

MINUTES OF PENZANCE TOWN COUNCIL MEETING held in the Wesley Rock Methodist Church, Heamoor, Penzance on Monday 15 July 2019 at 7.00pm

PRESENT

Councillor N C Broadhurst (Town Mayor)
P Young (Deputy Mayor)

Councillors D J Axford (from 7.10pm)
K M Baker
A L Bates
R B Cliffe
S M Cordel
N A Davis (from 7.05pm)
J H Dixon
W Elliott
T L Halliday
J M How
B Jackson
J S Lambourn
R A Mann
N G Pengelly (from 7.07pm; left at 8.10pm)

Also present: Hester Hunt (Town Clerk), Paula Smith (Support Services Manager/RFO), Ben Brosgall (Leisure & Amenities Manager), Cornwall Councillors Cornelius Olivier and Mario Fonk, 4 members of the public.

41. APOLOGIES FOR ABSENCE

Councillors S J Bosworth, N N Waller, C A C White

Absent without apologies: Councillor S J Reed

42. DECLARATIONS OF INTEREST

None.

43. PUBLIC PARTICIPATION TIME

The organisations that had requested the opportunity to address the Council were not present.

44. CORNWALL COUNCILLORS' REPORTS

Cllr Cornelius Olivier

Cllr Olivier had circulated the following written report and he spoke briefly on each item.

Youth Project

As members of the TC are already aware, I have a longstanding commitment to locating a Youth Centre in Penzance. After a previous initiative foundered I was pleased to get the opportunity to bring together professional youth workers and local Councillors and try again.

The decision of the TC to set a 'Youth' working group was an important step, representing as it did a significant shift in attitude by the Council.

I was delighted to be able to identify a highly suitable premises on behalf of the working group and we hope to have a positive response from its owners in the near future.

I want to express my appreciation of the work done by Alana Bates and Steve Cordel on this project.

Promenade Crossing/Speeding Vehicles

The Town Council recently received a well prepared petition from local resident Ben Sidgwick, calling for an additional pedestrian crossing on the Prom, near the bottom of Queen St.

I subsequently visited the site with Ben and a representative of Cornwall Highways, Ben's proposal was judged to be technically feasible, not likely to have much impact on parking space and very likely to contribute to making the Prom a more welcoming space for those using the area.

The opportunity was taken to also look at and discuss the traffic issue raised with me by residents of Regent Terrace.

Concerns about vehicle speeds raised with me by residents of Adelaide St and North Parade, have been flagged up by me with Cornwall Highways

Trelya

On a recent visit to the Lescudjack Centre, I was very impressed by the work done by this organisation with families and young people. I have previously been somewhat sceptical about the process by which a community building became a charity base but I am now very willing to support Trelya expand both the number of people they are able to help and the range of services offered at their building.

Amenity Space at St Clare

It is a matter of great concern to me that there are many young families in this area living in accommodation without gardens or nearby play space. I am angered and frustrated by the attitude of LiveWest (the social landlord) that to make a commitment to provide such basic facilities would be in conflict with their 'business model'. However I have identified a potential site for the provision of such a space and a local CIC has expressed an interest in developing a project for it. LiveWest, though unwilling take responsibility directly, are ready to support a local organisation in doing so, on condition their tenants have some involvement.

Climate Emergency

Earlier this year Cornwall Council made a declaration of the above.

It happened by accident after a voting process that was more farcical than inspirational but we ended up in the right place.

I am a member of the Scrutiny Committee that is overseeing the Council's response to the declaration and think it is fair to say that what is being considered goes well beyond tokenism.

Officers have compared what needs to be done to combat global warming to a 'war effort'. I regret how much the story of this country in the Second World has been cheapened and debased by Europhobes, however I am arguing that we should remember that in the 1940's the attitude was not 'social justice will have to wait until after we have beaten the Nazi's' but 'a commitment to social justice is a fundamental part of the war effort'.

