

PADSTOW TOWN COUNCIL

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19 March 2025

TO ALL MEMBERS OF THE COUNCIL

Councillors: J O'Keefe (Chair), Mrs J Dawe (Vice-Chair), G Chapman, Mrs J Colwill, P Curgenvin, K Freeman, R Higman, A J Hoskin, A N Rees, M Rickard, Mrs T Walter and C WatsonSmyth

Dear Councillor

All Members of Council are hereby summoned to attend the meeting of **Padstow Town Council** in the **Council Chamber, Council Offices, Station House, Padstow** on **Tuesday 25 March 2025 at 7.30 pm** for the purpose of considering and resolving upon the business to be transacted at the meeting as set out hereunder.

Yours faithfully

K E Pemberton

Kathy Pemberton
Town Clerk

AGENDA

Public & Press are invited to attend

1. **To receive apologies for absence and announcements**
2. **To receive declarations of interest from Members** relating to items on the agenda in accordance with Padstow Town Council's Code of Conduct
3. **Dispensations:** To consider requests from Members for dispensations.
4. **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
 - o To receive the Cornwall Councillor's Report
 - o To receive the Police Report
5. **To confirm the minutes** of the Full Council Meeting held on **25 February 2025** having been previously circulated and taken as read. *p1-5*
6. **Clerk's Report/Work Programme:** To receive an update for information only. *p6*
7. **Committees/Working Group Meetings:**
 - a) To adopt the minutes and approve recommendations (if any) of the Highways, Roads and Transport Committee (4 March 2025) *p7-9*
 - b) To receive minutes of the Planning Committee meeting (11 March 2025) *p10-11*
 - c) To adopt the minutes and approve recommendations (if any) of the Staffing Committee (18 March 2025). *p12-13*

- 8. Finance:**
- Monthly Accounts and Payments: March**
- a) To receive the monthly Finance Report. p14
p15
 - b) To approve the accounts for payment and ratify payments made since the last meeting and note the availability of invoices for inspection. p16
 - c) To note the car park takings. p18
 - d) To receive the Member Review of the effectiveness of internal control and give consideration to any issues arising, if any, for referral to the Finance and General Purposes Committee. p19-21
 - e) To consider renaming capital/projects cost centre heading as detailed in agenda report.
 - f) Bank Reconciliations: To note their availability for inspection each month.
- 9. Correspondence:**
- a) To note correspondence for information p22
 - b) To give consideration to the following: p23-24
 - i) Land Use Request – Fishermen’s Mission
- 10. Port Quin Seaweed Farm Consultation:** To be updated on the latest in this regard and discuss and decide on way forward. p25
- 11. Cornwall Council – Link Road Toilets:** To give consideration to this matter and discuss and decide on way forward. p26-28
- 12. Health & Safety Review:** i) To note the review for information; and ii) agree the health and safety action plan. p29-30
- 13. Council Standing Orders:** To be updated on this matter and discuss and decide on way forward. p31-33
- 14. Committee Restructure:** To give consideration to this matter including terms of reference and schemes of delegation and discuss and decide on way forward. p34-47
- 15. Legionella Management Plan:** To give consideration to draft Plan for adoption and discuss and decide on way forward. p48-58
- 16. St Petroc’s Churchyard: Management of the Area for Cremated Remains:** To give consideration to this matter and discuss and decide on the way forward. To follow
- 17. Use of Council Land: Railway Car Park:** To receive an update in this regard and discuss and decide on way forward. To receive verbal update.
- 18. Reports from Members/Outside Organisations:** To receive reports from meetings attended (if any). To be tabled
- 19. To Note:** i) Future Meeting Dates and i) Date of Next Council Meeting: 29 April 2025 at 7.30 pm
- 20. EXCLUSION OF PRESS & PUBLIC:** To consider and if appropriate, to pass the following resolution: That in accordance with section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the public, including the press, be excluded from the meeting because of the confidential nature of the following business to be transacted.

- 21. To confirm the confidential minutes** of the Full Council Meeting held on **25 February 2025** having been previously circulated and taken as read.
- 22. To adopt the confidential minutes and approve recommendations (if any)** of the Staffing Committee (18 March 2025).
- 23. Use of Council Land: Railway Car Park:** To receive an update in this regard and discuss and decide on way forward.
- 24. Padstow Sand:** To be updated concerning sand tonnage figures and discuss and decide on way forward.
- 25. Lease and Tenant Matters:** To receive an update on the latest in respect of lease and Tenant matters and discuss and decide on way forward.

PADSTOW TOWN COUNCIL

Minutes of the Full Council Meeting of Padstow Town Council held on Tuesday 25 February 2025 at 7.30 pm in the Council Chamber, Council Offices, Station House, Padstow

Present: Councillors J O'Keefe (Chair), Mrs J Dawe (Vice-Chair), G Chapman, J Colwill, K Freeman, R Higman, A J Hoskin, A N Rees, M Rickard and Mrs T Walter

In Attendance: Mrs K Pemberton (Town Clerk), Mrs S Daly (Assistant Town Clerk/Assistant RFO and Minute Taker) and Cornwall Councillor S Rushworth (part).

2024/169 To receive apologies for absence and announcements:

- i) Apologies were received from Councillors P Curgenvan and C WatsonSmyth.
- ii) There were no announcements.

2024/170 Declarations of interest from Members: There were no declarations of interest.

2024/171 Dispensations: There were no dispensations.

2024/172 Public Participation:

Cornwall Councillor's Report: Cornwall Councillor Rushworth advised the meeting of the following:

- Happy to attend the April meeting if Council so wish, however meeting will be during Purdah;
- Is leaving the Tory party and will be seeing end of term as an independent and will then be retiring.
- CC budget has been agreed. Was a difficult budget. He had spoken to CC's section 151 Officer regarding concerns over money being wasted on certain projects. Felt more comfortable after this discussion and voted for the budget;
- Advised that CC had conceded to not charge car parking fees at Porthcothan Bay during the winter.

On behalf of the Town Council the Chairman expressed thanks to Cornwall Councillor Rushworth for his attendance and help during his term and wished him a long and happy retirement.

Police report: The Police report for the period 25 January to 22 February 2025 was tabled detailing a total of 21 logged incidents, generating 16 "occurrences".

2024/173 RESOLVED that the minutes of the Full Council Meeting held on **Tuesday 28 January 2025** be signed as a true record subject to amending Councillor K Freeman's attendance to apologies.

2024/174 Clerk's Report/Work Programme: The report was noted for information. The Town Clerk provided the following verbal updates:

Plantation: The Environment Agency has removed the compost heap structure from Plantation but now advise that they cannot proceed with works to lay the electric cable. They will keep the Council updated.

Trevone Green/Steps: CC have advised not to proceed with loosening the cliff ledge. Officers are looking into this further. MGC have made safe the railings on the steps to the beach.

Car Park Tarriff: The Notice of Variation has been published.

2024/175 Committees/Working Group Meetings:

- a) **RESOLVED** to receive the minutes of the Planning Committee meeting held on 11 February 2025.
- b) **RESOLVED** to adopt the minutes and approve recommendations of the Leisure, Tourism and Open Spaces Committee meeting held on 4 February 2025.

2024/176 Finance Policies and Financial Regulations:

i) Policies and Regulations:

RESOLVED to adopt, as recommended by the Finance and General Purposes Committee at its meeting held on Tuesday 18 February 2025 and set out in the Agenda Item 8: Finance Policies and Financial Regulations separate cover pack:

- a) the updated Anti-Fraud and Corruption policy (p1-6);
- b) the updated Investment Strategy (p7-9);
- c) the Risk Management Policy Statement and Risk Management Scheme (p10-21); and
- d) the Financial Regulations 2025 thus revoking the July 20203 Financial Regulations (p22-39)

ii) Minutes: RESOLVED to adopt the minutes and approve recommendations of the Finance and General Purposes Committee meeting held on 18 February 2025.

2024/177 Finance: Monthly Accounts and Payments February 2025

- a) The monthly finance report was noted.
- b) It was **RESOLVED** to ratify payments made of i) February (a) of £83,666.25 and direct debits of £871.12; and ii) the availability of invoices for inspection was noted.
- c) The car park takings were noted.
- d) The availability of bank reconciliations for inspection each month was noted.

2024/178 Correspondence:

- a) Correspondence for information was noted.

b) Redruth Town Council – Apportionment of Second Home Council Tax: **RESOLVED** to respond to Redruth Town Council agreeing with their opinion that Cornwall Council should consider a fairer way to apportion the proceeds of second home council tax so that all areas have equal benefit.

2024/179 Community Events:

a) Community Fun Day: 20 September 2025: The Chairman referred members to the agenda report which outlined works to date on the Community Fun Day and the decisions for Council's consideration.

RESOLVED to agree the following in respect of the Community Fun Day to be held on Saturday 20 September 2025:

- i) Timings to be the same as last year, 12noon to 4pm;
- ii) To ratify the bookings made for Omega Medical, Under the Canopy, LJD Coaching and Coach Frank Skate School as set out in paragraph 2 of the agenda report;
- iii) To proceed with booking the activities outlined in paragraph 3 of the agenda report being Snail Races and Face Painting;
- iv) To run an amateur photography competition with the subject title "Heritage/History";
- v) To invite the Police, Fire Brigade and Coastguard to attend; and
- iv) To avoid delay, the progression of this event, including booking further activities provided within budget, be delegated to the Town Clerk with further updates/reports to be brought back to the Council as appropriate.

b) LJD Coaching Summer Holiday Programme: Following the presentation from LJD Coaching at the previous Council meeting, consideration was given to the agenda report which outlined further detail on the proposed partnership.

RESOLVED to proceed with a holiday programme in partnership with LJD Coaching on the following basis:

- i) That 1 session a week be offered over 6 weeks of the 2025 summer holidays – 6 sessions in total, times to be confirmed but potentially 9am to 2pm;
- ii) That Padstow Town Council subsidises £17 of each placement (Parish residents only) up to a maximum of 50 places per session to include a light breakfast. Cost to be taken from the Community Events budget;
- iii) That LJD Coaching have full use of the Community Hub and MUGA during each session;
- iv) Subject to receiving LJD Coaching's public liability insurance and risk assessment to the Council Officer's satisfaction; and
- v) The Council to be kept updated on the progress of pulling together these session and feedback from the sessions be brought back to a future meeting.

2024/180 Future Cornwall Local Plan – “Call For Sites”: The Chair referred members to the agenda report in the “to follow” papers. He noted that many of the sites outlined in the map were included in the current Neighbourhood Plan and consideration was given to a response.

RESOLVED to delegate to the Town Clerk in consultation with Councillors Mrs J Dawe, G Chapman and J O’Keefe a response to Cornwall Council’s specific questions for Town and Parish Councils in response to it’s “Call For Sites” for the purpose of assisting in the development of the new local plan

Members noted that changes to Cornwall’s housing quota will have an impact on the weight afforded to Neighbourhood Plans and that this would need to be monitored.

RESOLVED that a standing item be placed on the Planning Committee agenda to receive updates on the changing landscape of Neighbourhood Plans.

2024/181 Legionella Management Plan: **RESOLVED** to note i) the progress made on the development of a Legionella Management Plan so far as outlined in the agenda report in the Council’s “to follow” papers; and ii) that the Legionella Management Plan will be brought to the next Full Council meeting for consideration.

2024/182 Historic Remains – Trevone: Members noted the verbal update in respect of the reinterment taking place on 7 March.

RESOLVED that the Mayor Councillor O’Keefe, the Chair of the Leisure, Tourism and Open Spaces Committee Councillor Mrs Dawe, and the two Trevone ward members involved in the project, Councillors R Higman and Mrs T Walter should attend the reinterment of the Historic Remains in Padstow Cemetery.

2024/183 Use of Council Land: Railway Car Park: The Chair read allowed a submission from a member of the public regarding the matter of the bus stop in the Railway Car Park. The member of public sought clarification on progress to-date, Council’s commitment as well as concern with the matter being placed on the confidential section of the agenda, wishing reassurance that such discussions will be conducted in public.

RESOLVED that the Town Clerk respond to the member of the public with an update on the bus stop matter and reaffirm the Council’s commitment to resolving the issue for the 11 and 56 services.

Members were referred to the agenda report in the “to follow” papers regarding the current desist and progress on the matter to

date. There was agreement that as discussions remained at an early-stage consideration should be given to extending the desist.

