

AGENDA ITEM No. 3a

MINUTES

of the **Special Meeting** of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **MONDAY 23rd APRIL, 2018 at 7.55pm.**

PRESENT

Councillor Philip Sanders (Mayor)

Councillor P Ward (Deputy Mayor)

Councillors Ms L Crawford, Mrs M Ewings, Mrs A Johnson, P Palfrey, Mrs L Roberts, E Sanders, P Squire, A Venning, Mrs J Whitcomb and P Williamson.

IN ATTENDANCE

Town Clerk, General Manager and Assistant to the Town Clerk.

A representative from Foot Anstey – the Council's Legal Advisors

Prior to the commencement of the Meeting, Members received an update from the Chairman of Tavistock Heritage Trust (THT) on the Trust's current standing, and also had an opportunity to ask questions.

A copy of the basis of the update is appended to these Minutes with a particular focus on buildings and people.

The Chairman further confirmed

- the Trust was awaiting a draft Lease from West Devon Borough Council, which would allow them to use the former Tourist Information Centre premises at Court Gate as a Visitor Information Point in the future. Agreement had been reached with the Tavistock BID Co regarding the VIP offer.
- the draft Lease and Service Level Agreement between Tavistock Town Council and the Trust had been agreed in principle.

In response to questions it was reported:

- the Trust were very keen to link in with the Museum, and had/were seeking to engage with it. The intention was a complementary and not a contradictory offer;
- regarding the partnership with the Council, it was very important for the town that there was a strong working partnership framed by the Service Level Agreement;
- the make up of exhibitions was yet to be finalised. However, the Trust had been working with Plymouth University to create interactive displays and was planning themed exhibitions which would help the Centre to develop its own identity;
- regarding revenue funding and resilience a list of charities and bodies had been drafted, which the Trust would be applying for funding from such as the Tavistock Group and Esmay Fairburn Trust;
- regarding where the Trust was anticipated to be in 5 years' time, it was to be hoped it would be well established and generating revenue by that time. The revenue would be raised through the Visitor Information Point, sales of tickets for various events and exhibitions, and from donations received;
- regarding challenges/barriers - the Trust was not setting itself up to be the only heritage organisation in Tavistock and had found both the Lions and Rotary Clubs very supportive. The Trust would like to see the Guildhall used as much as possible, and for a wide variety of events and adopted a collaborative approach;
- meetings at similar/comparable projects had taken place with representatives from the Devonport Centre and Bodmin Jail, as well as a lecturer at Plymouth University whose specialty was historic sites;
- promotional work would be undertaken on social media and the website, it would also help that there would be a Visitor Information Point, something which Tavistock had lacked in recent years. Links would be created with other attractions in the area;
- some Trustees were concerned about both financial and reputational risk. It was a large undertaking, and there were concerns that if the project failed, repayment would become due to the Heritage Lottery Fund. The

Chairman himself did not share this concern, as he believed in the project;

- it was not the Trust's intention to adversely affect the Museum, it would rather work with it than against it.

The Chairman was thanked for his attendance and contribution to the Meeting.

Noted That

- a) The Mayor reported the recent resignation of Councillor H Smith and took the opportunity, on behalf of the Council, to express appreciation for his dedication and hard work on behalf of the Town over many years;
- b) Councillor A Lewis left the Chamber during consideration of the above and did not return.

COMMENCEMENT OF MEETING

364. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors A Hutton and J Sheldon.

365. DECLARATIONS OF INTEREST

The following declarations of interest were made:

- Councillor P Sanders - a Personal Interest in Tavistock Heritage Trust by virtue of being involved with the organisation, as such he would not vote in connection with Minute No. 367 unless a casting vote were required;
- Councillor Mrs M Ewings - a Personal Interest in Tavistock Heritage Trust as she had previously attended the Events Committee of same.

366. CONFIRMATION OF MINUTES

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on Tuesday 27th March, 2018 be confirmed as a correct record and signed by the Chairman (Appendix 1)

ITEMS REQUIRING A DECISION

367. GUILDHALL GATEWAY CENTRE

The Council considered the Report and associated papers (Appendix 2) provided by the Town Clerk and Responsible Financial Officer. It noted the grant offer was to both TTC and THT.

In summary, the submitted report set out the various 'Tests' and 'Targets', progress made, grant terms and conditions and other factors. On the one hand the community and heritage benefits of the project were substantially unchanged. In the alternative costs and financial risk to the Council had gone up and the delivery partner had done less to demonstrate its resilience/sustainability than expected.

With regard to the lease/SLA there was provision for the Council to terminate if the approved purposes/approved usage of the grant were not delivered. Also, if after 5 years, Council financial support to THT exceeded a set threshold. More generally the lease/SLA terms before Council likely represented the least each negotiating team could find potentially acceptable and the final form was yet to be agreed.

