



**Lostwithiel Town Council  
Tuesday 3 December 2019**

**Presentation by James Peck Business Development Manager  
Community Protection, Environmental Protection & Licensing,  
Cornwall Council**

The Council received a presentation from James Peck regarding the relaunched Cornwall Council Incident report cards for dog fouling, littering and fly tipping.

**Cornwall Councillor Report**

None

**Meeting Minutes**

A meeting of the Town Council was held in Lostwithiel Library on Tuesday 03 December at 7pm.

**Councillors Present**

Mayor Hughes, Deputy Mayor Ross,  
Councillor Anders, Councillor Clarke,  
Councillor Guiterman, Councillor Hatton,  
Councillor Hensman, Councillor Mrs Jarrett,  
Councillor Jarrett, Councillor Lindley  
& Councillor Sweeney.

**In attendance**

No members of the public were in attendance.

Town Clerk Mrs Harris was in attendance.

**264/19 Apologies of Absence.**

Apologies for absence were received and accepted from Councillor Beedell, Councillor Duffin, Councillor Henderson & Councillor Morgan.

**265/19 Declarations of Interest**

Mayor Hughes declared a pecuniary interest in agenda item 22 Accounts & Finance.

**266/19 Public Participation**

None.

**267/19 Minutes 12 November 2019**

It was **resolved** that the minutes dated 12 November 2019 are accepted, approved and duly signed by Mayor Hughes.

**268/19 Heritage Buildings Committee Minutes 22 October 2019**

It was **resolved** to adopt the Heritage Buildings Committee Minutes dated 22 October 2019.

In accordance with Standing Order 1a) Mayor Hughes changed the order of the agenda to facilitate discussion of the Multi-skilled Civil Parking Enforcement agenda item whilst James Peck from Cornwall Council was still present at the meeting.

**269/19 Multi-skilled Civil Parking Enforcement**

It was **resolved** to ask Cornwall Council's Zoe Hall to meet the Town Clerk in Lostwithiel to discuss a bespoke Service Level Agreement for Lostwithiel Town Council and to then invite Zoe to present this draft package to Council at a Council meeting.

Cornwall Council Officer James Peck left the meeting.

**270/19 Planning Applications**

None

**271/19 Lostwithiel War Memorial**

Council was advised that the War Memorial has been checked and the name is spelt 'Ronald Henry Levers'. No further correspondence has been received from the family member to clarify which part of the name has been misspelt.

**272/19 Request to plant a tree in Coulson Park**

It was **resolved** to agree to the request to plant a wild cherry tree in Coulson Park and to authorise Land & Heritage and the Town Clerk to agree the specific location.

**273/19 Cornwall Libraries Food for Fines**

It was **resolved** to opt out of this initiative as there are a number of other organisations in the town already arranging collections for food banks and as the Lostwithiel Library is volunteer lead additional administration is necessary to waive fines.

Councillor Mrs Jarrett left the meeting.

**274/19 National Association of Local Councils – Home office  
Unauthorised Encampments Consultation**

It was **resolved** to submit Lostwithiel Town Council's response as follows: -

Q1. To what extent do you agree or disagree that knowingly entering without the landowner's permission should only be made a criminal offence if it is for the purpose of residing on it?

**Strongly agree**

Q2. To what extent do you agree or disagree that the act of knowingly entering land without the landowner's permission should

only be made a criminal offence if it is for the purpose of residing on it with vehicles?

**Disagree**

Q3. To what extent do you agree or disagree that the landowner or representatives of the landowner should take reasonable steps to ask persons occupying their land to remove themselves and their possessions before occupation of the land can be considered a criminal offence?

**Strongly disagree**

Q4. To what extent do you agree or disagree that a criminal offence can only be committed when the following conditions have been met?

a) the encampment prevents people entitled to use the land from making use of it

**Agree**

b) the encampment is causing or is likely to cause damage to the land or amenities

**Agree**

c) those on the encampment have demanded money from the landowner to vacate the land; and/or

**Strongly disagree**

d) those on the encampment are involved or are likely to be involved in anti-social behaviour.