RESOLVED i) The desist deadline for Go Cornwall services 11 and 56 to use of the existing bus stop be further extended to the end of February 2026 to allow ample time to progress matters, discussions for which being currently at an early stage, furthermore, should any works be necessary it would be advisable these be undertaken during quieter months;

ii) The extension to the desist outlined in i) above be on the same basis as before i.e no increase to the current services [being nos 11 and 56], accessing the existing bus stop between now and the end of February 2026, and that Go Cornwall provide their public liability insurance and risk assessment to the Council's satisfaction;

iii) A letter be sent to Go Cornwall confirming i) and ii) above as well as outlining expected conduct whilst on Town Council land; and

iv) To avoid delay, to continue delegation of these matters to the Town Clerk in consultation with the Chair/Vice-Chair.

2024/184 Reports from Members/Outside Organisations: Members noted the attendance of the Mayor at the recent Civic Service held by Launceston Town Council.

2024/185 Future Meeting Dates: Future Meeting Dates as per appendix 1 of the agenda report, and the date of the next meeting being Tuesday 25 March 2025 at 7.30pm were noted.

RESOLVED to agree the following meeting dates for May 2025: i) Annual Council Meeting: Tuesday 13 May 2025 at 7pm; ii) Annual Parish meeting: Tuesday 20 May 2025 at 6.30pm; and iii) Full Council: Tuesday 27 May 2025 at 7.30pm.

2024/186 It was RESOLVED to exclude the press and public due to the confidential nature of the business about to be transacted.

2024/187 RESOLVED that the **confidential** minutes of the Full Council Meeting held on **Tuesday 28 January 2025** be signed as a true record.

2024/188 RESOLVED to adopt the confidential minutes and approve recommendations (if any) of the Finance and General Purposes Committee meeting held on Tuesday 18 February 2025.

2024/189 Use of Council Land: Railway Car Park: See confidential minutes.

2024/190 Padstow Sand: See confidential minutes.

2024/191 Lease and Tenant Matters: See confidential minutes.

Meeting closed at 8.26 pm

PADSTOW TOWN COUNCIL: 25 MARCH 2025: CLERK'S REPORT / WORK PROGRAMME

Agenda Item 6

PROJECT	NOTES/UPDATE
FULL COUNCIL	
Port Quin Seaweed Farm	Update item on the agenda, Support Officer will continue to check the MMO website for further updates.
Events 2025	Officer has updated the Councils website to give a brief overview of the 2025 events that the Council has agreed to take forward this year. Also, a campaign was sent to relevant contacts in the Council's mailing list.
LTOs	
Community Hub	Refurbishment works ongoing – Hub closed to hirers. Project Manager attended for second visit this month. Council Support Officer and Facilities Officer have been assessing furniture for the new spaces and will take report to LTOs. Council Support Officer to take forward Hub signage when able too, also working with the Council Facilities Officer to update the risk assessment/booking information.
Padstow Cemetery	Outcomes of the memorial stability testing continues to be progressed with permanent fixes being made to untraceable graves following decision of LTOs . Agreement from LTOs on direction of travel for welcome signage, this is being taken forward with Chair.
MUGA works	LTOs agreed to improvements to the fencing currently looking scheduling as to when these works can take place.
Historic Remains	Interment took place 7/3/25 this was a low key affair with tea and coffee afterwards at the Town Council Offices. The headstone is now in situ also.
Trevone Green and Steps Leading to Beach	Investigations ongoing with Trevone Green Cliff and report to next LTOs meeting. MGC Engineering have done some urgent remedial works to repair the bottom section of the railings already in place from Empty purse to the beach, further information on this item for consideration at next LTOs meeting.
New Gator	Has been ordered following recommendation by LTOs which was agreed by Council. Council Support Officer to take forward branding as per other vehicles.
Tree works	Both tree works in Plantation and the Churchyard have taken place.
HRT	
Car Park Tariff	Notice of Variation has been published. Change of tariff coming into effect from 1 April 2025, new signage overlays ordered and software changes to car park machines scheduled in.
Camel Roadway	Council Facilities Officer took report to LTOs for signage which is being taken forward.
FGP	
Grants 25/26	Grant applications for 25/26 are now invited. Closing date 2 April 2025. Grants meeting date 8 April.

PADSTOW TOWN COUNCIL

Minutes of the Highways, Roads and Transport Committee meeting held on Tuesday 4 March 2025 at the Council Chamber, Council Offices, Station House, Padstow at 7.00 pm

Present: Councillors A N Rees (Chairman), K Freeman (Vice-Chairman), G Chapman and M Rickard

In Attendance: Mrs K Pemberton (Town Clerk) and Mrs T Trestain (Council Facilities Officer and Minute Taker)

- HRT2024/39 Apologies and Announcements:** i) Apologies were received from Councillors A Hoskin and J O'Keefe. ii) There were no announcements.
- HRT2024/40 Public Participation:** There was no public participation.
- HRT2024/41 Minutes: RESOLVED** that the minutes of the meeting held on **Tuesday 22 October 2024** be signed as a true record of the meeting, subject to including Councillor A Hoskin as present.
- HRT2024/42 Declarations of Interest:** There were no declarations of interest.
- HRT2024/43 Committee Works: i) Update:** The update was noted as per the agenda report, and **ii) Programme:** The programme was noted without change.
- HRT2024/44 Off-Street Parking Service Level Agreement (2025/26) and 2024/25 Update:** There was much discussion on this item, generally members felt frustrated regarding the service they had received and what was being offered.

The Chairman commented that Cornwall Council (CC) had advised last year they were looking to recruit more enforcement officers to be able to offer more service frequency. The Town Clerk advised that she hadn't heard anything further on this, furthermore the same number of visits being offered for this year had not changed.

The Town Clerk provided members with an update on the number of PCN's that had been paid and revenue this had generated for Cornwall Council for 2024/25, but it was unclear how any discount was applied to the 2025/26 SLA. She understood administration costs would have to be taken into account but her understanding was that the service should be "cost neutral".

Whilst members continued to have issues it was acknowledged that enforcement was required. The Town Clerk added that the Council had agreed to this provision within the budget. Comment was further made that having more visits would be preferred for greater "visibility". In

response to a query, the Town Clerk advised that Council had approved budget for an additional member of staff predominately for car park duties. This was to be worked up by the Staffing Committee.

Members considered that questions should be asked in terms of the Council's SLA with CC such as:

- Update on the recruitment CC referred to last year;
- Why more frequency of visits/service hadn't been offered;
- Whether the service could be/was being varied i.e. time of day when visiting be changed each week; and
- Clarity on how any discount was calculated for 2025/26.

Despite wishing to raise questions, to avoid delay in any enforcement on the Council Car Parks Committee understood the need for enforcement and therefore that the SLA for 2025/26 be signed.

RESOLVED that the Town Clerk raise the queries raised at the meeting when submitting the signed SLA to Cornwall Council for 2025/2026 in respect of off-street parking enforcement.

HRT2024/45

Camel Roadway Signage: The Council Facilities Officer referred members to the agenda report.

The Council Facilities Officer welcomed Committee's view on the wording of the sign that would be situated on the entrance of the roadway by the Camel Trail (appendix 1 to the agenda report). Committee overall was happy with this sign but with one change replace 'dismount zone' to 'For everyone's safety dismount'. The Council's Facilities Officer updated that quotation for the signs, as detailed in the report, had been received totalling £1,204.92. However, advice was rather than treated wooden posts, as detailed in 3.2, coated steel posts be used instead.

Whilst Committee were happy with the signage detailed in 2.3, it was thought wording on the signage as you enter the roadway from Railway Car Park needed to capture that cyclist should dismount and not be cycling to the Trail entrance. This needed more thought therefore Committee was happy for the Chairman to liaise with the Town Clerk on this matter.

RESOLVED that i) coated steel posts be used; ii) the final designs for the signs be delegated to the Town Clerk in consultation with the Chairman; and ii) **RESOLVED TO RECOMMEND TO COUNCIL** that the quotation of £1,204.92 be accepted via the 2025/26 Contingency Budget.

HRT2024/46

Railway Car Park: Members were referred to the agenda report and noted the investigations being undertaken into survey options for areas on the Railway Car Park, welcoming further information on the same to a future meeting.

Members were also advised of remedial electrical works that were required with the Town Clerk exercising 4.4 of the Financial Regulations to undertake these works due to the urgent nature of the same.

RESOLVED TO RECOMMEND TO COUNCIL to note the action of the Town Clerk in approving the urgent remedial works to improve the condition of cable feeding streetlights along the cliff edge and streetlight column both located on the Railway Car park totalling £932.63 +Vat

HRT2024/47

Future Meetings: To be confirmed.

Committee considered that confidential agenda item 11 was not required and therefore did not move into confidential session. The Chairman closed meeting.

Meeting closed at 7.26pm

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PADSTOW TOWN COUNCIL

**Minutes of the Planning Committee meeting held on Tuesday
11 March 2025 at the Council Chamber, Station House, Station Road,
Padstow at 7.00pm**

Present: Councillors J O'Keefe (Chairman), Mrs J Dawe (Vice Chair),
G Chapman, Mrs J Colwill and P Curgenvin.

In Attendance: K Pemberton (Town Clerk) and S Ford (Support Officer and
minute taker)

P2024/72 **Apologies and Announcements:** i) Apologies were received
from Councillors R Higman and Mrs T Walter; and ii) There were
no announcements.

P2024/73 **Declarations of interest:** None

P2024/74 **Public Participation:** None.

P2024/75 **RESOLVED** that the **Minutes** of the meeting held on **Tuesday
11 February 2025** be signed as a true record.

P2024/76 **Planning**

**i. The following Cornwall Council planning decisions were
noted:**

- a) **PA24/09148: Prideaux Place, Tregirls Lane, Padstow:**
Works to trees subject to a Tress Preservation Order (TPO),
works include 1No Acer pseudoplatanus (Sycamore) tree
with signs of decay in the crown (as shown in photos). Tree
to be removed before decay takes over further and the trees
become unsafe especially with the garden being open to the
public. To mitigate the loss of the tree 1No Malus sylvestris
will be planted in its place. **APPROVED**
- b) **PA24/06793: Brimar, Windmill, Padstow, PL28 8RY:**
Retrospective planning application seeking permission for a
timber storage shed for storage and bund. **APPROVED**
- c) **PA24/09769: 11 Tregella Farm Cottages, Padstow,
PL28 8LJ:** Single storey extension to rear of property with
balcony above. **APPROVED**
- d) **PA24/07804: Tregella Place Caravan and Camping,
Tregella Lane, St Merryn, Padstow:** Retrospective
application for creation of an internal track within the caravan
site. **APPROVED**
- e) **PA25/00707: 39 Treverbyn Road, Padstow, PL28 8DN:**
Non-material amendment (3) in relation to Decision Notice
PA18/10921 dated 8.12.19 – Repositioning of garden store
and studio along with revised design and updated
landscaping. **APPROVED**

ii RESOLVED to make the following planning application responses to the Planning Authority (Cornwall Council):

- a) **[PA25/00330](#): Porthmissen Farm, Padstow, PL28 8HN:** Listed Building Consent for urgent repairs to existing storm damaged roofs including removing and re-fixing existing rag slates on new battens and breathable roofing felt. Urgent structural repairs and replacement of rotten roof timbers to prevent further damage to existing historic fabric to include the installation of 7 new conservation rooflights and 14 bat access slates. **SUPPORTED subject to i) Bat and barn owl mitigation being a condition and ii) Recommendations by Historic Environment Planning on repositioning of trusses being avoided and preserved and repaired in original position. Any works carried out are to the satisfaction of Historic Environment Planning.**
- b) **[PA25/01351](#): Porthmissen Farm, Padstow, PL28 8HN:** Urgent repairs to existing storm damaged roofs including removing and re-fixing existing rag slates on new battens and breathable roofing felt. Urgent structural repairs and replacement of rotten roof timbers to prevent further damage to existing historic fabric to include the installation of 7 new conservation rooflights and 14 bat access slates. **SUPPORTED subject to i) Bat and barn owl mitigation being a condition and ii) Recommendations by Historic Environment Planning on repositioning of trusses being avoided and preserved and repaired in original position. Any works carried out are to the satisfaction of Historic Environment Planning.**
- c) **[PA25/01432](#): Wingfield, Dennis Lane, Padstow:** Loft conversion with the construction of a front dormer and balcony. Rear two storey extension over existing building footprint, alterations to door and window openings. **SUPPORTED.**
- d) **[PA25/01671](#): 5 Fentonluna Lane, Padstow, Cornwall, PL28 8BA:** Extensions and associated alterations without compliance with Condition 2 of the Decision notice PA19/07454 dated 13th November 2019. **SUPPORTED.**

P2024/77 Responses to the following 5-day Protocols were noted:

- a) **[PA24/09676](#):** Green Gates, Upper Dobbin Lane, Trevone
b) **[PA24/08377](#):** Padstow Touring Park, Padstow

P2024/78 Update on Neighbourhood Development Plans (NDP) and the changing landscape was noted for information.

