

COMMUNITY AMENITIES COMMITTEE

Minutes of the Community Amenities Committee held at the Walter Gidney Pavilion, Soham on Monday, 24 October 2019 commencing immediately after the Cemetery and Allotment Committee meeting held earlier in the evening.

Present Cllr D Woricker (Chair), C Warner, P Lane, G Dyer and Mesdames R Aitchison, L Johnston, A Woricker & A Pallett

PUBLIC COMMENT TIME

No comments were received from members of the public.

COM09/19 **APOLOGIES FOR ABSENCE OF COUNCILLORS**

There were no apologies or absences recorded to committee membership.

COM10/19 **DECLARATIONS OF INTEREST**

There were no declarations of interest made by members to items on the agenda.

COM11/19 **FOR INFORMATION – RECEIPT OF PREVIOUSLY APPROVED MINUTES OF LAST TWO CEMETERY & ALLOTMENT COMMITTEE MEETING HELD 15TH OCTOBER 2018 & 18TH FEBRUARY 2019 RESPECTIVELY TOGETHER WITH DRAFT MINUTES OF MOST CURRENT FINANCE & POLICY COMMITTEE MEETING HELD ON 14TH OCTOBER 2019 (3 attachments)**

NOTED- sets of minutes were received by committee members for assistance in discussion, decision and further approval purposes.

COM12/19 **MATTERS ARISING FROM PREVIOUS MINUTES – to include**

A) Dogs on recreation ground.

NOTED significant debate and argument for and against in allowing dogs, under certain conditions¹ or more generally, on the recreation ground.

NOTED equality of votes (4 for and 4 against) regarding the matter of allowing dogs on recreation ground.

NOTED Clerks advice in regards to the current SoS-confirmed Byelaws made by Soham Town Council and any inherent right(s) provided, authorities given (to suspend) or duty in discharging enforcement² placed on the Authority.

NOTED under this consideration Chairman not prepared to apply his casting vote on the matter

APPROVED subject to confirmation of legal position (see footnotes):

ACKNOWLEDGEMENT that Soham Town Council has no legal authority or power other than to enforce paras 9 & 10³ currently made in respect of dogs on the recreation ground:

¹ Public Open space events

² Officers of the Town Council (Authority) are empowered to enforce Byelaws on the recreation ground breaches of which and as criminal act(s) may also be enforced by Police. As a criminal act such as breach may be dealt with by summary conviction and penalty of up to point 2 on the civil penalty scale (up to £500 under Criminal Justice Act 1982 as amended-similar to civil powers enforced by authorities such as in parking infringement) or alternatively by prosecution that on Court conviction may impose a higher penalty of up to point 5 (£5000 maximum). Court conviction of a breach of a byelaw would be registered on an individual's criminal record but there is no necessity to disclose conviction under Rehabilitation of Offenders Act 1974 unless required to do so under other duties obligations or legislation.

³ Post meeting notes: Some provision/latitude is provided in the wording used for other stipulations in current byelaws ie 'under para 4-unless by lawful agreement with the Council' might be construed in the context of 'hire of the recreation ground'. Unfortunately, this wording is specifically omitted in paras 9 (and 10).

APPROVED that this matter be referred to full council at its next meeting to consider Soham Town Council' official position and any liabilities arising to non-enforcement of byelaws relating to presence of dogs on the recreation ground, with particular reference to public open space events (organised dog shows or not).

B) Soham Town Council's current Street lighting stock (Asset).

NOTED the change in policy Cambridgeshire County Council Highways who will no longer as a discretionary function, manage electricity provision after October 2019 (previously highlighted to the council at various meetings since April 1 2019)

NOTED logistic difficulty of Finance & Policy membership in undertaking the required ground audit of lighting stock owned and maintained by Soham Town Council in summer recess.

NOTED Cllr Leonard's comments that where not absolutely vital or essential for safety Soham Town Council's existing street lighting stock should be reduced to minimise light pollution.

NOTED Cllr Aitchison's comments that historically Cambridgeshire County Council adopted street lights when purchased by parish and town councils but conceded that this arrangement no longer applied.

NOTED that due to car use and domestic light provision many of the street lights now provided little by way of public/community benefit while average annual costs per light was estimated to be in the region of £80 (current Band D charge £88.20)

NOTED Clerks comment that the asset value declared to external auditors is currently ascribed circa £90 000 which given the age and purchase dates of most of the lights was totally unrealistic.

APPROVED committee members will undertake as a matter of urgency a ground audit of street light stock (providing photograph and assessment of current working status identifying any repairs needed) and under an assessment of contributory benefit/use to surrounding residents/community/public make recommendations to the light's usefulness/need/retention/removal.

NOTED revisions will invariably incur one-off charges (such as electricity termination costs, repair or removal costs) as well as electrical certification(s) and asset valuation changes on the year end AGAR declarations (para 9 section 2).

C) Annual fees (and where necessary regulation) revisions and changes (to be applied April 1st 2021)

NOTED currently that a blanket 5% annual increase in hire fees/charges are applied (with discretionary reductions for community use).

APPROVED TO RECOMMEND to council that fees related to hire/use of community assets such as the Pavilion continue to apply this annual increase but for this decision to be reviewed annually.

