

AGENDA ITEM No. 3a

MINUTES of the **Special Meeting** of the **TAVISTOCK TOWN COUNCIL** held on **TUESDAY 21st MARCH, 2023 at 5.30pm** at **THE COUNCIL CHAMBER, TOWN COUNCIL OFFICES, DRAKE ROAD, TAVISTOCK**

PRESENT Councillor P Ward (Mayor)
Councillor A Hutton (Deputy Mayor)

Councillors Ms L Crawford, Ms M Ewings, A Fey,
Mrs A Johnson, A Lewis, Mrs U Mann, J Moody, B Smith,
H Smith, P Squire, A Venning, P Williamson.

IN ATTENDANCE Town Clerk, General Manager, Assistant to the Town Clerk.

COMMENCEMENT OF MEETING

411. APOLOGIES FOR ABSENCE

No apologies for absence had been received.

412. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

413. CONFIRMATION OF MINUTES

RESOLVED THAT

- a) subject to Minute No. 405(b(i)) being amended to read 'it was confirmed that the 'Restoring your Railways' bid was being drafted by Devon County Council for submission to the Department for Transport';
- b) the Minutes of the Meeting of Tavistock Town Council held on Tuesday 7th March, 2023 be confirmed as a correct record and signed by the Chairman (Appendix 1).

Noted That immediately prior to the commencement of the next (remaining), part of the Meeting, the attention of Council was drawn to the confidential nature of the matters to be considered.

EXCLUSION OF PRESS AND PUBLIC

414. PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

Pursuant to Section 1(2) of the Public Bodies Admission to Meetings Act 1960, and having regard to the confidential nature of the

business to be transacted it was: -

RESOLVED THAT the Press and Public be excluded from the Meeting for the following items of business.

CONFIDENTIAL ITEMS REQUIRING A DECISION

415. TENDERS – MARKET ROAD

(**CONFIDENTIAL** by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council).

The Council considered the Report of the General Manager (Appendix 2), with regard to the prospective letting of the contract for the Market Road remedial works following the receipt of the tenders, and to consider next steps.

During the discussion reference was made to:-

- the risks associated with potential abortive costs, dependant on mobilisation and regulatory requirements, and options for associated mitigations;
- funding from the RCP (and feedback from the Environment Agency that supplemental funding was not available from other sources such as the Local Levy);
- contingencies built into the project budget, also variable costs associated with project duration and other risk factors;
- the extent to which works did/did not include vegetation management;
- project administration/project management arrangements;
- the impact the increased cost of the works might have on the Council's ability to carry out works required on other Council properties.

RESOLVED THAT the Council:

- a) Agree the letting of the Market Road River Wall repair works to AD Williams Building Contractors for the sum of £288,553.00 plus VAT;
- b) Agree that Officers proceed with instructing Crabb Consulting Engineers to implement the necessary arrangements specific to signing the JCT form of agreement and holding a pre-start meeting, at the earliest available date;

c) Agree to the abortive costs amount (should a FRAP not be secured) as outlined in para 3.4 of the report subject to the Council meeting the costs of flexi bags in full (so as to enable deployment at a future date in association with any future contract and thereby avoid loss of the 50% non-refundable deposit).

416. GUILDHALL GATEWAY CENTRE

(**CONFIDENTIAL** by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council).

The Council considered the report of the Town Clerk (Appendix 3) in connection with the above. In particular reference was made to:

- The sensitive/confidential nature of the matters under consideration;
- Extensive/exhaustive communications as between the partners to date, and the associated thoroughgoing involvement of the duly appointed Member Panel (Advisory Forum Representatives);
- The background to the present situation, reported views of the Charity Commission, THT's obligations to it and key points as listed within the Report;
- The balance to be struck as between the legitimate expectations of all parties to the current arrangements, related issues and options;
- Differing views on the financial position and position under the current Agreement;
- The importance attached to probity and consistency in the disbursement of ratepayer monies;
- Legal advice received by the Council in connection with issues raised in correspondence, similarities and differences to that as reported by THT;
- The ongoing commitment of the partners to sustaining the Approved Purposes, notwithstanding the substantial changes that had occurred in the operating/financial environment, project benefits and prospective liabilities;
- Differing views on the nature and viability of the current agreement;

- The differences arising from working with a new/emerging organisation on a project such as this, operating at pace and scale;
- The detail of, and background to, an offer made on behalf of the Council intended to assist THT and continue the delivery of the Approved purposes on a more sustainable model.

RESOLVED THAT the Council:

- a) endorse the approach as recommended by its representatives on the Advisory Forum and otherwise set out in para's 3.8 – 3.9 of the Report; and
- b) authority be delegated to the Clerk, or in his absence the Deputy Clerk, in consultation with the TTC Forum representatives – Councillors P Ward, A Hutton and H Smith to discharge same ((a) above refers), together with such other actions as necessary subject to legal advice and report back to Council periodically as matters progress.

The Press and Public were re-admitted to the Meeting.

The Meeting closed at 6.50pm.

Signed:

Dated:
CHAIRMAN