P2024/79 Date of Next Meeting: Tuesday 8 April 2025, 7.00pm.

Meeting closed at 7.12pm

PADSTOW TOWN COUNCIL

Minutes of the Staffing Committee meeting held on Tuesday 18 March 2025 at the Council Chamber, Council Offices, Station House, Padstow at 6.30 pm

Present: Councillors M Rickard (Chair) Mrs J Dawe (Vice Chair), K Freeman and A N Rees

In Attendance: Mrs K Pemberton (Town Clerk and Minute Taker)

- S2024/44** **Apologies and Announcements:** i) Apologies were received from Councillor A Hosking; ii) There were no announcements.
- S2024/45** **Declarations of Interest:** There were no declarations of interest.
- S2024/46** **Public Participation:** There was no public participation.
- S2024/47** **Minutes: RESOLVED** that the minutes of the meeting held on Tuesday 21 January 2025 be signed as a true record.
- S2024/48** **Date of Next Meeting:** It was noted that the schedule of meetings for 2025/26 had yet to be agreed.
- S2024/49** **It was RESOLVED to exclude the press and public due to the confidential nature of the business about to be transacted.**
- S2024/50** **Confidential Minutes: RESOLVED** that the confidential minutes of the meeting held on Tuesday 21 January 2025 be signed as a true record.
- S2024/51** **Committee Works i) Update:** was noted for information. **ii) Programme:** was noted without amendment.
- S2024/52** **General Staffing Matters:** See Confidential Minutes.
- S2024/53** **New Post:** See Confidential Minutes.
- S2024/54** **Councillor Training - Induction:** Committee considered that they would prefer a face-to-face training session for the new Council. The Town Clerk advised that this was being explored as to a possible in-house session to cover Code of Conduct and Being a Good Councillor and possibly Chairmanship Skills. Refreshment and lunch to be provided. An approach had been made to CALC and a response awaited. A training date would be included in Councillor Induction Packs so that new Councillors kept the day free as it was important they attend, potentially a date in July.

The Town Clerk confirmed there was budget available for Councillor Training.

RESOLVED to delegate to the Town Clerk in consultation with Committee Chair finalising this training event.

S2024/55

Staffing Handbook Review:

S2024/56

i) Overtime, Sick Leave and Training Update; and ii) Sickness Reporting and Management: The update was noted for information.

Meeting closed at 7.05 pm

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PADSTOW TOWN COUNCIL: 25 March 2025

AGENDA ITEM 8: FINANCE: MONTHLY ACCOUNTS & PAYMENTS: MARCH

- a) Finance Report: To receive the monthly Finance Report.
- b) Accounts: **To approve the accounts outstanding and ratify payments made since the last meeting** of i) February (b) of £47,455.91, February gross wages, NIC ER's and LGPS ER's of £30,395.15, standing orders and direct debits (regular payments of the same amount) of £1,083.50, and direct debits of £1,658.73; ii) March (a) of £7,190.95 and direct debits of £6,210.77; and iii) to note the availability of invoices for inspection.
- c) Car Parks: To note the car park takings.
- d) Internal Control – Member Review: At the February meeting of the Finance and General Purposes Committee it was resolved to introduce a member review step to the Council's internal controls to feed into the Council's overall review of the effectiveness of internal control and that this be undertaken by the Finance and General Purposes Committee Chair. The review applies a number of control tests to the internal control environment and will be conducted annually going forward.

The first review was undertaken on 10 March 2025 and the findings of the review are appended in the report prepared by the Chair of FGP.

Council is asked to receive the Member Review of the effectiveness of internal control and give consideration to any issues arising, if any, for referral to the FGP Committee.

- e) Budget 2025-26: The Capital/projects cost centre currently has a heading of 'Lawn garages area improvements'. The Staffing Committee agreed at its 21.1.25 meeting to prioritise other capital projects in 2025-26 due to workloads and this was ratified by Full Council on 28.1.25.

Does the Council agree with renaming the 'Lawn garages area improvements' to 'Contingency'?

- f) Bank reconciliations – to note their availability for inspection each month. The Chair of Finance or Town Clerk check and initial the bank reconciliations monthly.

Finance Report - Agenda item: 8a

Budget Report for the period 1.4.24 - 28.2.25

	Actual	Budget	Budget
	£	£	1.4.24-31.3.25
			£
Revenue Income	1,199,236	842,760	872,310
Revenue Expenditure	753,753	807,376	872,310
Capital/project expenditure	131,553	224,675	245,100

Debtors outstanding for more than 3 months:

One totalling £4232 net of VAT.

Creditors outstanding for more than 3 months:

None

To ratify payments made:

ACCOUNTS OUTSTANDING
February 'b' 2025

Date	Cost centre	Supplier	Details	Net	VAI	Total
10.2.25	Capital Expenditure	Padstow Carpentry & Building Ltd	Padstow Community Hub refurbishment, interim valuation no 1			£ 40046.98
19.2.25	HRT	Ian Dawe Electrical Contractor	Remedial works from EICR Railway Car Park	932.63	186.53	1119.16
18.2.25	HRT	Enerveo	Railway car park street light repair	917.64	183.53	1101.17
11.2.25	Corporate Services	Nova Surveyors	Surveying of Trevone areas of concern	750.00	150.00	900
7.2.25	Env - Cemetery	Duchy Cemetery's LTD	Sexton fees (direct recharge)			600
31.1.25	Administration/LTOS	Acronyms	Wednesday Watering Hole - 2024/25 Community Grant	401	80.20	500
4.2.25	LTOS	Padstow Petrol Station	IT support / broadband SH, Hub and Microsoft licenses	328.93	65.79	481.2
4.2.25	Corporate Services	Kestrel Guards	Fuel x 1 month and misc fixings	60	60	394.72
10.2.25	Administration	Acronyms	Check call service one month	220	44	360
7.2.25	HRT	Clear-flow	Annual 3CX phone license	190.17	38.03	228.2
3.2.25	Administration	Viking	Clearing of NBU chamber (direct recharge)	212.37	7.97	220.34
31.1.25	HRT	G4S	Cash collections	163	32.60	195.6
1.2.25	Various	Churchill Group	Monthly legionella control support package	156.7	31.34	188.04
1.2.25	LTOS	Total Pest	Quarterly pest control - Rope Walk allotments	143.78	28.76	172.54
7.2.25	Central Services	Tudor Environmental	Padstow School PTFA - balance of 2024/25 community grant	92.4	18.49	110.89
9.2.25	Administration	Midas Touch	PPE - leaf blower belt, trailer lightboard, gloves & glasses			158
16.2.25	Administration	Midas Touch	SH office cleaning x 1 week			79.5
12.2.25			SH office cleaning x 1 week			79.5
5.2.25	Democratic Core	SeaDog IT	Petty cash imprest			76.1
8.2.25	Administration	Sea Spray Window Cleaning	Mayor's travel expenses 21 Oct - 2 Feb			50.4
17.2.25	Administration	Acronyms	Monthly website hosting and maintenance fee			34.95
10.2.25	Administration	Churchill Group	Hazard tape, signs and holder (staff reimbursement)			28.26
30.1.25	LTOS		SH window cleaning			24
			monthly telephone fees	19.90	3.98	23.88
			Additional contract charge for Jan 2025 following annual rate increase	15.40	3.08	18.48
						<u>47,455.91</u>
			February - gross wages, NIC ER's and LGPS ER's			30395.15
7th	Corporate Services	Barclays Bank	Standing orders or Direct Debits (regular payments of the same amount):			25.50
1st		Cornwall Council	bank charges			1058.00
			Non Domestic Rates - PTC sites			<u>1083.50</u>
			Direct Debits			
31.1.25	Corporate Services	RingGo	RingGo fees - 1 month (partly received as income)	507.38	101.48	608.86
11.2.25	Env - Toilets/Admin	AUK Hygiene	Toilet rolls and cleaner	145.81	29.16	174.97
1.2.25	Env - Toilets	South West Hygiene	Sanitary and nappy bin collection/disposal	216.63	43.33	259.96
6.2.25	LTOS	EDF	Electricity PTC sites - Jan	223.03	11.15	234.18
3.2.25	Env - Toilets	EDF	Electricity PTC sites - Jan	78.54	3.93	82.47
6.2.25	LTOS	EDF	Electricity PTC sites - Jan	133.03	6.65	139.68
2.2.25	LTOS	Biffa	Excess weight charge - waste bins 29 Nov - 27 Dec	20.7	4.14	24.84
7.2.25	LTOS	ripower	Electricity PTC sites - Jan	67.4	3.37	70.77
1.2.25	Administration	Sage (UK) Ltd	Monthly subscription	52.5	10.5	63
						<u>1658.73</u>

To ratify payments made :

ACCOUNTS OUTSTANDING
March 'a' 2025

Date	Cost centre	Supplier	Details	Net	VAT	Total
28.2.25	Env - Cemetery	Duchy Cemetery's Ltd	Sexton fee (direct recharge)			600
7.3.25	Env - Cemetery	Duchy Cemetery's Ltd	Sexton fee (direct recharge)			600
25.2.25	LTOS /Env - Cemetery	Travis Perkins	Top soil, chippings, cement, fence posts, door handle	495.21	99.04	594.25
28.2.25	Corporate Services	IPS	CC transaction fee, monthly gateway/wires data fee - 1 month	485.1	97.02	582.12
28.2.25	Administration	Acronyms	IT security & support, hub wifi, microsoft, station house wifi - month	401	80.2	481.2
24.2.25	Corporate Services	Worknest	HR support	375	75	450
1.3.25	LTOS	Padstow Petrol Station	Fuel - 1 month	359.43	71.89	431.32
23.2.25	HRT	Reach Publishing Services LTD	Car park Notice Of Variation	342.76	68.55	411.31
4.3.25	Corporate Services	Kestrel Guards	Check call service - 1 month	300	60	360
17.1.25	LTOS	Flower Farms	Wild flower mix / poppy seed	291	58.2	349.2
27.2.25	LTOS	The Quay Garage	2 x tyres and fitting - Isuzu	282.9	56.58	339.48
26.2.25	HRT	Cornwall Council	CEO provision - 1 month			312.06
28.2.25	Corporate Services	Churchill Group	RA and Consultancy Works - Railway Toilets/SH	225	45	270
28.2.25	HRT	G4S	Car park cash collection - 1 month	195.6	39.12	234.72
28.2.25	Corporate Services	Churchill Group	RA and Consultancy Works - Padstow Cemetery	195	39	234
1.3.25	LTOS	Total Pest Control	Pest control - stile field - quarterly charge	143.78	28.76	172.54
4.3.25	Administration	Viking	Stamps, refill visitor pages, sticky notes	104.23	4.35	108.58
27.2.25	LTOS	The Quay Garage	1 x tyre and fitting - Peugeot	83.95	16.79	100.74
4.3.25	Administration	CALC	Procurement training x 2	70.00	14.00	84.00
24.2.25	Administration	Midas Touch	Office cleaning x 1 week			79.50
2.3.25	Administration	Midas Touch	Office cleaning x 1 week			79.50
9.3.25	Administration	Midas Touch	Office cleaning x 1 week			79.50
6.3.25	LTOS	Brunel Engraving	Memorial bench plaque (direct recharge)	49.90	9.98	59.88
7.2.25	LTOS		H&S supplies - crack monitoring equip / rechargeable flashing beacon (staff reimbursement)			41.98
8.3.25	Administration	SeaDog IT	Website monthly hosting and maintenance fee			34.95
21.2.25	HRT	City Plumbing	Pipe work - railway urinal	27.45	5.50	32.95
21.2.25	LTOS	Pro Compliance	Dynamic Risk Assessment Training x 1	20.00	4.00	24.00
10.3.25	Administration	Acronyms	Telephone - March 2025	19.90	3.98	23.88
6.3.25	LTOS		Toilet cleaning schedule holders (staff reimbursement)			19.29
						7,190.95
Direct Debits						
1.3.25	Administration	Sage (UK) Ltd	2025/26 Annual fee sage accounts /monthly fee sage payroll	850.5	170.1	1020.60
	Various	EDF	PTC sites (Jan/Feb)	2816.9	501.02	3317.92
28.2.25	LTOS	Biffa	General waste disposal	475.2	95.04	570.24
28.2.25	Env - Toilets	AUK Hygiene	toilet rolls, cleaner, cloths, trigger spray	288.3	57.65	345.95
28.2.25	Corporate Services	RingGo	RingGo fees - 1 month (partly received as income)	796.72	159.34	956.06
						6210.77

