



PENZANCE COUNCIL

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TOWN CLERK: JAMES HARDY

16 May 2023

To: All Penzance Councillors

You are hereby summoned to a meeting of Penzance Council to be held in The Alverne Room of St John's Hall on Monday 22 May 2023 at 7.00 pm to discuss the business set out in the Agenda below.

James Hardy
Town Clerk

cc: Council's Chaplain, Cornwall Councillors (Penzance), The Press,

This meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media or members of the public. Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, **we cannot guarantee this**, especially if you are speaking or taking an active role.

Prior to the commencement of the business to be transacted the following will take place:-

Prayers

General principles of public life

Selflessness – Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and integrity – Members should not place themselves in situations where their honesty and integrity may be questioned. The public nature of a Member's role means the distinction between acting in your official capacity and your private life may become blurred and a Member's honesty and integrity may therefore be questioned. As a result, a Member must ensure that, as far as possible, there is clear separation between what they do in their private life and in their capacity as a Member. This is especially the case when a Member's activity in their private life relates to the functions of the Council and/or their corporate responsibilities as a Member such that a reasonable member of the public may perceive that the conduct comes within the scope of this Code of Conduct.

Objectivity – Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability – Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness – Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Leadership – Members should promote and support these principles by leadership and, by example, and should act in a way that secures or preserves public confidence.

In line with the Cornwall Code of Conduct, Penzance Council has also adopted the following principles:

Duty to uphold the law – Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Personal judgement – Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them.

Respect for others – Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

Stewardship – Members should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.

“We pledge to ensure that the decisions we take today will benefit future generations.”

AGENDA

1. Apologies for Absence
2. Declarations of Interest. Members to declare disclosable pecuniary interests and non-registerable interests (including the details thereof) in respect of any items on this agenda, including any gifts or hospitality exceeding £25. (Cornwall Code of Conduct 2021 as amended by Penzance Council 24 May 2021)
3. Public Participation Time (lasting up to 15 minutes in total)
4. Cornwall Councillors' Reports
5. Exclusion 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.
6. To Approve Written Requests for Dispensation
7. To Confirm the Minutes of the Penzance Council Meeting of 6 March 2023
8. To Confirm the Minutes of the Penlee House Committee Meeting of 20 March 2023
9. To Confirm the Minutes of the Annual Penzance Council Meeting of 9 May 2023
10. To Deal with Business Expressly Required by Statute to be Done
11. To Receive Questions from Members of which Prior written Notice has Been Given (SO No.17)
12. Town Mayor's Announcements
13. To Note the Minutes of the Following Committee Meetings
 - (a) Planning Committee – 15 March, 5 April and 26 April 2023
 - (b) Penlee House Committee – 20 March 2023
 - (c) Leisure and Amenities Committee – 27 March 2023
 - (d) Finance and General Purposes Committee – 11 April 2023
14. Reports from Other Committees for Decision
 - Finance and General Purposes Committee
 - (a) Leisure and Amenities 2022/23 Project Roll Forward
 - (b) Wherrytown Water Fountain
 - (c) Amendments to Standing Orders (Terms of Reference)
 - (d) Revisions to the Grants Policy
 - (e) Strategic Grants and Service Level Agreements 2023/24

15. Reports for Decision

- (a) Penzance Council Risk Register
- (b) Internal Audit End of Year Report 2022/23
- (c) Annual Governance and Accounting Statement 2022/23
- (d) Investment Strategy Review
- (e) Virement of Funds – Wellfields Car Park Wall
- (f) Conflicts of Interest – External Auditor
- (g) Report of the Housing Crisis Working Group – Response to Government Consultations on Short Term Holiday Lets
- (h) Civility and Respect Pledge
- (i) Service Level Agreement with Jubilee Pool Penzance Ltd (*to follow*)

16. Reports for Information

None.

