

To receive a report from the Longstone Depot Lease and consider any actions and associated expenditure.

Report to:

Services

Date of Report:

2 April 2026

Officer Writing the Report:

Town Clerk / RFO

Purpose of the report:

To present the work undertaken by the working group in relation to Cornwall Council's (CC) proposed Heads of Terms and the associated potential devolution package.

Pursuant Minute:

Services held on 12.02.26 minute nr. 108/25/26

Officer's Recommendations

Please note: This report represents an early stage in discussions and is intended as a basis for initial engagement with Cornwall Council. Its purpose is to support collaborative working so that the respective aims of both parties may be progressed.

Members are asked to consider and resolve to:

1. Approve Cornwall Council's proposed Heads of Terms in respect of Longstone Depot lease subject to a couple of amendments outlined in the main part of the report.
2. Approve the submission of the Town Council's draft devolution package (tranche 1), as set out in this report, noting that the final terms of any agreement would be subject to approval by Full Town Council.

3. Delegate to the Town Clerk to submit the devolution package (tranche 1) to the relevant Cornwall Council officers for their consideration, reporting back at a future Service Committee meeting.
4. Approve a virement of £2,100 from General Reserves to meet the annual shortfall in rent.

Report Summary

Longstone Depot – existing lease:

A working group was established, alongside the Town Clerk, to review Cornwall Council's proposed Heads of Terms and to consider potential devolution options for Longstone depot.

The existing lease expired on 29 March 2026. Cornwall Council has since confirmed, in writing, an extension of the lease to 30 June 2026.

Responses have now been received to the points previously raised in relation to the proposed Heads of Terms. The working group considered that sufficient clarity has been provided and that matters are now in a position to progress towards completion of the lease. The proposed Heads of Terms are attached to this report and are summarised below.

Heads of Terms – Key Points

- **Rent:**
The proposed increase in rent is considered acceptable when assessed against current market conditions, particularly as there has been no increase since 2023 - proposed annual rent: £6,750
- **Insurance:**
Saltash Town Council will insure the site as part of its main Zurich insurance policy.
- **Lease duration:**
It is proposed to seek an amendment to the lease term so that it aligns with either a future sale or devolution of the site, rather than the proposed fixed term of 24 years and no other option.
- **Break clause:**
The break clause could either be aligned with any future sale or devolution of the site, or remain as currently proposed. Under the current proposal, neither Saltash Town Council nor Cornwall Council may exercise a break within the first 12 months; thereafter, the lease may be terminated by either party on six months' written notice.

- **Property boundary:**

Cornwall Council has indicated a willingness to explore the Town Council taking responsibility for additional land. However, there are a number of complexities that would require detailed consideration. To avoid unnecessary legal work and associated costs at this stage, it is considered more practical to renew the lease on its current footprint and revisit the wider site as part of any future devolution discussions.

- **Lease extension:**

Cornwall Council has agreed to extend the existing lease until 30 June 2026. Further details are contained in the attached correspondence.

- **Welfare cabin:**

As part of the new lease, it is important that consent is secured for the relocation of the welfare cabin to the side of the depot (green open space areas). In addition, the proposed replacement structure at the Waterside should present a more attractive solution to house the pontoon gate controls and associated safety equipment. However, it should be noted that Cormac requires tractor access to the green open space at Longstone Park for grass cutting. The installation of a cabin in this area could therefore present operational difficulties.

In addition, the existing cabin available for purchase is considered expensive in light of its age and condition and is therefore not deemed to represent value for money. Furthermore, under the terms of the lease, repair works would be required to reinstate the cabin.

Devolution Package – Tranche 1:

The working group asks Members to consider the potential devolution of the following sites:

- Jubilee Green
- Waterside Green
- Longstone Depot
- The wider surrounding area, including green space adjoining the depot and car park
- Longstone public toilets

This tranche does not include Longstone Park.

The devolution of all the above areas would provide the Town Council with greater control over the condition, management, and future use of these sites. This would enable the Town Council to work proactively with partners to begin the long-term improvement of the Waterside area.

Correspondence received confirms that Cornwall Council is supportive of transferring Jubilee Green and Waterside Green to the Town Council. Details as follows:

Thank you for confirming that the Town Council wishes to acquire the land at Tamar Street, as well as Brunel Green. Having consulted colleagues we have agreed that only a freehold or leasehold transfer would be appropriate in these cases. For efficiency of available resources, we would prefer to arrange these two transfers under the same process to complete at the same time. I agree that we will need to discuss the full inclusions and carefully consider the boundary of what is to be adopted by the town council. To aide discussions, may I suggest the following:

Tamar Street POS – responsibilities: safety & maintenance

Saltash TC	Retained by CC
Grass green and all retainment edging	Seawall and coastal railings
Extent of current play area and associated railings if retained.	Street parking area and other adopted highway surfaces
Land and Sculpture at Tamar Street (currently leased)	Steps down to tidal Land at Waterside
Weeds and detritus on paved access routes	Paving and walkway surface infrastructure
Benches, artwork and interpretation	Street lighting columns & associated services
Litter and bins	
Events & commercial licences and any associated services required.	