Padstow Town Council									
Railway & Lawn car park takings 2024-25									
<u>Railway car park</u>					<u>Lawn car park</u>				
	<u>2022-23</u>	<u>2023-24</u>	2024-25	<u>Budget</u>		<u>2022-23</u>	<u>2023-24</u>	2024-25	<u>Budget</u>
				<u>2024-25</u>					<u>2024-25</u>
Apr	49115	45608	39345	40,000		16638	14672	12287	13000
May	49618	51836	55245	45,000		17377	18095	19680	18500
Jun	56070	59007	56899	50,000		22085	23241	22235	23500
Jul	65553	68377	66603	60,000		28477	28727	26564	29000
Aug	81610	78606	76992	75,000		31448	31866	30890	31500
Sep	55672	58955	56526	55,000		23266	22270	20839	22500
Oct	45185	44632	43559	40,000		13067	13917	11994	13500
Nov	17353	17950	18842	20,000		3798	4273	4399	4000
Dec	21403	26737	18309	15,000		7471	8543	4733	8000
Jan	10046	11366	11603	5,000		2553	2001	2343	1500
Feb	18722	17322	19034	10,000		4064	3217	3738	3000
Mar	20155	27525		20,000		5131	7066		7000
	490502	507921	462957	435000		175375	177888	159702	175000
Railway	470347	480396	462957	415000	Lawn	170244	170822	159702	168000
sub totals					sub totals				
Apr '24 - Feb 25					Apr '24 - Feb 25				
Apr '24 - Feb 25	<u>2022-23</u>	<u>2023-24</u>	2024-25	<u>Budget</u>					
				<u>2024-25</u>					
	<u>£</u>	<u>£</u>	<u>£</u>	<u>£</u>					
Railway	470347	480396	462957	415000					
Lawn	170244	170822	159702	168000					
Total	640591	651218	622659	583000					
Car park takings									
April 2024 - February 2025 car park takings are £622,659, which is £39,659 more than the Budget and £28,559 less than the same period last year.									

Agenda Item 8d-

Review Of Effectiveness Of Internal Control – Member Review.

Control Test	Tested Yes/No	Comments/ Recommended Action (if required)	Initials
Asset Controls			
Asset Register is up to date	Y		RM
Regular maintenance arrangement for physical assets	Y		RM
Risk Management			
Risk Management arrangements in place and regularly reviewed.	Y		RM
Appropriate and adequate insurance cover in place	Y		RM
Effectiveness of internal audit undertaken annually	Y		RM
Building Ownership			
Assets are maintained to an acceptable standard of repair	Y		RM
Utility costs are regularly monitored	Y		RM
Tenants have up to date leases and rental agreements are in place	Y		RM
Standing Orders and Financial Regulations			
Adoption of Standing Orders and Financial Regulations	Y		RM
Budgetary Controls			
Regular financial reporting to Council.	Y		RM
Actual expenditure against the budget and reasons for significant variances regularly reported to Council	Y		RM
Recorded precept agrees to Cornwall Council notification	Y		RM

Income and Expenditure Controls			
Income properly recorded and banked regularly	Y		RM
Security controls over cash are adequate and effective	Y		RM
Rents are collected as they fall due / arrears arrangements adhered to	Y		RM
Invoices raised promptly and accurately	Y		RM
Proper arrangements in place for the approval of expenditure. Payments are supported by invoices, authorised and minuted.	Y		RM
Petty cash reconciled regularly, spending authorised and appropriately recorded, supported by invoices/ receipts	Y		RM
Bank Reconciliations			
Regular bank reconciliations of each account, verified in accordance with Financial Regulations.	Y		RM
Employment			
Contracts of employment for staff	Y		RM
Appropriate actions taken when there are relevant changes in legislation	Y		RM
PAYE/ NIC properly operated, and provisions for pension auto-enrolment in place to meet Council obligations as employer	Y		RM
Transparency			
Compliance with Local Government Transparency Code 2015: Items of expenditure incurred over £500	Y		RM

Minutes properly numbered and master copy kept securely for safekeeping	Y		RM
Ethical Conduct			
Procedures in place for recording and monitoring Members' Interests and Gifts of Hospitality	Y		RM
Adoption of Code of Conduct for Members	Y		RM
Declaration of Acceptance of office	Y		RM

Date of member review..... 10/03/2025

Review carried out by:

Name..... Ramona Hagan

Signature..... 

Report submitted to Council (date).....

(minute ref).....

Next review due.....

Additional comments by reviewer.....

.....

.....

AGENDA ITEM 9a): CORRESPONDENCE

Councillors Correspondence for Information – March 2025

Item	From	Referring To	Notes
A	Cornwall Council Environment Service	Outcome of Pop Up Tender for Link Road Car Park	
B	Devon & Cornwall Police	Bodmin & Wadebridge Neighbourhood Police Team Newsletter – March 2025	Also added to PTC website 'news'
C	Cornwall Council, Affordable Housing Team	Newsletter: March 2025	
D	Cornwall Council	Town and Parish Council Newsletter	Poster on avian flu added to PTC Facebook page
E	Padstow Rowing Club	Letter of thanks for grant funding to contribute towards purchase of new paddles	
F	Padstow Town Council	Cornwall Council 'Call For Sites' consultation response	Cornwall Council requested Council response to their 'Call for Sites' consultation. As per Full Council resolution on 25 February 2025, working group collated the Town Council's response which was emailed to the Cornwall Council Planning Team on 14 March 2025.

PADSTOW TOWN COUNCIL: 25 March 2025

AGENDA ITEM 9Bi: Correspondence: Land Use Request: Fishermen's Mission: Advertising trailer request for Railway Car park for a week in April 2025.

1. Overview

- 1.1. Fishermen's Mission Charity would like to place an advertising trailer on Railway Car Park for a week in April to help advertise their annual celebrity chef dinner.

2. Request Details

- 2.1. Trailer: The trailer pictured below was generously gifted to the charity and they advise it is a length of an ordinary car. They have been able to get the trailer wrapped to advertise the forthcoming celebrity chef dinner which is taking place on 14th June 2025.



- 2.2. Area: They are asking to use a Council car parking space, near to the road to help generate more interest. Their ideal location would be in the staff parking area beside the Council Chamber so the advertising could be seen around the hairpin bend.
- 2.3. Dates: The main event is taking place on the 14th June and they are moving the trailer around to different locations leading up to the event. They have asked if trailer could be in location for 1 week in April. They haven't specified dates.
- 2.4. H&S: They have advised that the trailer has a locking systems and will be covered by the charity's insurance. They understand we would require a suitable risk assessment and copy of the insurance.

3. Further information and considerations

- 3.1. Area: Officers think that the trailer might need 2 or 3 spaces depending on the angle and that consideration would need to be given to the hook up section, so not to causing a trip hazard near pedestrian access points or control measures they could put in place under their risk assessment (i.e. highlighting the risk with cones/tape)
- 3.2. Dates: Officers have gone back to the charity to check if they have the trailer booked at other locations for specific dates, currently no response received on this point. Easter holidays are from 7 April until Easter Monday on 21 April, with most schools returning on Tuesday 22 April.
- 3.3. About the Charity: A Charity set up nearly 150 years with the practical aims to support active, retired fishermen as well as their families. Their proactive welfare support to fishing families is available to fishers around the UK and they are very active in the 49 ports and coves of Cornwall. They advise that Councillors may have heard of the work they have done in Padstow, provide medical tests and dental work.
- 3.4. The Event: The annual celebrity chef dinner is not in its third year. The dinner is being held at Tregonce Barn with a view of Padstow. You can find out more and purchase tickets on the following link:
<https://www.fishermensmission.org.uk/product/fundraising-charity-dinner-2025/>
- 3.5. Charge: The charity has been made aware of the Council Land Use Policy. The policy does outline concerning charges 'Dependent on what the request is for and if the applicant intends to charge for the activity the Council may charge for use of their land.'
- 3.6. Other options: Officers have gone back to understand if another option of space for banner along the railings near the hairpin bend instead would work for them, so Council could consider this, so not to be losing any parking spaces, currently no response on this.

4. Decision

- 4.1. Does Council wish to provide parking space(s) for the use of an advertising trailer for one week in April for the Fisherman's Mission trailer, subject to receiving a suitable risk assessment and insurance documents to satisfy Council officers? If so, i) which area in the Railway Car Park does it wish to offer and how many spaces; ii) which week does Council wish to offer? And; ii) what is its view on charging? OR if this isn't preferred offer banner space on the Railings on the Railway Car Park?

PADSTOW TOWN COUNCIL: TUESDAY 25 MARCH 2025

AGENDA ITEM 10: PORT QUIN SEAWEED FARM CONSULTATION

1.0 Overview

- 1.1 Council will recall that the most recent Marine Management Organisation (MMO) consultation for the Port Quin Seaweed Farm was brought to Full Council on 26 November 2024. Subsequent updates on this consultation have been included in the Clerk's Update to Full Council on 28 January and 25 February 2025 advising that further information from the MMO would follow, once published.
- 1.2 At Full Council on 26 November 2024 it was **RESOLVED** that the Town Clerk be delegated to contact the Applicant regarding the applications impact on the Railway Car Park, seeking further information, outlining that the Town Council are the landowner of the Railway Car Park and highlighting associated permissions across PTC land, health and safety factors, and PLI and risk assessments.

2.0 Update on contact with Seaweed Farm Applicant

- 2.1 Further to Full Council's resolution above, the Clerk wrote to the Applicant, Camel Fish, on 7 January 2025. No contact or response has been received from the Applicant.

3.0 MMO Consultation Update

- 3.1 The MMO published its latest update on 28 February 2025:

"The MMO have now completed our review of these applications following the last round of consultation on both MLA/2023/00307 and MLA/2023/00308. The MMO have considered what the next steps for these cases will be and have now discussed this with the respective candidates. Following this discussion, Biome Algae, the applicant for MLA/2023/00308 has made the decision to withdraw their marine licence application, effective immediately. Camel Fish, the applicant for MLA/2023/00307 has not decided to withdraw at this time, and the MMO are continuing discussions with them and which we hope to conclude shortly. Once the MMO have finalised discussions on next steps with Camel Fish, we will provide a further update on this webpage. The MMO ask for patience at this time whilst we finalise these discussions".

The Support Officer will continue to monitor the MMO website for updates and will report back to Council as updates are issued.

4.0 Consideration

- 4.1 Does Council wish to do anything further in this matter. In particular, item 2.0 as no response has been received from the applicant, does Council wish to send a further letter?

PADSTOW TOWN COUNCIL: 25 MARCH 2025

AGENDA ITEM 11: CORNWALL COUNCIL – LINK ROAD TOILETS

1. Overview

- 1.1 Council are referred to appendix to this cover report being letter dated 6 March 2025 from Cornwall Council with regards to the Link Road Toilets.
- 1.2 Council will recall that with no meeting in December Councillors were emailed on 10 December concerning Cornwall Council's budget – Let's Talk Cornwall and information concerning the Link Road Toilets. At that time Cornwall Council confirmed that *"those levies [parking levy to subsidise toilets] that were created previously were superseded when the Parking Tariff Review was completed and standard tariffs implemented. Commitments made for the duration of the current administration have been made from a top slice from the Parking budget, but in future all of this budget is needed to address the statutory highway maintenance responsibilities. I can confirm that there are no levies applied to car parks."*

2. Letter from Cornwall Council

- 2.1 The latest letter from Cornwall Council, as appended. Is now outlining that the budget for 2025/26 has been set and their proposal for Cornwall Council to not directly run or fund the provision of toilets was approved. Their intention is to close Link Road Toilets with effect from 1 April 2025.
- 2.2 Cornwall Council is offering the opportunity for Padstow Town Council to operate these toilets directly. Outlining that the surrounding car park will continue to remain with Cornwall Council.

3. Current Padstow Town Council Toilet Provision

- 3.1 As Council will know it currently provides public toilet provisions in the town free of charge. A total of three toilet facilities, one of which was previously transferred from Cornwall Council.

4. Budget 2025/26

- 4.1 As Council will know no provision was made in the budget for running a further facility. Running costs being electric, water, rates, staff costs and consumables. We are a small team who currently undertake other Cornwall Council functions such as grass cutting and maintenance.
- 4.2 How does Council wish to respond in this regard?