17. Reports from Outside Bodies - for Information

18. Confidential Reports for Information

- (a) Extension to Contract

19. Matters Arising for Report at Next Meeting

MINUTES OF PENZANCE COUNCIL MEETING held in the Alverne Room of St John's Hall on Monday 6 March 2023 at 7:00 pm

PRESENT

Councillors J How (Mayor)
W Elliott (Deputy Mayor)

Councillors	P Young	TS Marrington (until 8.32 pm)
	MJ Beveridge	J McKenna (until 8.38 pm)
	B Jackson	NG Pengelly
	R Sorrell	J Power
	MJ Durrant	SJ Reynolds
	Z Lawlor	

Also present: James Hardy (Town Clerk), Ben Brosgall (Leisure and Amenities Manager), Sharron Goldingay (Corporate Services Manager) and Cameron Sil (Responsible Finance Officer), Wella Morris (Council's Lay Chaplain), Councillor Tim Dwelly CC, and Councillor Andrew George CC.

Prior to the commencement of the business to be transacted Cllr How (Mayor) read the following statement:

'This is just a reminder that Penzance Council has a Press & Media Policy which was approved by Full Council in January 2022. This has recently been recirculated to all Councillors.

It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, the intention is to establish a framework for achieving an effective working relationship with the media.

Confidential documents, reports, papers and private correspondence must not be disclosed to the media.

Where personal views expressed differ from Council policy this must be made clear.

Councillor press releases are personal and are written and issued by the Councillor responsible, clearly stating their views do not reflect the views or position of the Council or any of its members.

The Communications Officer will co-ordinate all media enquiries into the Town Council office.'

120. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bosworth, Broadhurst, Crago, Davis and S Elliott.

Councillors Axford and Thomas were absent without having provided apologies.

121. DECLARATIONS OF INTEREST

In accordance with the Council's Code of Conduct:-

Councillor Durrant declared a non-registerable interest in Agenda Item 13(f) 'Princess May Recreation Ground Devolution' as a member of the Princess May Trust and left the meeting for the duration of this item.

Councillor Pengelly declared a non-registerable interest in Agenda Item 13(a) 'Rescission and Amendment of Resolution – Recommendations from the Youth Services Working Group (Become You Community Interest Company)' as a member of the Become You CIC Board of Directors and left the meeting for the duration of this item.

122. PUBLIC PARTICIPATION TIME

Dr Lynn Jones was in attendance and spoke in favour of Agenda Item 12(d) – 'Future Banking Arrangements'.

Ms Merle Stayne was in attendance and spoke in favour of Agenda Item 13(c) – 'Report of the Housing Crisis Working Group – Housing Crisis Response'.

123. CORNWALL COUNCILLORS' REPORTS

Councillor Dwelly

Councillor Dwelly provided a verbal report to the Council which focussed on the following areas:-

- i) Tolvaddon CCTV Monitoring Centre – Cornwall Council were proposing to withdraw its financial support of the CCTV monitoring services housed in Tolvaddon. Local councils would be forced to make their own arrangements for services to continue.
- ii) Proposed Changes to Car Park Charges – he hoped that Penzance Council would make representations to Cornwall Council regarding their proposal to end overnight free car parking in the town and the increase in cost of multi-use session tickets from £1 to £5 during the summer months due to the impact this would have on residential areas in the town centre.

Councillor George

Councillor George provided a verbal report to the Council which focussed on the following areas:-

- i) Proposed Changes to Car Park Charges - Cllr George fully endorsed Cllr Dwelly's views on this.
- ii) Public Meeting Regarding the Trannack Planning Proposal – Cllr George



thanked Penzance Council for hosting this event and noted that there was a further consultation event being held at The Pulse in Heamoor on 20 March 2023.

- iii) Devolution Deal – Cllr George noted that the devolution argument that it secured funding arrangements for 30 years at a time was inaccurate as any administration was only guaranteed for 2 years before re-election. The effects of this deal would also push decision making back to Whitehall which in effect was centralisation of power and not devolution.
- iv) Health Scrutiny Committee – This focused mainly on the provision of emergency care due to the overnight closure of the urgent treatment centre at West Cornwall hospital coupled with Treliske hospital now turning away all but ‘emergency to life’ cases.

Cllr Marrington

Councillor Marrington provided a verbal report to the Council which focussed on the following areas:-

- i) VAWG (Violence Against Women and Girls) – Cllr Marrington attended the national conference in London and noted that there is a further local meeting at St Johns Hall on 8 March 2023.
- ii) Cornwall Council Working Group for Data – Cllr Marrington suggested that data from this might be useful for the housing group and Cllr Stephen Reynolds also requested that data could be shared with the Neighbourhood Planning Group.
- iii) Traffic Issues in Newlyn – Cllr Marrington confirmed that the two planned sets of road works in Newlyn would not be overlapping as some had feared.