A Government-led 'Green Industrial Revolution' investing in people as well as technology will achieve more than a multitude of individual lifestyle changes. Valuable though such changes can be, not least in raising awareness that a national collective effort is essential.

Holiday Let Tax Exemption

Several months ago, Cornwall Council voted to support a motion proposed by me, calling upon the Government for the scrapping of the above tax dodge and the transfer of the money it costs into the provision of social housing.

Although the Government carried out a consultation exercise, we are still waiting for an answer; at the last Council Meeting, I asked the Council Cabinet to urgently pursue this request. Currently holiday let properties registered as business premises are not liable for Council Tax and are also able to claim exemption from Business Rates as 'small businesses' as long as they are said to be available to let for 140 days a year.

Although the Council is compensated for most of the CT revenue lost to it (Parish Councils are not!) It seems outrageous that the owners of holiday lets are receiving a subsidy considerably larger than the amount of money the Council gets from Government to meet housing need.

Of the over 8000 Cornish holiday lets registered as business premises, some 6500 pay neither CT or BR at a cost to the public purse of approx £11 million pa

Council Housing

At the same meeting I also asked for an update on the Council's plans to directly provide social housing (Council Housing). The Government has lifted the financial restrictions that prevent Council's from building such homes and is urging them to 'get on with it'.

It seems clear to me that housing need in the Penzance area will not be met by relying on private developers and substantial direct intervention by Cornwall Council is urgently needed.

Private Sector Rented Housing Inquiry

There are currently more households with dependent children living in private rented homes than at any time since the 1980s.

The absence of secure long term tenancies, rent controls, adequate legal obligations for maintenance and renovation and the imposition of housing benefit caps, (a major contributor to in-work poverty) means the circumstances of such families are very often precarious, unstable and unhealthy.

I proposed that Cornwall Council set up a Scrutiny Committee Inquiry Panel to investigate the situation in Cornwall.

The intention is to find out what is actually happening in the private rented sector, to determine whether better use can be made of existing resources and powers, to assess whether further regulation is needed.

The first briefing for Panel members which includes myself, will be on July 30th, the Inquiry will begin in September.

A wide variety of witnesses, both national and local have been invited to give evidence and there will be several 'hearings' open to the public.

Parish Governance Review

Below is a summary of my submission to the Review.

At a time when a key policy of Cornwall Council is the 'Devolution' of assets/services to Parish Councils, it would be perverse of the Electoral Review Panel to support proposals that make it more difficult for Town Councils to sustain their existing facilities, let alone take on new responsibilities.

Elected representatives need to argue against the mentality of 'If I don't use it, or it isn't located near where I live, I shouldn't have to pay for it'.

Proposals for new civic parishes that appear to be primarily motivated by the idea that it will an additional resource with which to resist housing development, demonstrate an exclusive approach to the concept of community that I do not sympathise with.

Cllr Mario Fonk

Cllr Fonk thanked the Town Council for holding the meeting in Heamoor and he also thanked the Leisure & Amenities Manager for his assistance with the bus stop and hedging issues in Heamoor.

45. TO RESOLVE TO EXCLUDE MEMBERS OF THE PRESS AND PUBLIC

To agree any items to be dealt with after the public (including the press) have been excluded as publicity would prejudice the public interest by reason of the confidential nature of the business to be transacted **Public Bodies [Admission to Meetings] Act 1960**

There were no confidential items to consider.

46. TO APPROVE WRITTEN REQUESTS FOR DISPENSATION

No requests had been submitted.

47. TO CONFIRM THE MINUTES OF THE TOWN COUNCIL MEETING OF 20 MAY 2019 AND OF THE EXTRAORDINARY TOWN COUNCIL MEETINGS OF 13 JUNE AND 8 JULY 2019

The minutes of the meetings having been previously circulated, it was unanimously

RESOLVED – to approve the minutes of the Town Council meeting held on 20 May 2019.