Mrs K Pemberton
Town Clerk, Padstow Town Council
Station House
Station Road
Padstow
PL28 8DA

Date: 6th March 2025

Dear Madam

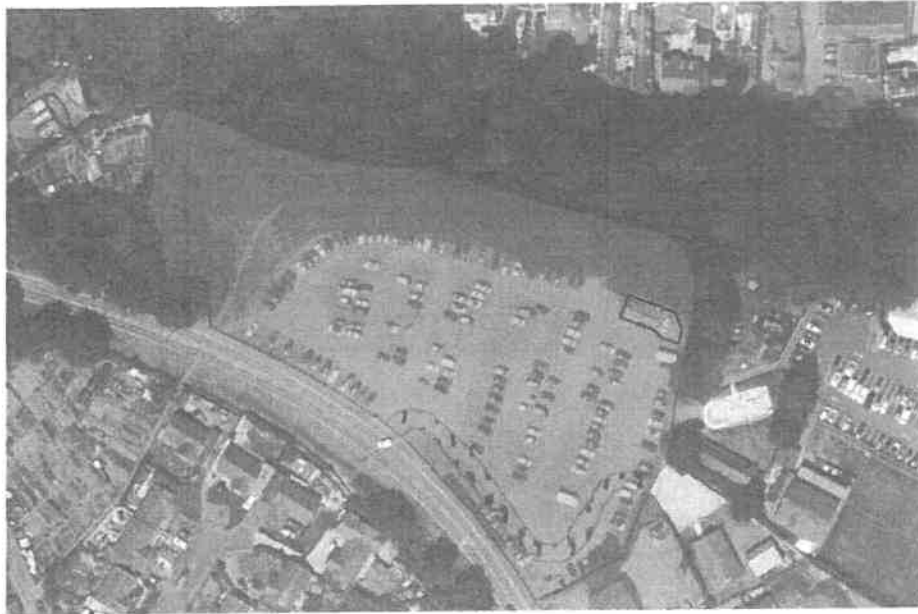
Padstow Town Council – Padstow Link Road Car Park Toilets UPRN 14489

I refer to my previous letters dated 21st November 2024 and 9th December 2024 where I stated that Cornwall Council has been required to review the non-statutory services it provides, such as public toilets.

At the full Council meeting on 25th February 2025 the budget for 2025/26 was set and the proposal for Cornwall Council to not directly run or fund the provision of toilets was approved.

The intention now is for this site to close with effect from 1st April 2025. Cornwall Council repeats its offer to you of the opportunity for you to operate this toilet directly. If there isn't a wish to take on the future management, we will consider alternative uses for the toilet that could include a potential disposal, in a similar manner to other recent toilets.

I am hopeful that the Town Council will look to engage with us so that a solution can be found and the toilet transferred. The layout below shows an edged area including the toilet and its immediate environs, that we are open to discuss becoming the responsibility of the Town Council. Please note that the surrounding car park will continue to remain with Cornwall Council.



Yours faithfully



Bryan Skinner
Head of Transport, Environment and Maritime Infrastructure
Department: Environment & Connectivity Service

Cornwall Council | Konsel Kernow
New County Hall, Treyew Road, Truro, TR1 3AY

0300 1234 100

www.cornwall.gov.uk

CC: Councillor - Stephen Rushworth
Community Link Officer – Sarah Sims

PADSTOW TOWN COUNCIL: 25 MARCH 2025

AGENDA ITEM: 12 Health & Safety Review: i) To note the review for information; and ii) agree the health and safety action plan.

- i) The review document is sent under a separate cover. As Council will know James Hallam undertake our annual review. Council will be pleased to note that several areas required no changes, and the Council is advised to continue to maintain its good standards. Council is asked to note the Health and Safety Review.
- ii) As part of the review an action plan was provided. The Town Clerk, Council Facilities Officer and Council Foreperson have agreed action points and target dates, Council are asked to agree the Action Plan appended to the report (appendix 1).

Action Point		Action Agreed		By Who	Target Date	Completion Date
7.4	Where safeguarding issues have been identified by risk assessment, training should be provided.	T/C & CFO investigating suitable training. Training to be undertaken.	T/C & CFO	November 2025 Jan/Feb 2026		
9.3	Review CoSHH assessments for the storage and refuelling of petrol powered equipment.	CFO to continue reviewing and updating the CoSHH assessments. Ensure team sign to say they agree once completed and work line with.	CFO CF	June 2025 June 2025		
15.1	Ensure there is basic training when the new Gator arrives so grounds staff know of the safety features.	CF to take delivery and ensure he is fully aware of safety features to inform his team and let CFO know if drivers weekly check sheet needs updating to take account of any new features.	CF	May 2025		
17.1	Review the fire risk assessments for the Station building and the Community Hub when Hub refurbishment completed	James Hallam undertaking the fire risk assessments end of March 2025 (Station House and Hub). Once undertaken CFO to review the same any issues to be raised with the TC/CF	CFO	April 2025		
25.1	Consider using a standard letter for appointed principal contractor moving forward	James Hallam to provide. CFO to chase up and take forward with Town Clerk.	CFO	September 2025		
28.1	Continue works on Legionella Management Plan	TC & CFO continue to strengthen the Legionella Control	TC/ CFO	November 2025		

Key for By Who – TC = Town Clerk CFO = Council Facilities Officer CF = Council Foreperson

AGENDA ITEM 13: STANDING ORDERS

1. Overview:

- 1.1 Council is asked to consider the NALC'S model standing orders which the Town Clerk has reviewed and updated for Council's consideration. This document is sent under separate cover.
- 1.2 Council to note that approving Standing Orders is a two-staged process. The Council must agree to changes to the Standing Orders; with the new version adopted at the following meeting of the Council.

2. For Consideration

- 2.1 Items for Council to consider are detailed in the table amended to this cover report.
- 2.2 Council is then asked to consider if it is happy to agree to the changes to the Standing Orders.

Section	Comments
1: Rules of Debate:	This is fundamentally the same as Council's current Standing Orders. However, there are a couple matters for Council to consider in this section:
m: Does Council wish to accept the new sentence (in black) or amend to include sentence (as per current SOs) in read?	
u: Does Council wish to include sentence in red (in current SOs)?	
2: Disorderly Conduct at Meetings	No change.
3: Meetings Generally	This is fundamentally the same (l and m) are new to this section, but ultimately replace section in current SOs filming and recording meetings. Item (s) the Town Clerk has removed reference to voting taken in alphabetical order. (v) has been updated to include Council's quorum of four and (x) to include meeting period as in current SOs. There are a couple matters for Council to consider in this section:
e: Does Council wish to include the text in red (in current SOs)?	
i: Council to decide which wording it would prefer.	
4: Committees and Sub-Committees	This is fundamentally the same. However, following meeting with Committee Chairs' regarding Committee restructure it was considered beneficial if Council at its Annual meeting after Committee appointments, appoint Chair for each Committee (v). The wording in red are picking up on wording in current SOs.
Does Committee wish to include the wording in red and also item (v) that Council appoint Committee chairs?	
5. Ordinary Council Meetings	This is fundamentally the same. Town Clerk has added in red for (d and e) as per Council's current SOs. (j) wording in red simplifies and incorporates each item, rather than separate headings. From item x onwards this is additional than current SOs.
Are Council happy with this section as detailed in the document?	
6. Extra Ordinary Meetings of Council, Committees and Sub-Committees	This is fundamentally the same. (d) no longer includes – "The public giving the time, venue and agenda for such a meeting must be signed by 3 committee members."
Are Council happy with this section as detailed in the document?	
7. Previous Resolution	This is fundamentally the same. (a) has been slightly updated.
Are Council happy with this section as detailed in the document?	
8. Voting on Appointments	(a) is no change. However Council in its current SOs had included in wording in red (b).
Do Council wish to include wording in red (b)?	
9. Motions for a Meeting that Require Written Notice to be Given to the Proper Officer	This is fundamentally the same. Wording in red (g) is in current SOs.
Do Council wish to include wording in red (g)?	
10. Motions at a Meeting that do not Require Written Notice	This section has been updated. Current SOs refer to other items here but they are captured elsewhere in the SOs.
Are Council happy with this section?	
11. Management of Information	No change. These are mandatory.
12. Draft Minutes	No real change, some wording changes but fundamentally the same.

13. Code of Conduct and Dispensations	This replaces what is in current SOs. Town Clerk has updated to reflect Council's decision-making process for dispensations.
14. Code of Conduct	This replaces what is in current SOs. (d) this has been updated and is mandatory.
15. Proper Officer	This is fundamentally the same. Item in current SOs re: delegated decision on urgent matters is incorporated within the Staffing Scheme of Delegation and also includes item where authority may not be given. (xv) wording in red in current SOs.
Do Council wish to include wording in red (xv)?	
16. Responsible Financial Officer	No Change.
17. Accounts and Accounting Statements	This replaces existing and has been checked to ensure it aligns with Council's Financial Regulations.
18. Financial Controls and Procurement	This replaces existing and has been checked and updated to ensure it aligns with Council's Financial Regulations with the additional of Appendix 1.
19. Handling Staff Matters	This is the updated version, picks up on existing SOs as well as additional items.
20. Responsibilities to Provide Information	No change. These are mandatory.
21. Responsibilities under Data Protection Legislation	No change. These are mandatory.
22. Relations with the Press/Media	Town Clerk has updated this section as per current SOs, as detailed in red.
Are Council happy with this section as per (a) and (b)?	
23. Execution of Sealing of Legal Deeds	This has been updated to reflect current process, (b) is mandatory.
24. Communicating Unitary Councillors	(b) is new.
Are Council happy with this section?	
25. Restrictions on Councillor Activity	(i and ii) are the same. Wording in red (iii) is what is included in Council current SOs.
Do Council wish to include wording in red (iii)	
26. Standing Orders Generally	No change.

AGENDA ITEM 14: COMMITTEE RESTRUCTURE

1. Background

- 1.1 Mention has been made to review the current structure. It was considered timely to undertake this review in readiness for the new Council.
- 1.2 The existing committee structure is: Finance and General Purposes Committee, Staffing Committee, Leisure, Tourism and Open Spaces Committee, Highways Roads and Transport Committee and Planning Committee.

2. Process

- 2.1 In undertaking this task the Town Clerk has reviewed:
 - o **Existing Committee Structure:** How often they met – including any cancellation of meetings and why and membership and attendance;
 - o **Council Workload:** This was taken from a recent review which was reported to the Staffing Committee. Town Clerk looking at how evenly this is spread across the existing structure, and questioning could this be managed better?
 - o **Council’s Business Plan for 2025/26:** Looking at the work for this forthcoming year, alongside the budget. Also picking up the greater role Council has taken forward with community events.
 - o **Council Financial Regulations and Standing Orders:** As Council will know the Financial Regulations have been recently reviewed. Council would have considered before this item updating the Council’s Standing Orders. Both these documents factored when reviewing this matter.
 - o **Other Councils:** Looking at best practice across a number of Town and Parish Councils, reviewing their scheme of delegations/Committee structures, as well as both NALC/CALC websites for relevant/useful information.

3. Restructure

- 3.1 Following the work undertaken detailed above, the Town Clerk considered that the existing Committees be restructured, from 5 standing Committees (detailed in 1.2) to 4. The suggested split being:

Committee	Scope	Comments
Finance and General Purposes	To oversee and monitor the Council’s finances, ensuring adequate financial controls are in place to utilise and protect both Council finances and its assets, including insurance and lease matters in accordance with legislation, guidance and the Council’s Financial Regulations and Standing Orders and compliance on regulatory matters such as FOI and Data Protection.	Same as existing but picking up more on compliance issues, as well as incorporating IT, corporate identity and greater role with leases.
Personnel and Staffing	The Council has established this Committee whose primary purpose is to ensure the Council complies with the requirements of employment law and follows best practice in providing good working conditions for staff, including health and safety. Overseeing the appraisal process and training programmes for both staff and Councillors.	Same as existing but picking up more on both staff and Cllr training, as well as health and safety.

Communities and Facilities	The Council has established this Committee to oversee all Council property/facilities whether owned, leased or managed and its community functions and activities.	This picks up the LTOS workload as well as incorporating the car parks (from HRT). Easier to manage as no cross over.
Planning and Highways	To undertake the role of the Council as a statutory consultee, reviewing/commenting on planning applications as advised by the principal authority. Responding on any matters relating to heritage, highways, byways, footpaths and transport issues that affect the Parish. Responding to consultations on planning matters and be lead committee for the Parish's Neighbourhood Development Plan.	Same as existing but picking up on responding to highways matters etc (formally sat with HRT), felt this was a better fit. Also lead committee for NDP.

4. Scheme of Delegation and Terms of Reference

- 4.1 Following the above, the Town Clerk drafted Scheme of Delegation and Terms of Reference for each Committee working alongside the revised Standing Orders. This document is attached to this cover report (Appendix 1).
- 4.2 This also includes the existing terms of reference for the Grievance and Disciplinary Hearing Panel (sub-committee for Personnel and Staffing Committee), no changes have been made to this. The existing Staffing Scheme Delegation with one minor addition to Other item 8 – to include the exclusions of the authority given (as detailed in the current Standing Orders detailed under Proper Officer section 16).