**Strongly disagree**

Q5. What other conditions not covered in the above should we consider?

**Clean up, reinstatement and compensation costs, where applicable.**

Q6. To what extent do you agree or disagree that police should be given the power to direct trespassers to suitable authorised sites in a neighbouring local authority area?

**Strongly agree**

Q7: Should this be subject to conditions around agreements being in place between local authorities?

**Yes**

Q8: Should there be a maximum distance that a trespasser can be directed across?

**No**

Q9: Should there be any other conditions that should be considered when directing a trespasser across neighbouring authorities. If so, what should these be?

**No**

Q10. To what extent do you agree or disagree that the period of time in which trespassers directed from land would be unable to return should be increased from 3 months to 12 months?

**Strongly agree**

Q11. To what extent do you agree or disagree that the number of vehicles needing to be involved in an unauthorised encampment before police powers can be exercised should be lowered from six to two vehicles?

**Strongly agree**

Q12. To what extent do you agree or disagree that the police should be granted the power to remove trespassers from land that forms part of the highway?

**Strongly agree**

Q13: To what extent do you agree or disagree that the police should be granted the power to seize property, including vehicles, from trespassers who are on land with the purpose of residing on it?

**Strongly agree**

Q14: Should the police be able to seize the property of:

i) Anyone whom they suspect to be trespassing on land with the purpose of residing on it; **Yes**

ii) Anyone they arrest for trespassing on land with the purpose of residing on it; **Yes**

or iii) Anyone convicted of trespassing on land with the purpose of residing on it? **Yes**

Q15. To what extent do you agree or disagree that the proposed amendments to sections 61 and 62A of the Criminal Justice and Public Order Act 1994 contained in this consultation are sufficient measures to tackle the public disorder issues which are associated

with unauthorised encampments without the requirement for introducing specific powers that criminalise unauthorised encampments?

**Agree**

Do you have any other comments to make on the issue of unauthorised encampments not specifically addressed by any of the questions above?

**Please also consider adopting the Scottish example making it an offence to occupy private land without the permission of the landowner**

Councillor Hatton requested a recorded vote.

Mayor Hughes, Deputy Mayor Ross, Councillor Anders, Councillor Guiterman, Councillor Jarrett & Councillor Lindley voted in favour of the proposal.

Councillor Clarke, Councillor Hatton, Councillor Hensman & Councillor Sweeney voted against the proposal.

It was also **resolved** to submit a general comment stating that Lostwithiel Town Council is of the opinion that the questions are very poorly constructed with ambiguous phrasing within the questions.

**275/19 Speed Monitoring A390 Queen Street Lostwithiel**

It was **resolved** to note the report pending receipt of the further reports requested.

**276/19 Speed Monitoring A390 – St Blazey data**

It was **resolved** to pass this information to the Traffic Management Plan working party to add to the portfolio of evidence for average speed cameras along the A390.

Councillor Mrs Jarrett re-joined the meeting.

**277/19 Cornwall Council Community Network Highways Scheme**

It was **resolved** not to endorse the suggestion from Cormac and to ask if it would be possible to put yellow lines at the pinch point outside the Chinese takeaway instead.

**278/19 Environment Agency Fruit trees**

It was **resolved** to instruct the Clerk to take forward this initiative with the Duchy of Cornwall and the Environment Agency. The clerk was further instructed to ensure that the Town Council's responsibility for the trees will not extend beyond the end of the lease.

**279/19 Community Network Area SOS scheme**

It was **resolved** to ask if the volunteers if they would like to sand down and repaint the benches in the Spring when the weather is more favourable.

**280/19 Cornwall Council Local Maintenance Partnership Scheme**

It was **resolved** not to take over the maintenance of the Lostwithiel Parish Public Rights of Way.

**281/19 Post Neighbourhood Development Plan adoption experience**

It was **resolved** to authorise Councillor Guiterman to speak on behalf of Lostwithiel Town Council to a Plymouth University student undertaking a Planning MSc regarding post NDP adoption experience.