Brunel Green (part 2) POS – responsibilities: safety & maintenance

Saltash TC	Retained by CC
Entire grass green, all retainment edging and linked verge to north	Seawall and coastal railings
Landscaped areas east of car parking	Car parking area
Trees	Paving and walkway surface infrastructure
Weeds and detritus on paved access routes	Street lighting columns & associated services
Furniture, benches, artwork, bollards and interpretation	Signs & infrastructure associated with Car parking or Maritime's pontoon
Litter and bins	
Events & commercial licences and any associated services required.	

The option of an early management licence to undertake the town council's aspirations has not been agreed. This sort of occupation is not considered suitable for sites likely to be significantly re-developed in ways not of Cornwall Council's choosing. Were Saltash Town Council to choose to hand back the site(s) at any time, it could result in undue liability & management costs for Cornwall Council. The advantage of a more secure form of tenure, is that the town council will have a much more free reign to re-develop both areas without the need to obtain the approval of Cornwall Council as landowner.

We will continue to maintain both areas as necessary and for safety, until such time as the transfer completes. We do not intend to undertake any prior landscape works, unless paid for by external sources. As you know the play equipment at Waterside is likely to be removed in the near future owing to structural decay. Our operatives will ensure that they make good the ground to minimise trip hazards etc, but any plans to regenerate or renovate the area will be left for the town council to determine once transferred. We will do our best to assist you prior to transfer, should you need to undertake temporary activities on site, such as through our events application process or via Cormac commissioned works.

I hope that this gives you sufficient a basis to begin evaluating your requirements and commencing legal instructions.

Following the initial engagement above, the following questions have been posed to CC raised by the working group, responses received underneath each question:

- Could you confirm the number of waste bins provided in each area?

I am asking service colleagues for this information, though do not anticipate this being available in time for Thursday's meeting.

- Could you provide details of the current Biffa contract, including the scope of operations and associated costs?

I have attached a specification of service that would be provided under the Biffa contract for your reference.

- Is there an option for Saltash TC to take over the existing Biffa contract?

Yes, and a quote for this has been requested, though would not anticipate this being available in time for Thursday's meeting.

- Is any enforcement currently in place on the site? If so, would responsibility for enforcement transfer to Saltash Town Council (STC) should the site be devolved?

There is a prohibition of dogs from Waterside Play Area – ref:125

- <https://www.cornwall.gov.uk/media/txelqxyu/pspo-dog-exclusion-order-2023.pdf> and a dogs on leads Public Space Protection Order for Brunel Green – ref:2

- <https://www.cornwall.gov.uk/media/hydeq4ek/pspo-for-dogs-on-leads-2023.pdf>

- Does Cornwall Council (CC) currently operate enforcement on the site? If so, what does this involve, how effective is it, and what are the associated costs?

If in relation to above matters, you can use the services of CC's Dog Welfare & Enforcement Team to enforce above PSPOs or do this yourselves.

- Would CC be willing to share details of how licence applications to use the site are currently managed (for example, for events such as the Regatta)?

See: <https://www.cornwall.gov.uk/business-trading-and-licences/organising-an-event/guidance-for-small-community-events/>

- Given that any devolution process is likely to take a significant amount of time, would it be possible to put a licence in place to allow the Town Council to commence works on the proposed sensory garden and play park, both to be located on Jubilee Green?

Cornwall Council would prioritise the devolution of these assets to facilitate the CIL project, so would need to have agreed and completed transferred the assets to the Town Council prior to work starting. A licence would not be appropriate to facilitate these works.

Once we have confirmation from the Town Council that there is a Resolution to proceed with the devolution, I can then assign a surveyor to undertake the necessary works required for our governance process and to provide the Heads of Terms on which the transfers will proceed to the Town Council for their approval. Upon agreeing the terms, I can seek the formal decision to devolve the sites, and commission the drafting of legal documents to enable the transfers.

Saltash Town Council would not be willing to take on responsibility for any areas relating to the sea defences, railings, or walls adjoining the Tamar, due to the lack of budget provision to support future maintenance and associated costs.

Budgets

Budget Codes:

7107 Rent - Longstone

Budget Availability:

£4,680

There is a shortfall in the budget availability against the increased rent per annum. A virement is recommended to ensure the Town Council meets its liabilities.

Signature of Officer:

Town Clerk / RFO