(Proposed: Cllr Cliffe; seconded: Cllr Elliott.)

RESOLVED – to approve the minutes of the Extraordinary Town Council meeting held on 13 June 2019.

(Proposed: Cllr Cliffe; seconded: Cllr Elliott.)

RESOLVED – to approve the minutes of the Extraordinary Town Council meeting held on 8 July 2019.

(Proposed: Cllr Cliffe; seconded: Cllr Elliott.)

48. TO DEAL WITH BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

There were no matters to be dealt with.

49. TO RECEIVE QUESTIONS FROM MEMBERS OF WHICH PRIOR WRITTEN NOTICE HAD BEEN GIVEN, IN ACCORDANCE WITH SO NO. 15

Cllr Elliott had submitted the following question for the Town Mayor which was read out by the Town Clerk:

'Please may the Mayor update Councillors on our progression towards becoming Plastic -Free as it has been brought to my attention by Plastic- Free Penzance that, almost 2 years on, some of our operations are still using single-use plastics. Please inform Councillors in detail both what action has been taken so far to make our operations Plastic-free as well as what action she would like to see taken by officers to ensure that we become truly Plastic -Free in all areas by the end of the year.'

The Mayor would respond in writing to all Councillors within 10 days.

50. TOWN MAYOR'S ANNOUNCEMENTS

The Mayor apologised for not providing any announcements as the Civic Team had been extremely busy over the previous weeks. Members were asked to refer to the weekly Engagements List.

Deputy Mayor's Announcements

May Monday 20th

Mayor Choosing, Guildhall St Ives

Thursday 23rd

Dinner at Alverne with Concarneau walking group

Saturday 25th May, 4am

Signing off James Williams on his attempt to beat the record for running from Land's End to John O'Groats

Wednesday 29th

Certificate presentation at Lescudjack Centre for Who Dares Works graduates

June Sunday 9th

Mayor's Civic Service, Truro Cathedral

Tuesday 11th

Partner Lunch, Innovation Centre

Thursday 20th June

Presentation of Certificates, Who Dares Works, YMCA

Saturday 22nd

Rotary Shop Penzance, 5th birthday party

Thursday 27th

Memory Café 10th Birthday Party, Hope Church

Sunday 29th

St Ives Civic Service, St Uni Church

July Saturday 6th

'Ready for This', The Newlyn Centre Stage Struck and Sparkellez

51. TO NOTE THE MINUTES OF THE FOLLOWING COMMITTEE MEETINGS

(a) Planning Committee – 22 May, 12 June & 3 July 2019

The minutes of the Planning Committee meetings held on 22 May, 12 June and 3 July 2019 were presented and noted.

(b) Penlee House Committee – 3 June 2019

The minutes of the Penlee House Committee meeting held on 3 June 2019 were presented and noted.

(c) Leisure & Amenities Committee – 10 June 2019

The minutes of the Leisure & Amenities Committee meeting held on 10 June 2019 were presented and noted.

(d) Finance & General Purposes Committee – 17 June 2019

The minutes of the Finance & General Purposes Committee meeting held on 17 June 2019 were presented and noted.

52. REPORTS FOR DECISION

(a) Barbican building – electric works

Members were reminded that the Barbican building was leased by the Town Council and used by Golowan Festival CIC as a base from which to run the annual Golowan Festival.

A recent fixed electrical inspection at the building had identified a number of serious electrical faults that required urgent attention, particularly with respect to those faults that breached health and safety regulations.

Investigation into the legal position of whether the Town Council as the tenant or the property management company was responsible for carrying out the repairs was ongoing. In the meantime, the Town Council's H&S providers had recommended taking steps to carry out the work, pending the result of the legal enquiry. This was due to the Town Council sub-letting the property to a third party and the question of responsibility for providing a safe building.

The Leisure & Amenities Manager explained that the electrical supply into the building was complex due to the various users within the building.