If, having considered all the relevant factors the Council were minded to accept the HLF offer two additional (to the report) considerations were recommended. Namely, HLF being agreeable to the terms of the lease/SLA and same meeting the requirements of the Council's Solicitors in form and content.

The Council's Solicitor confirmed that whilst the Lease and SLA (which set out, inter alia, the financial agreements) were not yet in the required legal format this could now be undertaken in a manner that would respect the duration of the agreement. This was a 20-year agreement, so needed to be understood by future Councillors and Trustees who may not have been involved in the original drafting of the documents.

A discussion ensued regarding;

- whether the Trust had sufficiently met the tests and targets it had previously been set;

- the extent to which the position between the Trust and Tavistock Town Council had/had not changed as since January 2018.

However, various views were expressed by Councillors that, inter alia:

- the presentation by the Trust Chairman was most helpful and encouraging;
- having attended meetings recently, some considered concerns had been alleviated, so were reassured;
- that the business/financial risk was more acceptable in view of the benefits which could accrue;
- a strong relationship subsisted between the Trust and Town Council which could make the project successful;
- that the building could not be allowed to fall into disrepair and needed to be brought back into public/community use, and not converted into privately owned flats/apartments;
- that the project would encourage visitors to the town, and make it a 'destination' town;
- the project could create the Eastern Gateway to the Cornwall and West Devon Mining Landscape World Heritage Site.

RESOLVED THAT;

- 1 Tavistock Town Council
 - a) endorse the draft Lease and draft Service Level Agreement (the Agreement) as agreed in principle between Tavistock Heritage Trust and the Town Council; and

Subject to

- b) the Agreement, when finalised, being acceptable to the Council Solicitors and the Heritage Lottery Fund;
- c) Tavistock Town Council accept the Offer of Grant dated 26th March, 2018 from the Heritage Lottery Fund (National Lottery) in respect of the Tavistock Guildhall Gateway Centre on the terms set out therein.

- 2 In connection with the terms of the Grant offer Tavistock Town Council confirm and endorse that, pursuant to the additional grant conditions set out in Appendix 2 to the Report
- a) Para 1(b), the Council has used the General Power of Competence (S 8(2) Localism Act 2011) to accept the terms of the Grant; and
 - b) That,
 - i. notwithstanding that the Local Council Sector is not legally able to operate under a 'Policy Framework' as settled on principal Councils by the Local Government Act 2000 (as amended), the proposal accords with the Tavistock Town Council Strategic Plan 2017-2021;
 - ii. Executive Arrangements, as introduced by the Local Government Act 2000, do not apply to the local Council sector which is still principally governed by the Local Government Act 1972, as amended; and
 - c) The Council has considered a report, the HLF Offer and related Bid and other associated documents which set out the relevant considerations and has, throughout the Round 1 and Round 2 application processes, undertaken extensive consultation and community involvement as evidenced, inter alia, by the number of letters of support submitted by third parties in connection with the Bid;
 - d) In coming to its decision the Council confirms that it complies with the terms of Para 1 (g) of the letter of offer of Grant.

Noted That the Council's Solicitor reported that a detailed set of Heads of Terms would require significant work, and that Tavistock Heritage Trust should appoint its own Solicitors to advise them and help expedite the process. The Trust's Chairman confirmed that it had opened discussions with three firms of solicitors to provide legal services to the Trust.

ITEMS CIRCULATED FOR INFORMATION ONLY

368. TENDERS – PANNIER MARKET & MEADOWS PLAY AREA

The Council received and endorsed the Report of the General Manager (Appendix 3) with particular reference to the outcome of recent tender exercises in respect of:-

Meadows Play Equipment

Pannier Market Internal Improvements

- i. Bob's Café and office relocation;
- ii. WC refurbishment works
- iii. Heating Contract
- iv. Electrical Contract (lighting and heating)

Molly Owen Centre

Noted That reference was also made to THI Public Realm Works – Pannier Market surround (Minute No 370 refers).

369. 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 item of Business

CONFIDENTIAL ITEM REQUIRING A DECISION

370. TENDERS FOR THE PROVISION OF PUBLIC REALM WORKS UNDER THE TOWNSCAPE HERITAGE INITIATIVE SCHEME (PANNIER MARKET SURROUND)

The Council considered the report of the General Manager (Appendix 3 as above).

It was confirmed that the tenders received for the Public Realm Works exceeded the budget provision. In the interests of value for money it was therefore;

RESOLVED THAT

- a) The tender not be let at this time;
- b) the Council approve the re-tendering of the Public Realm Contract for the Pannier Market surround and the commissioning of a pre tender estimate for the Guildhall Car Park Public Realm proposal.

The Press and Public were readmitted to the meeting.

371. COUNCIL SEAL

RESOLVED THAT the Council Seal be affixed to the various deeds and documents to be made or entered into for the carrying into effect of those decisions or matters approved by the Council this day.

The Meeting closed at 8.45pm.

Signed.....

Dated.....

CHAIRMAN