5. Consultation

- 5.1 The Town Clerk consulted with the Council Office Team and took onboards comments made. The Town Clerk also met with the Council Chair, Vice-Chair and Committee Chairs, all of which were in attendance to seek their views and input. Their comments were taken onboard and have been incorporated.
- 5.2 The Councillors all considered that the suggested restructure worked well, all happy with reducing from 5 to 4. Furthermore, were happy with the drafted documents (as per Appendix 1).
- 5.3 Discussions were also had with regards to how the Chairs of each Committees are appointed. It was considered that this was better managed being part of the Annual Council meeting. When Council appoints members to each Committee to also appoint Committee chairs, leaving any appointment of Vice-Chair to the Committees. It was considered that this would save time and avoid delay with the appointment of the Finance and General Purposes Committee, as this could then be made at that meeting, as well as the appointment of the Chair of Finance.
- 5.4 With regards to each Committee reviewing their own Terms of Reference at its first meeting, this was considered unnecessary going forward. As the Council agree the Scheme of Delegation and Terms of Reference this did seem appropriate to undertake.

6. Way Forward

- 6.1 Council is asked to review Appendix 1 to this report with a view to agreeing the proposed new structure, Committee Terms of Reference and Committee and Staffing Scheme of Delegations to be operational from May 2025 in readiness for the new Council, with the current structure remaining in place until then.

Delegation to Committees

The following matters are delegated to Council Committees to make decisions on behalf of the Council. The delegated decision making by Committees must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget. Where they are delegated to Committee, so far as is legally permissible, they be deemed the acts and proceedings of the Council.

The Council may at any time, following resolution, revoke any delegated authority, without prejudice to execution action already taken. Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to Council. Similarly, where a committee has no delegated power to make a decision it makes a recommendation to Council.

The Council and each Committee is authorised to establish sub-committees and working groups, and to appoint advisors as and when necessary to assist in its work. The work of which to be decided upon at the time it is formed by means of a Minute detailing the terms of reference. To report back with recommendations to the Council or the Committee that formed it.

Written minutes will be taken to record the Committee's decisions. If the item is within delegated powers the minutes will record the decision as RESOLVED. If it is not within the delegated powers the minutes will show RECOMMENDED with the minutes taken to full Council for approval or adoption as appropriate, relevant Committee for consideration.

Padstow Town Council has established the following Committees with delegated responsibilities, their terms of reference detailing their delegations is attached, as well as the Staffing Scheme of Delegation:

Committee	Scope
Community and Facilities Committee	The Council has established this Committee to oversee all Council property/facilities whether owned, leased or managed and its community functions and activities.
Personnel and Staffing Committee	The Council has established this Committee whose primary purpose is to ensure the Council complies with the requirements of employment law and follows best practice in providing good working conditions for staff, including health and safety. Overseeing the appraisal process and training programmes for both staff and Councillors.
Finance and General Purposes Committee	To oversee and monitor the Council's finances, ensuring adequate financial controls are in place to utilise and protect both Council finances and its assets, including insurance and lease matters in accordance with legislation, guidance and the Council's Financial Regulations and Standing Orders and compliance on regulatory matters such as FOI and Data Protection.
Planning and Highways Committee	To undertake the role of the Council as a statutory consultee, reviewing/commenting on planning applications as advised by the principal authority. Responding on any matters relating to heritage, highways, byways, footpaths and transport issues that affect the Parish. Responding to consultations on planning matters and be lead committee for the Parish's Neighbourhood Development Plan.

Community and Facilities Committee

Scope:	The Council has established this Committee to oversee all Council property/facilities whether owned, leased or managed and its community functions and activities.
Membership:	Seven elected Councillors
Quorum:	Four members
Meetings:	At least 6 meetings a year, to be scheduled on the first Tuesday bi-monthly at 7.00 pm. Additional meetings to be arranged as required.
Non-Members:	Any member of Council is able to attend and participate at the discretion of the Chair on items on the agenda but must be seated in the public area and must leave the room whenever the press and public are excluded.
Chair/Vice-Chair:	Council to appoint Committee Chair at the Annual Meeting of Council. First item of business at its first meeting after the Annual Town Council meeting to elect Vice-Chair, if Committee thought appropriate, although any elected Committee member can preside by agreement in the Chair's absence.
Sub-Committees/ Working Groups	Committee is able to constitute to study any aspect within the Committee's remit. Making recommendations to the parent Committee. Members of the public can be co-opted on to assist.

Delegated Functions:

Committee has **full delegated powers** to make decisions on behalf of the Council **provided that any expenditure is within the Committee budget and within the limits as detailed in the Council's Financial Regulations**, in the following matters:

1. Approval of its minutes as true and accurate records.
2. To manage its own work programme effectively, mindful of workload pressures.
3. Consideration of any recommendations of sub-committees/working groups under the Committee's control.
4. All matters relating to the maintenance, operation and activities within, of:

i.	All open spaces either owned or leased by Padstow Town Council which includes Stile Field, Wheal Jubilee Parc, Spritty Meadow, Plantation, The Green and Empty Purse (Trevone)
ii.	Play areas, including Multi-Use Games Area, skate park and Lawns U12's Play Park
iii.	Padstow Cemetery
iv.	St Petroc's Closed Churchyard
v.	War Memorials – Stile Field and Dennis Hill
vi.	Rope Walk Allotments
vii.	Railway and Lawns Car Parks
viii.	Public Conveniences Railway, Cory and North Quay
viiii.	Council buildings including Council Offices, Community Hub, Lawns Car Park buildings/garages
v.	Railway Car Park Red Phone Box
vi.	Any other property which shall be acquired from time to time.

5. All matters relating to and taking place in the public realm including:

i.	Public shelters and bus shelters
ii.	Public seats
iii.	Litter/dog waste bins
iv.	Signage

v.	Noticeboards
vi.	Planters
vii.	Streetlights (Railway and Lawns Car Parks)
viii.	Flag poles – Station House and The Green (Trevone)

6. The maintenance, improvement and general upkeep of all Councils' properties/assets (detailed in 3 and 4 above) within the agreed budget and development of annual plans including tree management plans to support this.
7. To ensure that the Council has the appropriate equipment and vehicles to be able to administer 6 above.
8. To implement, monitor and manage Cornwall Council's Service Level Agreements within the remit of this Committee.
9. To ensure the effective planning and delivery of community events/initiatives.
10. To respond on behalf of the Council on any consultations within the remit of this Committee.
11. Acceptance of tenders and supervision of contracted projects within the remit of this Committee and provided within budget set by Council.
12. All aspects of Health and Safety that fall within the remit of Committee and within Council Policy to ensure compliance with the HASAW Act 1974 and other relevant legislation.
13. To apply for any grants, as appropriate.
14. To consider such matters as may be delegated by the Council from time-to-time.

Functions for Recommendation:

Committee to make **RECOMMENDATIONS** to **Full Council/Finance and General Purposes Committee** in the following matters:

For Council:

1. Any matter within the remit of the Committee which is not within the Committee's budget or within the limits as detailed in the Council's Financial Regulations .
2. Any matter falling within the remit of the Committee which involves the introduction of a new policy, changes to existing policy or not within any existing policy, future direction of strategy.
3. Any recommendations arising from joint working with other bodies or Council Committees.

For Finance and General Purposes Committee:

4. Consideration of annual estimates of income including level of fees and charges, expenditure on continuing services and capital expenditure for the forthcoming year to feed into the budget setting process.

Personnel and Staffing Committee

Scope:	The Council has established this Committee whose primary purpose is to ensure the Council complies with the requirements of employment law and follows best practice in providing good working conditions for staff, including health and safety. Overseeing the appraisal process and training programmes for both staff and Councillors.
Membership:	Five elected Councillors
Quorum:	Three members
Meetings:	At least 5 meetings a year - June, September, November (budget), January (appraisals) & March. Additional meetings to be arranged as required.
Non-Members:	Any member of Council is able to attend and participate at the discretion of the Chair on items on the agenda but must be seated in the public area and must leave the room whenever the press and public are excluded.
Chair/Vice-Chair:	Council to appoint Committee Chair at the Annual Meeting of Council. First item of business at its first meeting after the Annual Town Council meeting to elect Vice-Chair, if Committee thought appropriate, although any elected Committee member can preside by agreement in the Chair's absence.
Standing Sub-Committee:	Grievance and Disciplinary Hearing Panel (Appendix 1). Has delegated power to make decisions on Grievance and Disciplinary matters on behalf of the Town Council reporting the Panel's decision to the Staffing Committee for information.
Sub-Committees/ Working Groups	Committee is able to constitute to study any aspect within the Committee's remit. Making recommendations to the parent Committee. Members of the public can be co-opted on to assist.

Delegated Functions:

Committee has **full delegated powers** to make decisions on behalf of the Council **provided that any expenditure is within the Committee budget and within the limits as detailed in the Council's Financial Regulations**, in the following matters:

1. Approval of its minutes as true and accurate records.
2. To manage its own work programme effectively, mindful of workload pressures.
3. To ensure the Council has best advice and kept up to date with developments in employment law by employing specialist HR support.
4. To oversee the staff appraisal process.
5. To oversee the management of the Town Clerk to include undertaking the annual appraisal by a member of the Staffing Committee (usually the Chair, unless the Chair of the Council) in consultation with the Chair of the Council.
6. To promote mutual trust, respect and courtesy for staff and councillors.
7. To keep under review staff work/life balance, working conditions, health and safety and wellbeing, including monitoring of absence and annual review of staff and Committee workloads.
8. To have oversight of matters relating to health and safety, liaising as appropriate with other Committees, to ensure the co-ordination of an effective culture of health and safety throughout the Council to ensure compliance with the HASAW Act 1974 and other relevant legislation.
9. To receive regular reports on health and safety matters which should include claims, accidents, incidents and insurance issues, along with reports on the annual health and safety review, liaising as appropriate with other Committees.

10. To administer the Council's Grievance and disciplinary procedures and taking the appropriate action in accordance with Council policies, including seeking any professional assistance to assist and resolve.
11. To oversee staff and councillor training programmes to include regular updates on training undertaken and training requirements.
12. To oversee the staff and councillor induction process.
13. To oversee the recruitment and selection process for all staff and where required, assist the Town Clerk in the recruitment of new staff.
14. To undertake the recruitment and selection process of the Town Clerk including making the appointment with any associated costs.
15. To consider such matters as may be delegated by the Council from time-to-time.

Functions for Recommendation:

Committee to make **RECOMMENDATIONS** to **Full Council/Finance and General Purposes Committee** in the following matters:

For Council:

1. Any matter within the remit of the Committee which is not within the Committee's budget or within the limits as detailed in the Council's Financial Regulations.
2. Any matter falling within the remit of the Committee which involves the introduction of a new policy, changes to existing policy or not within any existing policy, future direction of strategy.
3. Any matter relating to staff contracts of employment and their terms and conditions which require review to comply with the law and with good practice.
4. Any matter relating to staffing levels and pay and grading structures following review and to comply with the law and with good practice.
5. Any matter relating to recruitment, retention and development of all staff.
6. Any recommendations arising from joint working with other bodies or Council Committees.
7. Consideration of requests to exercise Local Government Pension Scheme (LGPS) discretions as outlined in the Council's Employer Discretions Policy.

For Finance and General Purposes Committee:

8. Consideration of staffing and training costs for the forthcoming year to feed into the budget setting process.

Committee: Personnel and Staffing Committee

Standing Sub-Committee:

Grievance and Disciplinary Hearing Panel

Panel terms of reference for consideration and inclusion in the Personnel and Staffing Committee's Terms of Reference are as follows:-

- Panel to consist of three panel members of mixed gender, wherever possible (from within the Staffing Committee);
- Two members acting as substitute Sub-Committee members (from within the Staffing Committee); if necessary;
- Where possible, all members serving on the Grievance and Disciplinary Hearing Panel to have undertaken appropriate training and/or taken actively take advice from Council's HR advisors;
- The Grievance and Disciplinary Hearing Panel to be given delegated power to make a decision on Grievance and Disciplinary matters on behalf of the Town Council reporting the Panel's decision to the Staffing Committee for information;
- Panel to follow Council policy in respect of any Grievance or Disciplinary matter;
- If changes to any Council policy or practice are required as a result of their considerations, the Panel to recommend such changes to the Staffing Committee for them to consider who in turn will recommend any changes to Council.