RESOLVED – to await the outcome of the legal review before agreeing any further action.

(Proposed: Cllr Cliffe; seconded: Cllr Mann.)

(b) Contract for Christmas Lights – delegated decision

The Leisure & Amenities Manager had been reviewing a new hire agreement for the town centre Christmas lights, following the end of the previous 3-year contract in January 2019. At the same time, investigations had been carried out to look at improving the Christmas lights infrastructure in terms of improving the power supply and expanding the lights scheme into areas of Penzance that had not previously been supplied with lights.

The Town Council had recently been informed by all the Christmas lights suppliers that had engaged with the Council that, due to the uncertainties of Brexit, order deadlines for 2019 had been brought forward by 3 months and

these deadlines would not now fit with the Town Council's schedule of meetings.

Four suppliers had been asked to quote for both a 1-year and a 3-year hire agreement and it was unanimously

RESOLVED – to approve delegation of the decision on appointing a Christmas lighting supplier to the Mayor, Chair of the L&A Committee and the Town Clerk.
(Proposed: Cllr Mann; seconded: Cllr Elliott.)

(c) Heamoor Field wall – revisit quotes

During a pre-start meeting, the contractor that had been appointed to carry out the repairs to the Heamoor Field wall had announced that he would need to increase his quote due to additional work becoming apparent that was not included in the original quote.

Subsequently, the L&A Manager had asked all contractors who had submitted quotes to re-submit – the two other contractors re-visited the site and confirmed that their quotes remained unchanged.

The quote from the most cost-effective contractor was £8,023.20 (incl. VAT) and it was recommended that an additional £2,000.00 be vired from budget line 1105 'Other Amenities Expenditure' to meet the extra cost.

Following discussion of the report, it was unanimously

RESOLVED – to approve a virement of £2,000 from budget line 1105 'other amenities expenditure' to budget line 1130/1 'Heamoor Field' in order to progress the necessary repairs to the stone wall at Heamoor Field.
(Proposed: Cllr Jackson; seconded: Cllr How.)

(d) Strategy for Youth Provision in Penzance

In October 2018, a Youth Strategy Working Group was established; the group was comprised of Town Councillors, Cornwall Councillors and representatives from the Your Way Partnership.

The working group was tasked with developing a strategy for the provision of youth services and this draft document was now presented to the Town Council for approval and adoption.

Cllr Cordel spoke on the document on behalf of the Youth Strategy Working Group and it was noted that, through a series of summer events and a 'youth café' starting in September, active steps would be taken to engage with young people and ascertain what they needed.

It was unanimously

RESOLVED – to adopt a Strategy for Youth Provision in Penzance as outlined by the Youth Services Working Group.

(Proposed: Cllr Pengelly; seconded: Cllr Cliffe.)

- (e) Morrab Gardens – to request a Town Council representative on the Friends Committee in the lead up to devolution

Members were reminded that Morrab Gardens appeared in phase 2 of the Council's devolution programme and, to assist the flow of communications in preparation for devolution, it was recommended that the Town Council request a seat on the Friends of Morrab Gardens Committee to represent the Council's views and it was proposed that the Mayor's name be put forward.

It was further proposed that a deputy representative should be appointed and that this could be the Deputy Mayor and it was unanimously

RESOLVED – to approach the Friends of Morrab Gardens Committee with a request that the Town Mayor be appointed to sit on the Friends Committee (with the Deputy Mayor being appointed as the deputy representative) in the lead up to devolution of Morrab Gardens from Cornwall Council.

(Proposed: Cllr How; seconded: Cllr Cliffe.)

- (f) Coach House refurbishment – establishment of a working group

In March 2019, the Penlee House Committee had resolved to recommend to Town Council that a working group be set up to look at options for the Coach House refurbishment and, in order to review how the Coach House could best be used for the future, it was proposed that a Member/Officer working group be established.