Cllr McKenna

Councillor McKenna provided a verbal report to the Council which focussed on the following areas:-

- i) Coinagehall Consultation Event – Cllr McKenna noted that it was good to see fellow Cllrs at this event which was hosted by Jubilee Pool.
- ii) Livewest Investment – Cllr McKenna noted that he had been working with Cllr Jackson to encourage investment in facilities for the Alverton field.
- iii) Newlyn Green – Cllr McKenna had secured £5000 in funding from the Environment Agency for replanting on Newlyn Green and has been working with Cllr Marrington and local schools to choose plants. Greenham Construction had also contributed £1000 for seeds.
- iv) Devolution Deal – Cllr McKenna concurred with Cllr George’s views and noted that the Independent Group of Cllrs was putting forward a motion to Cornwall Council at a meeting in April for a referendum to be held.
- v) Tolvaddon CCTV Monitoring Centre – Cllr McKenna had received a guaranteed from the Chief Fire Officer that the Tolvaddon Centre would be resourced until the end of March 2024 and Cllr McKenna would be pushing to keep the Centre open permanently.
- vi) Planning Enforcement – Cllr McKenna currently had nine live planning cases and noted that there was insufficient enforcement resource within Cornwall

Council

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

In respect of Agenda Items 16(a) and 17(a), 'Leisure and Amenities Staffing Review' and 'Delegated Decision – Extension to Contract', it was unanimously

RESOLVED – that members of the press and public be excluded from those sections of the meeting.

(Proposed Councillor Beveridge; Seconded Councillor Power)

125. TO APPROVE WRITTEN REQUESTS FOR DISPENSATION

No requests had been submitted.

126. TO CONFIRM THE MINUTES OF THE PENZANCE COUNCIL MEETING HELD ON 16 JANUARY 2023

The minutes of the meeting having been previously circulated, it was noted by Cllr George that he had sent his apologies for the last meeting of the Council but that these had not been recorded. It was then unanimously

RESOLVED – that the Minutes of the Penzance Council meeting held on 16 January 2023 be approved as true and accurate record and signed by the Chair.

(Proposed: Councillor Reynolds; seconded: Councillor Durrant)

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

There was no business to be transacted.

128. TO RECEIVE QUESTIONS FROM MEMBERS OF WHICH PRIOR WRITTEN NOTICE HAD BEEN GIVEN, IN ACCORDANCE WITH STANDING ORDER NO. 17

No questions had been received.

129. TOWN MAYOR'S ANNOUNCEMENTS

The Mayor's Engagements from 16 January to 5 March 2023 were as follows:-

January	16	Penzance Council Meeting
	17	Twinning Association Meeting
	18	BID Manager interview preparation
	18	Climate Focus event
	18	'Penlee Inspired' Exhibition – Private View
	19	Penzance Business Breakfast Meeting
	19	Mayors of Cornwall Meeting
	19	Twinning Association Lunch



January	19	MusicAbility Foundation Open Day & Community Consultation
	22	St Just Mayor's Sunday
	25	Coinagehall Street development meeting with Treveth
	25	Penzance Girls' Grammar School 1913-1980 Open Day (Cllr B Jackson – Civic Deputy)
	26	Climate Emergency Sub-committee Informal Meeting
	27	BID Manager interviews
	30	Mayor of Cornwall Public Meeting
	30	Leisure & Amenities Committee Meeting
February	01	Planning Committee Meeting
	02	Civic Society Meeting
	03	BID Manager interviews
	06	Penlee House Committee Meeting
	07	Extraordinary Planning Committee Meeting
	08	Community Energy meeting
	09	Greet Zero Hour Team
	09	Climate Focus event
	20	Finance & GPs Committee Meeting
	21	Penzance Axis of Green Brilliance Meeting
	22	Planning Committee Meeting
	23	Penzance Business Breakfast Meeting
	24	Swearing in of Mace Bearer
	27	Sustainable Penzance meeting
	28	Meet the Contractor event
March	01	Market House architects interviews
	01	Mayor and Chairs meeting
	01	BID Board Meeting
	02	Penzance Town Deal Board Meeting
	02	St Piran's Cornish Concert
	03	St Piran's Day Parade