NOTED Cllr Pallets comment that it may be of some assistance to 'start-up' local businesses that they can be offered some discretionary hire rate(s) for a limited period of time (matter to be referred to Finance & Policy Committee)

D) Strategic project proposals from membership (for next year and as 3 year forecast) to include the following considerations:

GENERAL POINTS OF DISCUSSION/CONSIDERATION:

NOTED Committee's current 'special works' budget (currently set at £30 000) is anticipated to be fully spent-up by those previously council-approved works in year that includes the following projects:

- a) architects works/submission of planning application for phase II (new build) including now and additional spend for validation/consultants works (as recommended by Finance & Policy committee)
- b) large community bin provision on recreation ground allowing for change of weekend working arrangements with ground staff and entrance pad (DDA) revisions.
- c) external asset management re-pointing of the Pavilion, internal and external painting works

NOTED that in addition to the above there is a full council approved (significant) overspend (circa £37K) forward expenditure due to ground revisions and equipment changes associated with the Adizone (Kingfisher area to commence Nov 2019)

UNDER THOSE CONSIDERATIONS HIGHLIGHTED ABOVE:

APPROVED to make request to Finance & Policy Committee for the special/project works budget for 2020-21 of same (£30000) but that these monies would be provided back to the general funds used in the forward expenditure this year for Adizone works.

NOTED that as consequence of this action there would be no capital investment (with the exception of probably low cost/deminimus works) available for Community infrastructure or amenity provision/improvements from the precept rate demand made from residents in 2020-21 (there remains options in allocated reserves where necessary)

UNDER SPECIFIC LISTED AGENDA ITEMS:

i) Public toilet provision (Fountain Lane car park)

NOTED that the handover of these toilets has for the last three years and continues to be in negotiation between the town council and ECDC (town council provides an annual contribution from the rate demand of £8000) but at some point will revert to the town council and where not closed to public use under its running, maintenance responsibilities and liabilities.

NOTED that if and when these amenities are vested back into the town council it may be part of negotiations/prudent to take back control of the car park (owned by STC but currently leased long term to ECDC)

NOTED that any transfer back into the town councils holdings will require an audit of ground and facilities that will generate an agreed programme of repair and reinstatement works

APPROVED that these public toilets are vital and irrespective of current arrangements must ultimately be kept in service for community benefit now and in the future and so must be a key consideration in any strategic forward (3 year) financial planning considerations recommended by the Finance & Policy Committee and approved by the full council.

ii) Phase II (new build)

APPROVED project should proceed to planning submission/application stages (ECDC) but thereafter and as previously approved by full council any progression will depend on a business feasibility and sustainability viability remaining as a potential project in forward strategic financial (+3 and beyond forecast) planning.

iii) Regeneration programme -specimen trees & High St improvements (lead Cllr Leonard)

NOTED previous approval by full council for circa 5K in this financial year to be spent on trial pit and labour costs associated with tree planting on both roundabouts into and out of Soham under the delegated responsibility of Cllr Leonard.

NOTED those 'delicate constitutional matters' as highlighted by Finance & Policy at its October 2019 meeting will generate commemorative 'legacy' planting requirements which will fall under both Cllr Leonard's remit and potentially activities within Neighbourhood Planning.

NOTED that tree planting is a major initiative financially supported by current Central Government and so Cllr Leonard will be expected to look to this and other funding streams (District, external grants and local sponsorship) in addition to that of the precept (rate demand).

NOTED Cllr Leonard's main projects in 202-21 will be tree planting on roundabouts into and out of Soham and tree allocation (legacy planting) for celebration and commemoration purposes.

APPROVED TO RECOMMEND TO FULL COUNCIL a new annual budgetary heading for 'regeneration and (green) legacy works' of £15k per year for three years under delegation to Cllr Leonard but that this budget and its expenditure is subject to those requirements stipulated under the town council's own governance documents (financial regulations, 3 quotes) and an agreed plan/programme of works must be submitted to the full council by Cllr Leonard for its approval and prior to commencement of works.

NOTED that in the first instance £4475 of the £15k budget will be used to pay for those trial pit and labour costs incurred in the tree works associated with the two roundabouts as previously approved by full council at its October 2019 meeting.

lv) Other suggestions/considerations

NOTED those land acquisition project(s)/proposals spearheaded by previous committee Chairman (now Vice Chairman)

APPROVED Vice Chairman to continue to act as lead in this matter and provide a summary update to full council.

NOTED Cllr Pallett's comments concerning age and state of the concrete skatepark and concern that the surface repairs undertaken this year were only to extend lifespan and the need for serious considerations to be given in any financial forecasts for its replacement.

COM13/19 **EMERGENCY MATTER FROM LAST FULL COUNCIL MEETING
FESTIVE LIGHTS 2019 (& 3 YEAR FORECAST MEASURES)
UPDATE FROM VICE CHAIRMAN CLLR JOHNSTON (123/19,
113B).**

NOTED the Vice Chairman's update to matters related to festive street lighting provision in High St Soham for 2019 as a result of policy changes and permit requirements now imposed by Cambridgeshire County Council Highways.

NOTED verbal confirmation that Soham United Charities is willing to provide up to £3500 in match funding (cheque to be issued to supplier and not to the town council) to assist in those additional costs incurred in complying with the regulatory, health and safety requirements
APPROVED hire, install and re-rig costs by preferred supplier GalaLights to install High Street Christmas lights under a three year LTA.

APPROVED letter of thanks be issued to both SACT volunteers (who will continue to assist in light installations in the closed churchyard of St Andrews which on private land and occupied/maintained by Soham Town Council is covered by the Authority's insurances) and Soham United Charities.

COM14/19 **DATE OF NEXT MEETING (TO BE CONVENED AT REQUEST OF CHAIRPERSON OR UNDERSTANDING ORDER DATE & TIME TBD)**

NOTED Chairman's comments post meeting regarding creation of further cycle-paths around and within Soham and additional amenity open spaces for the benefit of resident health welfare and recreational uses.

The meeting closed at 9:35pm