The RFO confirmed that a budget of approx. £20,000 had been set aside for the refurbishment and it was unanimously

RESOLVED – that a working group consisting of the Mayor, Deputy Mayor, Chairs of the four standing committees, the Town Clerk and the Director of Penlee House be set up to look at the options for the Coach House refurbishment.

(Proposed: Cllr Cliffe; seconded: Cllr Young.)

- (g) Promenade Planters – funding for transport

In June 2018, the Town Council resolved to provide funding for the cost of deploying planters to the promenade in the Spring and recovering them in the Autumn, plus plant maintenance for all 24 planters.

At the time of budget-setting in late Autumn 2018, no financial information was available so it had not been possible to set a budget for this commitment.

Penzance BID had recently appointed a contractor to carry out the general maintenance of the planters and to move them onto the Promenade. In order to meet this cost and the potential cost associated with re-deployment at the end of the season, it was proposed to establish a budget of £2,200 on budget code 3105/18 funded by a virement from the general contingency budget (budget line 3997).

Members debated the responsibility of watering, maintaining and storing the planters and, after further discussion it was unanimously

RESOLVED – to approve:

- that a sum of £2,200 be established on budget head 3105/18 to meet the costs associated with deploying and maintaining the promenade planters funded from virement from General Contingency.
- an additional budget of up to £1,000 for watering and maintenance of the planters, to be allocated under the delegated decision of the Chair of the Leisure & Amenities Committee and the Leisure & Amenities Manager.
(Proposed: Cllr Elliott; seconded: Cllr Baker.)

[Cllr Pengelly left the meeting – 8.10pm]

(h) Penzance ‘Summer Get Together’

Penwith Community Development Trust (PCDT) had created a summer event for young people and families in Penzance.

Four themed days would take place throughout August 2019 and a free BBQ lunch with fruit would be offered. They would also provide free aluminium water bottles, in line with the ‘Plastic-free Penzance’ ethos. The organisers hoped to be able to provide food for 1000 people over the four days at a cost of £2 per person.

The total cost for the four events would be £3,940.

The PCDT /Cornwall Rural Community charity had also designed a summer programme for young people across West Cornwall. The aim was to offer 240 young people aged between 10 and 18 the opportunity to engage in different activities throughout August, covering three days each week (20 young people per session).

In Penzance, targeted spaces would be offered to young people transitioning into secondary school and the places would be allocated following recommendations from the local primary schools.

Following discussion of the initiatives, it was unanimously

RESOLVED – that the Town Council would provide the funding for the Summer Get Together at a cost of £3,940. A budget for this amount to be established on budget line 3210, to be funded by a transfer from the Youth Reserve 3995/9.

The Town Council would also provide the funding for the Summer Transition Programme at a cost of £2,500. The additional amount to be added to budget line 3210, to be funded by a transfer from the Youth Reserve 3995/9.
(Proposed: Cllr Halliday; seconded: Cllr How.)

(i) **Recycling bins in Penzance**

At the Town Council meeting of 8 April 2019, members resolved to declare a 'Climate Emergency'. As a follow-up to this resolution and the subsequent resolution of the Leisure & Amenities Committee to replace all bins in Penlee Park with dual purpose general waste and recycling bins, Cllr Elliott proposed that the Town Council should call on Cornwall Council to replace all existing general waste bins with dual purpose recycling/general waste bins and it was unanimously

RESOLVED – that the Town Council would call on Cornwall Council to replace all existing 'general waste bins' in Penzance with 'dual-purpose recycling/waste bins'.
(Proposed: Cllr Dixon; seconded: Cllr Mann.)

53. REPORTS FOR DECISION FROM FINANCE & GENERAL PURPOSES COMMITTEE

(a) **Increase in HR Consultancy Services budget**

Following a recommendation from the Finance & General Purposes Committee, it was unanimously

RESOLVED – to approve the increase in budget for HR Consultancy Services (£3,883, Code 3150) from the General Fund Reserve.
(Proposed: Cllr Elliott; seconded: Cllr Cordel.)