130. TO NOTE THE MINUTES OF THE FOLLOWING COMMITTEE MEETINGS

Members noted the Minutes of the following Committees:-

- (a) Planning Committee – 11 January, 1, February, 7 February and 22 February 2023
- (b) Leisure and Amenities Committee – 30 January 2023
- (c) Penlee House Committee – 6 February 2023
- (d) Personnel Committee – 20 February 2023
- (e) Finance & General Purposes Committee – 20 February 2023

131. REPORTS FROM OTHER COMMITTEES FOR DECISION

Finance and General Purposes Committee

a) Application for Grant – The Newlyn Association - (min no. 60 (c))

Information about the organisation's cause and the reason for the grant request was set out at Appendix 1 to the report - the grant application form.

During the debate, a Member highlighted, that at the meeting of the Finance and General Purposes Committee held on 20 February 2023, the initial recommendation was amended to ensure that the funds were used only for the named wrought iron project.

Following consideration, it was unanimously

RESOLVED that a grant of £10,000 be awarded to the Newlyn Association from the General Grants Budget, on the condition of the appropriate insurance cover being procured and evidenced prior to the release of the funds and that the funds were used for the named wrought iron project.

(Proposed: Councillor Reynolds ; seconded: Councillor Sorrell)

b) Wellfields Car Park Wall Repair - (min no. 61(a))

The Wellfield's Car Park wall rebuild project had been out to tender and some of the responses may not have fallen within the initial allocated budget in the expenditure line.

This was anticipated as part of the 2022/23 budget setting process and an amount was added into the earmarked reserve in case it was required. However, it now appeared that the costs associated with the repair would be in excess of the funds contained within the budget and the proposed earmarked reserve. This was due to both the inflationary costs associated with the repair itself and the need to procure the specialist technical expertise to answer any questions which may have arisen due to the complex nature of the work.

It was therefore recommended that virements be made from two earmarked reserves to meet the potential increase in costs associated with the works - the Wellfields Car Park earmarked reserve contained £35,000 and the other suggested earmarked reserve, 'Penlee Park Infrastructure' contained £18,195. These virements to the expenditure line would allow a contractor to be appointed and for the works to commence.

The use of these reserves would inevitably lead to delays in other projects, specifically the replacement of the ticket machines in Wellfields Car Park and the proposed works to create a tarmac path between the Penzance Tennis Club and the Penlee Play Park. However, in light of the significant risks associated with the wall in Wellfields Car Park, the potential costs and the requirement to undertake the works as a matter of urgency, it was a necessary, albeit unfortunate, recommendation.

The use of the Penlee Park Infrastructure earmarked reserve would only be up to the level necessary and any funds not required would be retained towards future projects,

such as path surfacing between Penzance Tennis Club and the Penlee Play Park.

Following consideration, it was unanimously

RESOLVED that

1. A virement of the remaining amount within the Wellfield's Car Park earmarked reserve (£35,000) be made to budget line 1060/7 'Car Park Extraordinary Maintenance'.
2. A virement of up to the remaining amount within the Penlee Park Infrastructure earmarked reserve (£18,195) be made to budget line 1060/7 'Car Park Extraordinary Maintenance'.

(Proposed: Councillor Lawlor; seconded: Councillor Beveridge)

- c) Amendments to Financial Regulations and Statement of Internal Control (min no. 62(b))

At the meeting of the Finance and General Purposes Committee held on 11 April 2022 it was resolved that a Task and Finish Group be established to review the Council's Standing Orders, Financial Regulations and Statement of Internal Control. It was further resolved that the membership of the Task and Finish Group would be as follows:-

The Mayor
The Chair of the Finance and General Purposes Committee
The Chair of the Leisure and Amenities Committee
The Chair of the Penlee House Committee
The Chair of the Planning Committee

The amendments to Standing Orders were presented to the Committee on 22 August 2022 and approved by Council on 5 September 2022.