In accordance with Standing Order 1a) Mayor Hughes changed the order of the agenda to facilitate chairing of agenda item 22 by Deputy Mayor Ross.

**282/19 Accounts & Finance**

It was **resolved** that cheques 101347-101370 totalling £8,870.66 and two salary bank transfers are authorised for payment.

<b>Cheque Ref</b>	<b>Payee Name</b>		<b>Amount Paid</b>
101347	Biffa	Toilet cleaning,	£1,156.73

		Cemetery bin office missed collection	
101348	T Clarke South West	Annual maintenance contract & alarm service	£241.36
101349	Clarity copiers	Copy charges	£57.86
101350	Cormac Solutions Ltd	Sexton fees & library cleaning	£869.38
101351	Complete Business Solutions Ltd	Stationery	£90.88
101352	DCS Pest Control (Cornwall) Ltd	Pest control King George V playing field	£60.00
101353	Premier Forest Products	Sawn tanalised timber for allotments	£26.30
101354	Frans Pantry	Mayor Making catering	£281.00
101355	S Harris	Stamps, heater & bungee clips	£74.21
101356	T Hughes	Card & chocolates	£7.40
101357	C Doyle	Library Christmas tree & new toys & milk	£66.46
101358	K Hill & Partners Ltd	Grass cutting, weed spraying, Shire Hall Moor shrub removal, Coulson Park epicormic growth removal & Jap Knotweed	£1,347.60



		treatment	
101359	Phoneta Business Ltd	Lone worker service	£13.50
101360	SLCC Enterprises	Training Seminar	£48.00
101361	South West Water	Public Toilet	£164.52
101362	Tindle Newspapers	Tender advert	£88.80
101363	WesternWeb	Assist 1 x Councillor to access new email system	£18.00
101364-101366 & 2 Bank transfer payments	Salary related expenses	Salary related expenses	£3,916.22
101367	British Gas	Electric	£61.00
101368	Clarity Copiers Ltd	Copy charges	£78.88
101369	Phoneta Business	Lone worker service	£13.20
101370	UK Safety Management Ltd	PAT Testing	£189.36
		<b>Total</b>	<b>£8,870.66</b>

### **283/19 Section 106 monies – Outdoor gym equipment & water fountains**

It was **resolved** to use the Section 106 monies to provide outdoor gym equipment.

It was further **resolved** to authorise the Town Clerk to complete the South West Water application form in order that a site survey can be undertaken and to appoint the Town Clerk as the Town Council's sole representative to South West Water.

Deputy Mayor Ross left the meeting.

**284/19 Institute of Cemetery & Crematorium Management**

It was **resolved** to approve corporate membership at an annual cost of £95.00.

**285/19 Delegation to the Town Clerk**

The clerk advised that the following actions had been undertaken under delegated powers: -

£180 Biffa rubbish collection from office (annual fee)

£15 Planning training Councillor Guiterman

£114 New sand sacks for road signs

£8 Plants for Memorial Garden

£157.80 PAT testing

£9 Bungee clips for sack trolley

£29.99 Portable heater for office

£56.18 Christmas decorations and new puppets for the library.

**286/19 Correspondence**

1. Council considered Councillor Guiterman's report from the Tree Wardens meeting.
2. PA19/08275 Council was advised of the response received from Cornwall Council regarding the publishing of the site notice and that comments from Cornwall Council's Historic Environment Officer are now available on Cornwall Council's website.
3. Guildhall – Council considered the email from the Madrigali choir and Lostwithiel Museum. It was **resolved** to accept the Mayor's offer to meet with representatives of the Museum.

**287/19 For information**

Mayor Hughes advised Council that he represented Lostwithiel at the Legal Service at Truro Cathedral.

Councillor Mrs Jarrett & Councillor Hensman attended a Community Road Safety Forum meeting at Launceston earlier today.

The Clerk advised that there will be an Extraordinary Council meeting to consider the public toilet cleaning tenders on Tuesday 10 December at 7pm.

The meeting closed at 09.30pm

Chairman

Date