

Isles of Scilly Link Project

Minutes for the Route Partnership Friday 18th December 2009, 2.30pm- 4.30pm

Trevithick Room, New County Hall, Truro

Attended by:

Philip Hygate – RP Chairman, Council of the Isles of Scilly
Cllr Dudley Mumford – Council of the Isles of Scilly
Cllr Graeme Hicks – Cabinet Member for Highways, Transport & Planning,
Cornwall Council (CC)
Cllr Alec Robertson (part) – Leader of the Council, CC
Cllr Jim Currie (part) – Councillor, CC
Craig Dryden – Planning and Development Manager, Council of the Isles of Scilly
Chris Gregory – Land Steward, Duchy of Cornwall
Nigel Blackler – Head of Transportation, CC
Tim Wood – Project Director, CC
Nicola Yeates – Project Manager, CC
Julian Kitto – Legal Services Manager, CC
Stephen Lynes – Senior Solicitor, Legal Services, CC
Dave Simpson – Construction Manager, CC

1. **Apologies** – Tom Flanagan (CC), Adrian Smith (DoC)
2. **Minutes of RP on 13th November 2009** accepted as a true record
3. **Meetings update:**
 - a. **25 November, Cornwall Council – Procurement Assurance Scheme Panel:** The panel confirmed that the correct procurement procedures had been followed and supported the recommendation for option A to be progressed. The panel recognised the lack of future proofing and unsustainable business case for Option C.
 - b. **10 December, Cornwall Council - Public meeting prior to Strategic Planning Committee:** Dave Slatter (Planning Officer) gave an overview presentation for the context of the Listed Building Consent and the sea wall planning application with the HRO. TW gave the 10 minute project presentation explaining the gradual reduction in the area of the reclaim area and the changes made to the building design etc in response to public comments. The meeting was well attended and all but one speaker (Mr Cliffe, PDTA) spoke to object to the proposals. There were a variety of proposals to consider alternatives; Option C, Albert Pier etc. The meeting lasted 3 hours.
 - c. **14 December, Cornwall Council Strategic Planning Committee:** Dave Slatter presented his report recommending 'minded to approve' the LBC application and 'approval' for the sea wall application. Charlie Cartwright (FoPH) and Mike Sagar-Fenton (FoPH) spoke against the proposals. Mike Waters (PzCoC) and TW spoke to support the scheme. Cllr Jan Ruhrmund (Pz Town Council) spoke against the proposals. Following debate and local members Miss Tamsin Williams CC, Roger Harding CC, Mrs Sue Pass spoke against the applications. Ms Ruth Lewarne CC moved a resolution to refuse the LBC which was voted through 12/7 (including votes from Local Members Mario Fonk CC and Chris Goninan CC). After 4 hours the Listed Building

Consent was refused. It was decided to defer the sea wall application until a later date.

- d. **16 December, Cornwall Council Cabinet:** GH reported that the Isles of Scilly Link items were removed from the agenda but he was asked what mainland port options will be considered to which he responded that this cannot be confirmed until discussions had gone ahead with DoC and CloS. NB reported that Mr Cartwright questioned again the operational costs of separate vessels v single vessel, why CC had not gone through procurement process for option C for operator to which he was informed that we had obtained an independent view on the costing and that we were not able to introduce a different option (C) to an ongoing tender.

PH suggested that both operator tenderers should be asked to formally comment on option C 'for the record'

- e. **DfT and RDA:** Both have been made aware of the LBC refusal. DfT postponed the December Investment Decision Committee. IoS Link may be considered at January IDC. RDA awaiting update on revised spending profiles for future work and to understand CC's proposed actions.
- f. **Convergence** – bid has been submitted for Option A and is being appraised by RDA Appraisals Team.

4. **Penzance HRO challenge**

JK reported that the challenge is weak. Treasury solicitors' advice accords with that of CC. Time for consideration not clear as there are 102 urgent cases before the High Court. DfT may have grounds to recover its costs if they challenge is not successful. The challenge prevents delivery of any option in Penzance.

5. **Penzance Options A & C**

The Cabinet report concludes that both options A and C could be delivered but only option A attracts sufficient charter fee to repay the borrowing and build up a reserve. There are also practical issues with Option C and risks to continued operation. The Cabinet report will be reviewed and presented to the Cabinet in January 2010.

(Alec Robertson and Jim Currie joined the meeting)

Possible re-submission of option A was discussed. CC will arrange a meeting with English Heritage in January to discuss the respective positions. **Action: TW**

6. **Falmouth**

CD reported that CloS was considering a draft report on the scoping study for Falmouth.

NB stated that it would take about ~11 months to complete a business case for Falmouth and likely to cost ~£750k. The business case will need to generate extra income to cover the additional costs of extra fuel and crew costs that would result from sailing from Falmouth. PH added that Falmouth Harbour Commissioners are open to discussions. SL to seek counsel opinion to test State Aid implications of sailing to Falmouth. **Action: SL**

7. **Vessel build update**

Additional cost has been indicated by the preferred shipyard for a 2 month delay of award (to 31 March 2010) but the vessel delivery would be delayed. NY waiting for procurement advice on a further extension (up to 12 months) and will then seek such an extension from operators before the tenders lapse.

Action: NY

CD raised the possibility of disaggregation. NB reported that DfT would not consider this as each element must be able to stand in its own right (as a business case) so that if the remainder was not delivered the DfT would still have value for money. On this project it is all or nothing.

8. **Vessel operator update** – valid until 16 February 2010. Extensions will be sought.

Action: NY

9. **Financial**

The CC bid for £450k preparatory funding from Convergence has been approved. A formal offer letter is awaited. This new funding will cover the expenditure on the Option A planning re-submission, the Option C review and preparatory works common to both.

10. **Key dates** – CC cabinet 13th Jan 2010 (post meeting note now 25th Jan 2010)

11. **AOB** - none

12. **Next meeting** - A date will be agreed after the appropriate January CC Cabinet.
[PMN: meeting arranged for 26 January 2010 at Threemilestone, 10:30am]

Nicola Yeates
6 January 2010