The Task and Finish Group met on 6 February 2023 and considered the Council's Financial Regulations and Statement of Internal Control, whereupon it agreed the amendments which were set out using tracked changes within the documents included as Appendices 1 and 2 to the report. The amended documents had been considered by the Finance and General Purposes Committee and were now therefore presented to Penzance Council for approval.

During the debate, Members raised a number of points including the following:-

- i) It was queried as to whether the Task and Finish Group had discussed ethical procurement and it was then confirmed that this would continue to be discussed at future meetings.
- ii) It was further confirmed that the review was a housekeeping measure to bring the financial regulations into line with the processes and ensure they were fit for purpose.

Following consideration it was unanimously

RESOLVED that

1. The amendments to Financial Regulations, set out using tracked changes at Appendix 1 to the report, be approved.
2. The amendments to the Statement of Internal Control, set out using tracked changes at Appendix 2 to the report, be approved.

(Proposed: Councillor Reynolds; seconded: Councillor McKenna)

d) Future Banking Arrangements (min no. 62(c))

On several occasions various Members of the Council had stated that the Council should look to be with a banking provider which met the Council's strategic aims.

Financial Regulations prescribed that the Council's banking arrangements shall be made by the Responsible Finance Officer (RFO) and approved by Council. After comprehensive research over the preceding twelve months the RFO had concluded that the Co-Operative Bank would be a better provider for the Council.

The Co-Operative Bank was an ethical bank which sought to make a real difference for customers and their communities. The bank had been committed to its values and ethics since it formed over 150 years ago and its three main aims included 'Planet', 'People' and 'Community' which could be related directly to Penzance Council's strategic objectives of 'Our Environment', 'Our People' and 'Our Places'.

The bank also provided superior products, compared to what was currently provided by the Council's current bank, for user experience which would be beneficial for the staff and Members using it. The bank also had a dedicated relationship manager for all account management queries and was supported by a business specialist telephone support team for any day-to-day queries, which was a feature withdrawn by the current provider a few years ago.

Pricing comparisons were very similar to what was currently offered, as banks had a general market rate for charges and were usually very competitive with each other.

During the debate, a Member thanked the Council's Responsible Finance Officer for bringing this matter forward and supporting the move from Barclays and hoped that the Council would continue to make these ethical considerations when making procurement decisions.

Following consideration, it was unanimously

RESOLVED that Penzance Council's banking arrangements no longer be provided by Barclays and instead be provided by the Co-Operative Bank.

(Proposed: Councillor Power; seconded: Councillor Sorrell)

e) Virement of Funds – Staff Training (min no. 62 (d))

During the budget setting process it was identified that the annual staff training budget was not going to use all of its allocated funds within the 2022/23 financial year and so, as a means to reduce the precept rise, it was resolved to reduce the 2023/24 budget by 50%, but to transfer the underspend from the current year into an earmarked reserve for future significant training courses and to use the reduced revenue budget line for smaller pieces of training.

£12,398 remained within the budget line, to allow for training to be undertaken prior to April, and a virement of £10,000 would leave £2,398 remaining for the rest of the current financial year.

Following consideration, it was unanimously

RESOLVED that

1. A new earmarked reserve be established, entitled 'Staff Training'.
2. A virement of £10,000 be made from the staff training budget line (3015/1) to the newly established 'Staff Training' earmarked reserve.

(Proposed: Councillor Reynolds; seconded: Councillor Beveridge)

f) Interim Internal Audit Report 2022/23 (min no. 62(e))

The Council was subject to an accounting and reporting regime of limited assurance as set out in the Accounts and Audit Regulations 2015. These regulations applied to every local authority in England with an annual turnover of up to £6.5 million.

The interim internal audit report was a check which the internal auditor undertook partway through the financial year, before the final report was completed at the end of the financial year as part of the annual governance and accountability (AGAR) report.

Following consideration, it was unanimously

RESOLVED that the Interim Internal Audit Report for the financial year 2022/23 be approved.