Dealing with Appeals:

Only the Full Council can elect an Appeal Hearing Panel as follows:-

- Three panel member of mixed gender, wherever possible (who are not members of the Staffing Committee) with;
- Two additional members acting as substitute members, if necessary (who are not members of the Staffing Committee);
- Where possible, all members serving on the Appeal Hearing Panel to have undertaken appropriate training and/or taken actively take advice from Council's HR advisors;
- The Appeal Hearing Panel to be given delegated power to make a final decision on appeals matters on behalf of the Town Council reporting the Panel's final decision to the Staffing Committee for information.

Finance and General Purposes Committee

Scope:	To oversee and monitor the Council's finances, ensuring adequate financial controls are in place to utilise and protect both Council finances and its assets, including insurance and lease matters in accordance with legislation, guidance and the Council's Financial Regulations and Standing Orders and compliance on regulatory matters such as FOI and Data Protection.
Membership:	Eight elected Councillors (to include Chair, Vice-Chair, Cttee Chairs (except Planning Cttee)).
Quorum:	Four members
Meetings:	At least 6 meetings a year – April (grants), June, July, September, November (budget) and February. Additional meetings to be arranged as required.
Non-Members:	Any member of Council is able to attend and participate at the discretion of the Chair on items on the agenda but must be seated in the public area and must leave the room whenever the press and public are excluded.
Chair/Vice-Chair:	Council to appoint Committee Chair at the Annual Meeting of Council. First item of business at its first meeting after the Annual Town Council meeting to elect Vice-Chair, if Committee thought appropriate, although any elected Committee member can preside by agreement in the Chair's absence.
Sub-Committees/ Working Groups	Committee is able to constitute to study any aspect within the Committee's remit. Making recommendations to the parent Committee. There will be <u>no</u> non-Council members.

Delegated Functions:

Committee has **full delegated powers** to make decisions on behalf of the Council **provided that any expenditure is within the Committee budget and within the limits as detailed in the Council's Financial Regulations**, in the following matters:

1. Approval of its minutes as true and accurate records.
2. To manage its own work programme effectively, mindful of workload pressures.
3. To ensure that adequate financial controls are in place to utilise and protect the Council's finances and assets and to have charge over the financial and accounting arrangements of the Council.
4. To ensure the preservation of probity and good financial and other practices within the Council, including accountability for debt monitoring and recovery.
5. To ensure appropriate insurances are in place.
6. To maintain an asset register on all Town Council property liaising with other Committees, as appropriate.
7. To ensure that the Council's registered title is held at the Land registry liaising with other Committees, as appropriate.
8. To undertake budget monitoring and taking action where required on the virement (transfer) of funds between any Council budgets.
9. To ensure that an adequate and effective system of internal controls are in place to secure the integrity of Council finances. To ensure that both internal and external audits are undertaken and to monitor the implementation of any recommendations therein.
10. To ensure that all matters under the remit of this Committee are in accordance with legislation, statutes and the Council's Financial Regulations and Standing Orders.
11. To review Council fees and charges, liaising with relevant committees on an annual basis.

12. To monitor and review the Council's Risk Management Policy Statement and Risk Management Scheme.
13. To manage and review the Council's annual Community Grant scheme.
14. To decide on matters related to the Council's corporate identity to include branding, logo/crest, website and publicity matters, not already delegated to the Town Clerk.
15. To manage the Council properties in terms of tenancies and rent reviews.
16. To negotiate any changes to existing lease/licence arrangements and negotiate terms for all new lease/licence arrangements, whether acting as tenant or landlord.
17. Exercising the Town Council's powers to direct as to the custody of parish property and documents, in accordance with the provisions of the Local Government Act 1972 s. 226.
18. To decide on matters regarding the future provision of civic regalia.
19. All aspects of Health and Safety that fall within the remit of the committee and liaising with other Committee to ensure appropriate budgets in place in this regard.
20. To manage the Council's IT and telephony provision.
21. To ensure Council is compliant in terms of FOI and Data Protection.
22. To have an overview of the Council's complaints policy and procedure.
23. To consider such matters as may be delegated by the Council from time-to-time.

Functions for Recommendation:

Committee to make **RECOMMENDATIONS** to **Full Council** in the following matters:

1. Any matter within the remit of the Committee which is not within the Committee's budget or within the limits as detailed in the Council's Financial Regulations.
2. Any matter falling within the remit of the Committee which involves the introduction of a new policy, changes to existing policy or not within any existing policy, future direction of strategy.
3. Any recommendations arising from joint working with other bodies or Council Committees.
4. The Council's annual budget following review and consultation with other Committees in its preparation. Council to also consider member allowances and precept.
5. Amendments to the Council's Financial Regulations and Council Standing Orders following regular review to ensure that the Council is observing the Regulations.
6. The Council's Annual Business Plan following review during the budget setting process.
7. The provision for future capital projects and the use of Council reserves.
8. The securing and security of all Town Council property and land.
9. Considerations arising from monitoring the implementation of recommendations within internal or external audit reports.
10. Regarding the prosecution or defence of any legal proceedings.
11. The use of powers to acquire by agreement, or to dispose of land in accordance with the provisions of the Local Government Act 1972 s.139.
12. The use of its powers to accept gifts, including land, in accordance with the provisions of the Local Government Act 1972 s. 139.
13. Consideration of requests to exercise Local Government Pension Scheme (LGPS) discretions, as outlined in the Council's Employer Discretions Policy.

Planning and Highway Committee

Scope:	To undertake the role of the Council as a statutory consultee, reviewing/commenting on planning applications as advised by the principal authority. Responding on any matters relating to heritage, highways, byways, footpaths and transport issues that affect the Parish. Responding to consultations on planning matters and be lead committee for the Parish's Neighbourhood Development Plan.
Membership:	Six elected Councillors
Quorum:	Four members.
Meetings:	The Committee will meet on the 2 nd Tuesday of each month at 7pm. Additional meetings to be arranged as required.
Non-Members:	Any member of Council is able to attend and participate at the discretion of the Chair on items on the agenda but must be seated in the public area and must leave the room whenever the press and public are excluded.
Chair/Vice-Chair:	Council to appoint Committee Chair at the Annual Meeting of Council. First item of business at its first meeting after the Annual Town Council meeting to elect Vice-Chair , if Committee thought appropriate, although any elected Committee member can preside by agreement in the Chair's absence.
Sub-Committees/ Working Groups	Committee is able to constitute to study any aspect within the Committee's remit. Making recommendations to the parent Committee. Members of the public can be co-opted on to assist.

Delegated Functions:

Committee has **full delegated powers** to make decisions on behalf of the Council **provided that any expenditure is within the Committee budget and within the limits as detailed in the Council's Financial Regulations**, in the following matters:

Responsibilities

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

1. Approval of its minutes as true and accurate records.
2. To manage its own work programme effectively, mindful of workload pressures.
3. The Council's response to all applications for development within Padstow Town Council area (including Listed Building, Conservation Area consent, consent for advertisement displays etc) received from Cornwall Council.
4. Responding to consultation documents regarding tree preservation and other matters regarding general land development (local and national policy).
5. The consideration of all appeals against planning refusal by Cornwall Council within Padstow Town Council area and the submission of comments to the relevant bodies.
6. The consideration of any proposals for new and any review of Cornwall Council structure plans, local plans and any other consultation document of a planning nature.
7. The appointment of a member of the committee to represent the Council at Cornwall Council planning meetings as appropriate.
8. Consultation with other relevant bodies with similar interests including other Town Council committees and sub-committees and consideration of their recommendations.
9. To respond to any matters relating to heritage, highways, byways, footpaths and transport issues that affect the Parish i.e. Traffic Regulations Orders, public transport network and parking enforcement issues, liaising with other Committees as appropriate.

10. To be Lead Committee to oversee and review the Parish's Neighbourhood Development Plan.
11. To consider such matters as may be delegated by the Council from time-to-time.

Functions for Recommendation:

Committee to make **RECOMMENDATIONS** to **Full Council** in the following matters:

1. Any matter within the remit of the Committee which is not within the Committee's budget or within the limits as detailed in the Council's Financial Regulations.
2. Any matter falling within the remit of the Committee which involves the introduction of a new policy, changes to existing policy or not within any existing policy, future direction of strategy.
3. Any recommendations arising from joint working with other bodies or Council Committees.

Staffing Scheme of Delegation

Proper Officer:

The Town Clerk is designated and authorised to act as the Proper Officer for the purpose of all relevant sections of the local Government Act 1972 and any other statute requiring the designation of a Proper Officer. The Responsible Financial Officer being the appropriate officer to act in financial matters of the Council.

General Matters: Members of staff have delegated powers as outlined below in addition to any delegations given for specific works/projects by Council or Committees with the appropriate delegated powers.

Key: TC – Town Clerk, RFO – Responsible Financial Officer,
ATC/ARFO – Assistant Town Clerk/Assistant Responsible Financial Officer

In the absence of the Town Clerk to exercise any functions delegated to the Town Clerk.		ATC/ARFO and RFO
Staffing		
1	To engage temporary staff as and when required within budget	TC
2	To authorise overtime and staff expenses claims for all staff	RFO, TC
Finance		
1	To enter into contracts for the purchase and supply of goods and services, providing within budgets set in accordance with the Financial Regulations and relevant approval granted by Council	RFO, TC
2	To hire plant from contractors and engage specialist sub-contractors, providing within budgets set in accordance with the Financial Regulations and relevant approval granted by Council	RFO, TC
3	To sell or otherwise dispose of surplus materials, equipment and goods, salvage scrap and other waste providing not listed in asset register	TC, RFO
4	To use the repairs and maintenance budgets for the maintenance, replacement or repair of existing plant, vehicles or equipment.	RFO, TC
5	To incur urgent expenditure in respect of any H & S risk within the parish, until a meeting of the Council can be called and to designate officers to carry out emergency functions	TC
6	To operate the Councils banking arrangements	RFO and/or ATC/ARFO set up payments, TC authorise.
7	To pay salaries	RFO and/or ATC/ARFO set up payments and TC authorise
8	To collect all income due to the Council, including appropriate interest and costs	RFO and/or ATC/ARFO

9	To take any proceedings or other steps as necessary to enforce and recover any debt owing to the Council.	RFO and/or ATC/ARFO
Legal		
1	Subject to prior consultation with the Mayor &/or other relevant Committee Chairs, to take all appropriate steps to secure the Council's legal position in cases of urgency with regard to its assets or in aid of its statutory functions.	TC, RFO
2	To make applications for all statutory consents necessitated by any approved Council proposal or development.	TC
3	*To sign any document necessary to give effect to any decision of the Council on behalf of the Council. <i>*As per Council's Standing Orders legal deeds to be signed by 2 Councillors and witnessed by the Proper Officer.</i>	TC
Other		
1	To grant permissions for use of recreational open space in accordance with Council policy – if any and statutory requirements	TC
2	To issue free parking permits in accordance with council policy	TC
3	Subject to necessary approvals to erect or authorise street furniture, barriers signs etc	TC
4	To allocate burial spaces and issue deeds of exclusive rights and approve wording on memorials	TC
5	To alter the date or time of a Council or committee meeting following consultation with the appropriate Chair	TC
6	To decide arrangements for closure of the Council offices in the Christmas/New Year period subject to consultation with the Mayor	TC
7	Banners on railings – to agree to location of banners – HRT June 2012	TC
8	Subject to prior consultation with the Mayor/Chair or, in his/her absence, the Deputy Major/Chair to take appropriate actions arising from urgent matters or emergencies. Any action to be reported and ratified at the next available Council meeting. NB: This authority may not be used to decide on the following: i) anything contrary to Council policy, ii) issuing a precept, iii) determining borrowing limits, iv) approving a lottery scheme; and iv) considering an auditor's report.	TC

PADSTOW TOWN COUNCIL: 25 March 2025

AGENDA ITEM 15. Legionella Management Plan

As Council are aware officers have been working on strengthening the Council position in Legionella control.

Appended to this report (appendix 1) is the draft Legionella Management Plan, Council are asked:

1) Section 7. EMERGENCY PROCEDURE

As part of this procedure, it is recommended that a clear and fast process is set up, so to avoid delay in a response of investigating the water systems.

Currently the document outlines that The Duty Holder will follow due process in matters of urgency until a meeting of the Council can be called, to call an emergency meeting/s attendance comprising of:

- The Duty Holder
- Councillors (as advised by Council)
- The Responsible Person
- Other Relevant Person (s)

Would Council like recommend that the Councillors on this emergency meeting always be Chair, Vice Chair and Chair of Finance?

2) Council is asked to formally approve the Legionella Management Plan.



