will be responsible for arranging meetings and for the recording and distribution of minutes. The minutes will be available on the Town Council website.

Responsibilities

The Committee **will have full delegated powers** in respect of –

1. The improvement maintenance and management of Town Council car parks subject to item 6,
2. The improvement maintenance and management of street lighting belonging to Padstow Town Council,
3. Working with Cornwall Council in respect of Traffic Regulation Orders and Parking Enforcement issues.
4. Setting and managing the Council policy on the issue and management of car park excess charges
5. Authorisation of expenditure within the committees budget provided that the payment is made from a budget that is within the limits previously approved by the Council. The committee cannot commit or spend from future budgets not confirmed or from future years. The virement of funds within the committees total budget must be authorized by the F&GP Committee,
6. Acceptance of tenders and supervision of contracted projects – provided expenditure is within the budgetary provision and is for areas within the scope of the committee,
7. All aspects of Health and Safety that fall within the remit of the committee,
8. The consideration of recommendations of sub-committees, working groups etc under the control of the HRT Committee,

9. The consideration of such matters as may be delegated by the Council from time to time,
10. Consultation with other relevant bodies with similar interests including other Town Council committees and sub-committees and consideration of their recommendations,

To make recommendations to Full Council/F & GP in respect of –

1. Making recommendations to the Council on all matters not within existing policy,
2. Reviewing the level of fees and charges of the committee's functions and making appropriate recommendations to the F&GP Committee before November of each year,
3. To consider and submit to the F&GP Committee annual estimates of income and expenditure on continuing services and capital expenditure for the forthcoming year during November of each year,
4. The consideration of new and reviews of consultation and policy documents of other bodies and any other consultation documents relating to car parks, highways or transport nature,
3. Any matter falling within the remit of the committee which involves the introduction of a new policy or changes to existing policy future direction and strategy.
4. Making recommendations to the Council on all matters not within existing policy,
5. Preparation and review of a plan for future requirements within the scope of the committee regardless of feasibility.