(Proposed: Councillor How; seconded: Councillor Reynolds)

g) Remaining Balance of Grant Funds (min no. 62(f))

During 2022 it had been resolved to transfer £16,200 from the Social Action Fund earmarked reserve as the funds in the respective grant budget had been depleted. There was now £10,205 of the £16,200 remaining within the budget line which would

automatically be put into the general fund in the new financial year. There was also £8,000 of the climate emergency grants budget line remaining which would do the same.

In previous meetings Members had expressed the view that, in some circumstances, service level agreements with specific organisations in the parish which delivered services which met the Council's strategic objectives would be more suitable than one-off grants towards projects, where financial contributions to their core delivery objectives were much more needed. If Members so wished, and the recommendations in the report were accepted, the funds in the earmarked reserve could be used to undertake a pilot scheme with one organisation during the upcoming financial year to see if the arrangement would work well, and this could then inform the budget setting process for the following financial year and, specifically, how much would be budgeted for strategic grants.

During the debate, Members noted that in the past twelve months it had become apparent that the revised Grants Policy was hampering organisations who relied on regular funding from the Council to provide much need services to the community and that the process of providing Strategic Grants would resolve this. The recommendations would also ensure that leftover funds from the grants pot would not be lost.

Following consideration, it was unanimously

RESOLVED that

1. A new earmarked reserve be established, entitled 'Strategic Grant Partners'.
2. A virement of £8,000 be made from the Climate Emergency Grants budget line (3125/3) to the newly established 'Strategic Grant Partners' earmarked reserve.
3. A virement of £10,205 be made from the Social Action Grants budget line (3125/4) to the newly established 'Strategic Grant Partners' earmarked reserve.

(Proposed: Councillor Reynolds; seconded: Councillor Marrington)

132. REPORTS FOR DECISION

- a) Rescission and Amendment to Resolution – Recommendations from the Youth Services Working Group (Become you Community Interest Company)

In October 2022 the Become You Community Interest Company submitted a project proposal, and a request for support and funding, to the Youth Services Working Group. The proposal and the request were referred to the Finance and General Purposes Committee on 17 October which recommended that the support and funding be approved and the report was then finally considered by Penzance Council on 31 October 2022.

Following consideration, Penzance Council resolved to support the BecomeYou CIC

project in the form of a letter to aid them in further fundraising applications and by the payment of a £5000 grant towards the delivery of their 'LOLLYPOP' project, dependent on the conditions detailed in Recommendation 1. of the report.

Subsequently, in January 2023 BecomeYou CIC then contacted officers and advised that, due to a change in circumstances, it was no longer advisable or possible for it to carry out the 'Contextual Safeguarding Study' which had initially been included in the project proposal considered by Council. This in effect meant a significant financial change to the value of the project delivery as a whole from £10,400, of which the Council had resolved to contribute £5000, to £8,400 as set out in Appendix 1 of the report.

Following discussion with the CIC, it was now therefore recommended that the grant was reduced by £2000 (in line with the reduction in value of the amended project proposal) to £3000, payable when the conditions set out in Recommendation 4. of the report were met. It was also recommended that the letter of support previously written be retracted and an amended version sent.

Following consideration, it was unanimously

RESOLVED that

1. The following sections of the resolution set out within Minute No. 99(b) – 'Recommendations from the Youth Services Working Group', agreed by this Council at its meeting held on 31 October 2022, be rescinded, namely:-

'3. The LOLLYPOP proposal submitted by the Become You Community Interest Company, as set out at Appendix 2 to the report, be supported and a letter to this effect be sent to said Company on behalf of the Council to aid in corresponding fundraising applications.

4. A virement of £5,000 be made from the Youth Strategy Earmarked Reserve (3995/9) to the Youth Activities Budget (3225) to support the project, with the release of this funding being conditional upon:-

- (i) The Become You Community Interest Company entering into a Service Level Agreement with Penzance Council to ensure that it meets the objectives, timescales and outcomes set out in Appendix 2 to the report, while also providing regular updates as to the progress of additional funding applications.*
- (ii) The Become You Community Interest Company supplying the level of background information to Penzance Council which would be required if it had submitted a grant application, in line with the Council's Grants Policy.*
- (iii) A Penzance Councillor being offered a seat on the Board of the Community Interest Company.'*