(b) **Review of the existing finance and allotment software package**

Following a recommendation from the Finance & General Purposes Committee, it was unanimously

RESOLVED – to approve the renewal of the contract with the existing software provider for a period of three years.
(Proposed: Cllr Mann; seconded: Cllr Elliott.)

(c) **Heamoor Field – reinstatement of 2018/19 budget underspend**

Following a recommendation from the Finance & General Purposes Committee, it was unanimously

RESOLVED – to approve a virement of unspent expenditure from budget lines 1130/1 (Heamoor Field) and 1105 (Other Amenities Expenditure), totalling £1,766.66 and £2,990.86 respectively, which had been moved into General Reserves at the end of the 2018/19 financial year and would be reinstated into budget line 1130/1 Heamoor Field for 2019/20.

(Proposed: Cllr Cliffe; seconded: Cllr Young.)

- (d) TIC Toilets payment entry system – reinstatement of 2018/19 Public Toilets budget underspend

Following a recommendation from the Finance & General Purposes Committee, it was unanimously

RESOLVED – to approve the virement of £16,297.96 which was moved into the General Fund Reserves at the end of the 2018/2019 financial year from the Public Toilet Budget lines. This amount to be moved to the TIC maintenance budget line (1165/7/1) in the current budget year to facilitate the replacement of the payment entry system at the TIC Public Toilets.

(Proposed: Cllr Elliott; seconded: Cllr How.)

54. REPORTS FROM OUTSIDE BODIES

- (a) Solomon Browne Memorial Hall

Cllr Axford provided a written report on the SBMH committee meeting held on 26 June 2019.

- (b) Penwith Dementia Friendly Community

Cllr Baker provided a written report on a recent meeting held in the St Clare Medical Centre and also a brief description of the aims of the Penwith Dementia Friendly Community Group, one of which was to make Penzance a dementia friendly town.

- (c) Penzance BID

Cllr Cliffe provided a verbal update on the activities of the BID group. BID had recently taken over the management of Penzance Farmers' Market and was working with other partners to deliver a music festival.

- (d) Penzance Neighbourhood Plan

Cllr Cliffe provided a verbal update on the activities of the Penzance Neighbourhood Plan organisation. Concerns over the timeframe for the plan were noted.

- (e) Penzance Regeneration Partnership and Place-Shaping

Cllr Axford provided a verbal update on the activities of the Penzance Regeneration Partnership and the Place-Shaping group. It was hoped that the 'Town Centre Hub' would open on 18 November at 1 Causewayhead. The opening of the geothermal element of Jubilee Pool was due to take place on 30 November to coincide with the Christmas lights switch-on.

55. REPORTS FOR INFORMATION

(a) Jubilee Pool update

An interim report and update on progression of the upgrades to Jubilee Pool and the financial position were circulated.

(b) Clarification of position of Finance & General Purposes Committee Chair on the Board of Jubilee Pool Penzance Ltd; and other representation on Outside Bodies

The Town Clerk had provided a report clarifying the position of the Chair of the Finance & General Purposes Committee on the Board of the Jubilee Pool Penzance Ltd.

Members were also provided with an updated document outlining the role and responsibilities of Town Council representatives on Outside Bodies in general.

(c) Communication Action Plan update

The Communications Officer had provided an update on progress in respect of the points included in the Communications Action Plan.

(d) Code of Conduct complaint

In line with Standing Order 16, the Town Clerk informed members that a Code of Conduct complaint concerning Cllrs Broadhurst and Reed had been received by Cornwall Council. Following investigation of the allegations, the complaints had been rejected.

56. MATTERS ARISING FOR REPORT ONLY

None.

The meeting closed at 8.41pm

Town Mayor
9 September 2019