PADSTOW TOWN COUNCIL Legionella Management Plan

POLICY/PROTOCOL/PROCEDURE			
Version	1.0	Comments	
Approval Date		Responsible Officer	Council Facilities Officer
Committee	-	Approval by	Council

VERSION HISTORY		
Date	Version	Comments
March 2025	1.0	Council Facilities Officer drafted in consultation with Town Clerk for Council to consider at its March meeting.

REVIEW RECORD		
Date Review Initiated	Review undertaken by i.e. officer/Cttee/Council	Summary of any recommended updates/changes to be made

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1. INTRODUCTION

Padstow Town Council has a statutory duty under the Health and Safety at Work Act 1974 to carry out all reasonably practicable measures to ensure the safety of all water systems under its control.

Compliance with legislation requires each building under Padstow Town Council's control to have a Legionella Risk Assessment carried out and Written Schemes of Control undertaken.

This document is to provide the management plan for the control of the risk of exposure to legionella bacteria and should be read in conjunction with the current Legionella Risk Assessments and Written Schemes of Control for Padstow Town Council sites, to fully understand the control measures which are implemented and managed.

This document should be reviewed annually or as and when any works are undertaken to the assets water systems. This document remains valid provided there are no major changes to the water system, management hierarchy or assets under the Town Council control.

2. LEGIONELLA MANAGEMENT HIERARCHY

The Legionella Management Hierarchy and the roles and responsibilities are defined below:

1. Duty Holder

The Councillors have the ultimate responsibility for the health and safety of Padstow Town Council but discharges this responsibility through the Town Clerk down to individual officers and employees. The Council has nominated the Town Clerk to have responsibility for health and safety, some responsibilities of which are delegated to the other officers as outlined in the Town Council's Health and Safety Policy.

The named Duty Holder is:

Town Clerk– Padstow Town Council.

Telephone: 01841 532296

Email: enquiries@padstow-tc.gov.uk

Duty Holder's Responsibilities:

- Ensure sufficient assessment of the risk of exposure to Legionella is undertaken for each building under the Council's control.
- Ensure those undertaking the risk assessments and providing advice on prevention and exposure are competent to do so.
- Ensure risk assessments are reviewed annually and specifically when there is reason to believe that the original risk assessment may no longer be valid. This includes a review of this Management Plan document as appropriate.
- Appoint a competent person or persons to help undertake the measures required to keep the systems under control. Specifically, to manage the control scheme – herein known as the Responsible Person.
- Provide the Responsible Person with sufficient authority and support to ensure that all operational procedures are carried out in a timely and effective manner.
- Ensure all specialist contractors involved in the management and control of Legionella are suitably qualified and competent.
- Ensure all subordinate staff involved with the management and control of Legionella are adequately trained.

2. Responsible Person

Council Facilities Officer– Padstow Town Council.

Telephone: 01841 532296

Email: enquiries@padstow-tc.gov.uk

Responsible Person's Responsibilities:

- Appoint a competent external person or company to provide advice and guidance – herein known as the Legionella Consultant following approval by the Duty Holder.
- Implement a program of regular risk assessment reviews of assets in accordance with this management plan, utilising the Legionella Consultant under contract.
- Ensure the recommendations from the risk assessments are implemented promptly and effectively, including recommendations for remedial works and control measures to reduce residual risk.
- Appoint a competent external company to carry out routine monitoring – herein known as the Legionella Contractor following approval by the Duty Holder. For Padstow Town Council this is Churchill Environmental who are contracted to undertake routine monitoring and provide reports of their findings.
- Book subordinate staff on relevant training who are involved with the management and control of Legionella.
- Implement a program of routine maintenance, inspection, and testing in accordance with the requirements of the risk assessments and, where required, follow further advice from the Legionella Consultant, utilising the Legionella Contractor or Council Outside Operative, as applicable. Ensure all involved parties are fully aware of their own and each other's responsibilities.
- Keep an adequate records system on all aspects of this management plan, including but not limited to:
 - + Legionella risk assessment reports, and any action taken regarding the recommendations, including dates on which any remedial works were completed.
 - + Contract documentation for the appointed external Legionella Consultant and Contractor, including clearly defined allocation of responsibilities, reporting procedures, and limitations of the scope of works.
 - + As built or schematic drawings of the water systems (if available).
 - + Training of staff involved in Legionella control.
 - + Documented and readily accessible authenticated results of all routine monitoring, testing, inspections, and maintenance.
 - + Results of any water sample analysis (chemistry or microbiological).

3. Council Foreperson

Is responsible for:

- Ensuring that the weekly flushing is undertaken and accurately recorded.
- Ensuring that agreed practices are followed personally and to regularly check the same is being adhered to by the Council Maintenance Team.
- Working with the Duty Holder and Responsible Person to ensure that maintenance, inspection and testing is undertaken.
- Ensuring to report any issues of concern to the Duty Holder or Responsible Person.

4. Council Maintenance Team/Flushing systems

- The Council Maintenance Team undertake weekly flushing of the Council's little used outlets.
- The Maintenance Team (and Foreperson) have undertaken Legionella Awareness Course.
- Maintenance Team understand and implement:

Hosepipe/Pressure Washer/Any Equipment – Stagnated Water

Where water could be stagnated water should be run through the pipe/line for 5 minutes into a drain before using the equipment.

Vehicle Windscreen Spray

All work vehicles to use appropriate COSHH assessed solution – NOT just water.

5. All Employees Responsibilities

- Report any problems with the water quality or water system performance (i.e. broken taps), including water systems not in use which may result in stagnation to the Responsible Person. Council Maintenance Team can report via the Council Foreperson.
- Keep the workplace and work equipment clean and free from courses of contamination.

3. TRAINING

For the purpose of water safety, a competent person is someone with adequate knowledge, experience, and instruction combined with the personal attributes required to carry out a task in a correct and safe manner.

Therefore, training will be kept up to date. The Duty Holder and Responsible Person will have more detailed training linked to their roles and responsibilities, whilst the Council Foreperson and Outside Operatives (Council Maintenance Team) will have Legionella Awareness training.

The Legionella Consultant and/or Contractor to provide details of the training their operatives have, before a contract will be put in place, so the Council are comfortable that they are suitably qualified.

4. DESIGN AND USE OF HOT & COLD WATER SYSTEMS

- 4.1 For both Cold-Water and Hot-Water Services appropriate guidance and advice will be followed for adequate and sufficient flow of water to minimise water stagnation (water stagnation being where the flow of water is low, and insufficient to prevent the development of bacteria), as well as control measures for appropriate water temperatures.
- 4.2 In order to control the inherent risk from legionella, the Responsible Person/Duty Holder shall ensure due diligence of any works undertaken by a contractor in their understanding of legionella for any works undertake to water systems to aid safe operation by preventing or controlling conditions that permit the growth of Legionella and to allow easy inspection, cleaning, and disinfection.
- 4.5 Unless otherwise recommended by the Legionella Consultant due to elevated risks associated with the system, the primary control measure shall be temperature appropriate levels as advised.
- 4.6 Where a system or parts of a system are used on a temporary basis, a flushing regime shall be implemented in the affected areas on a weekly basis to avoid stagnation.
- 4.7 All water systems shall be routinely checked for temperature, as part of the primary control measure. The frequency of inspections will be determined by the risk assessment for each building and undertaken by the Legionella Contractor who will report back to the Responsible Person.
- 4.8 The Legionella Contractor to ensure that their test equipment (e.g. thermometers) is calibrated, in good serviceable condition and otherwise fit for purpose.
- 4.9 Analysis of sample water for Legionella bacteria shall be taken when:

- Primary control measures are not being consistently achieved; and/or
- When an outbreak of legionnaires disease or legionellosis is suspected or has been identified.

4.10 Should water samples be required, the Legionella Contractor will be contacted so that samples are taken. The Legionella Contractor is expected follow due process in its storage and transportation to the laboratory.

4.11 Records shall be kept for a minimum of 5 years for all monitoring and control activity, to include results of all monitoring, tests and inspections carried out, the date and details of any corrective actions.

5. PRIMARY CONTROL FAILURE – WATER TEMPERATURE FAILURE

Routine tests and inspections failures will be notified by the Legionella Consultant to the Responsible Person and detailed in their reports. The Responsible Person will notify the Duty Holder and liaise with the Council Foreperson to investigate the failure, to try to ascertain what could have caused the failure and take appropriate corrective action.

Following persistent failures (4 or more consecutive or repeated failures within 12 months) then urgent action is required. This may mean putting up signage to advise people that the effected supply is unavailable and not in use whilst investigations are undertaken. The Responsible Person will seek the Legionella Contractor’s advice in this regard and action as appropriate to address the matter.

6. SECONDARY MEASURE – SAMPLES

If no immediate error can be found to fix a primary control failure, or there is consistent failures, or an outbreak of Legionnaires disease or legionellosis is suspected or has been identified – then water samples for Legionella Bacteria becomes the Secondary Measure.

Advise will be sought from the Legionella Consultant as to appropriate action to be taken following the sample results. However, it would be anticipated that such action could be:

Legionella Results	Action
None detected	None- system under control
1 to 100 cfu/l	System under control – resample to verify no increase above 100 cfu/l
101 to 1000 cfu/l	If only 1 or 2 results are positive: resample (all). If similar results are found review risk assessment and control measures and carry out any remedial action. Resample on completion.

	If the majority of samples are positive: the system may be colonised at a low level. Disinfect of the system is to be considered, review the risk assessment and control measures, and carry out any remedial actions. Resample on completion.
More than 1000 cfu/l	Prohibit the use of the system until disinfection has taken place. Review the risk assessment and control measures and carry out any remedial actions. Resample on completion.

In the event of a report from a medical doctor that either a resident or an employee has been potentially exposed to the water systems that are likely to be a source of contamination has contracted Legionnaires' disease or legionellosis, the Responsible Person shall advise the Duty Holder and notify the HSE in accordance with RIDDOR.

In the event of a case or outbreak of Legionnaires' disease or Legionellosis being associated with the system, the Responsible Person will keep the Duty Holder updated and shall cooperate fully with the outbreak investigation authorities.

7. EMERGENCY PROCEDURE - ACTION TO TAKE IN THE EVENT OF AN OUTBREAK OF LEGIONELLOSIS

In the event of a report from a medical doctor that either a resident or an employee has potentially been exposed to the water systems that are likely to be a source of contamination has contracted Legionnaires' disease or legionellosis, the Responsible Person shall:

- Notify the HSE in accordance with RIDDOR.
- Liaise with the Duty Holder who will follow due process in matters of urgency until a meeting of the Council can be called, to call an emergency meeting/s attendance comprising of:
 - The Duty Holder
 - Councillors (as advised by Council)
 - The Responsible Person
 - Other Relevant Person (s)

Meeting should be held as soon as possible (with others as appropriate) to co-ordinate the investigation and progress any necessary action. Written notes of meetings should be kept along with log of actions taken and results of any testing or inspections, these should all be kept on file by the Responsible Person and reported to the Council as soon as practical by the Duty Holder.

Immediate action may include:

- Stopping admission to affected site/area
- Legionella Consultant undertaking water sampling of the affected area.
- Consulting with the Legionella Consultant on appropriate disinfection measures.

Useful information

- Under the Health Protection (Notification) Regulation 2010 human diagnostic laboratories must notify Public Health England of microbiologically confirmed cases of Legionnaires Disease.
- HSE or local Environmental Health Officers may be involved in the investigation of outbreaks, their aim being to pursue compliance with health and safety legislation. Any infringements of relevant legislation may be subject to a formal investigation by the appropriate enforcing authority.

8. COUNCILS ASSETS OVERVIEW

Council assets which require the control Legionella are:

- a) Station House, Council Offices
- b) Community Hub
- c) Railway Toilets
- d) North Quay Toilets
- e) Cory Toilets
- f) Cemetery Tap

The Council's Legionella Consultant undertook the initial Legionella Risk Assessments for the above assets as experts in the field. These Legionella Risk Assessments will be reviewed annually or as and when any works are undertaken to the buildings water systems. The Responsible Person will keep these Risk Assessments up to date, noting any remedial works undertaken.

The above assets also have Written Schemes of Control, which provide detail of the weekly, monthly and annual control measures undertaken either by the Legionella Contractors or Council Maintenance Team.

Further assets:

- g) Council Storage/Workshop (former Scout Hut)
- h) Churchyard Tap

The above assets (g & h) have been identified as little used outlets, g) is used by outside Council staff as a work area mainly for storage; and h) is located in a closed Churchyard. In light of this the Written Scheme of Control identifies them as having weekly flushing undertaken by the Council Maintenance Team. These assets are currently under review and therefore Legionella Risk Assessments will be taken forward for these in due course.