2. The revised LOLLYPOP proposal submitted by the Become You Community Interest Company, as set out at Appendix 1 to the report, be supported.
3. With reference to (2.) above, a letter to this effect be sent to said Company on behalf of the Council to aid in corresponding fundraising applications; while also clarifying that the Council has rescinded its previous resolution and so no longer supports the previous LOLLYPOP proposal.
4. A virement of £3,000 be made from the Youth Strategy Earmarked Reserve (3995/9) to the Youth Activities Budget (3225) to support the project, with the release of this funding being conditional upon:-
 - (i) The Become You Community Interest Company entering into a Service Level Agreement with Penzance Council to ensure that it meets the objectives, timescales and outcomes set out in Appendix 1 to the report, while also providing regular updates as to the progress of additional funding applications.
 - (ii) The Become You Community Interest Company supplying the level of background information to Penzance Council which would be required if it had submitted a grant application, in line with the Council's Grants Policy.
 - (iii) A Penzance Councillor being offered a seat on the Board of the Community Interest Company.

(Proposed: Councillor McKenna; seconded: Councillor Beveridge)

b) Redesignation of Committees

The Independent Review of Penlee House Gallery and Museum report, drafted by Activist, was approved by Penzance Council at its meeting held on 1 November 2021. A key recommendation of this report was that a Cultural Strategy be developed for Penzance. At a subsequent meeting held on 31 October 2022 it was resolved that a Cultural Strategy Coordinator be appointed, subject to external funding, to draft and implement a Cultural Strategy for Penzance.

The Penlee House Committee had so far taken the lead on the work to develop the Cultural Strategy as it was initially recommended within the Independent Review of Penlee House Gallery and Museum. However, as it stood, its terms of reference stipulated that it was effectively only responsible for the matters which fell within the purview of Penlee House, despite its remit having grown in practical terms, albeit organically.

As Penzance Council had already acknowledged the need for a Cultural Strategy to be developed and for a Cultural Strategy Coordinator to be appointed, it was recommended that the Penlee House Committee be redesignated as the 'Arts and Culture Committee' to lead on all strategic arts and cultural matters relating to Penzance Parish, as these matters were not currently addressed by any of Penzance

Council's other committees. Such matters would include culture-led regeneration and the wider arts and culture offer of the area, allowing the proposed new Committee to have an overarching view of, and dialogue with, all relevant neighbouring establishments and organisations within the Parish.

In addition, and in support of the proposed new committee taking responsibility for all arts and culture matters within the parish, there were a number of other responsibilities currently held by other committees which might be better served by one committee taking a strategic view, such as town banners and Golowan (with responsibility for these budgets currently held by the Leisure and Amenities and Finance and General Purposes Committee, respectively). It was suggested that these responsibilities, and those others set out in the report's recommendations, were clearly linked under the arts and culture umbrella and would benefit from an overarching view.

Finally, during the consideration of the 2023/24 budget a request was made that the responsibility for CCTV budgets and earmarked reserves be transferred from the Leisure and Amenities Committee to the Finance and General Purposes Committee, as it was felt that this was a more appropriate area for these funds to be held.

If approved, revised Standing Orders, including the committees' terms of reference, would be presented to the next ordinary meeting of Penzance Council for approval.

It was proposed by Councillor Pengelly and seconded by Councillor Marrington that

1. The redesignation of the Penlee House Committee as the 'Arts and Culture Committee' be approved, with the proposed 'Arts and Culture Committee' retaining the responsibilities of the current Penlee House Committee as defined within its Terms of Reference.
2. The proposed 'Arts and Culture Committee' receive the following responsibilities, both for strategy, budgets and any earmarked reserves, currently administered by the Leisure and Amenities Committee:-
 - i) Town Banners
 - ii) Penlee Open Air Theatre
 - iii) Christmas Lights
3. The proposed 'Arts and Culture Committee' receive responsibility for the following budgets and earmarked reserves, currently administered by the Finance and General Purposes Committee:-
 - i) Golowan
 - ii) Royal Events
4. The proposed 'Arts and Culture Committee' undertake the strategic overview of the arts and cultural offer within Penzance Parish, working in partnership with arts and cultural organisations in the area as necessary to aim to develop and maintain a coherent and complimentary cultural strategy, including for, but not limited to:-



- i) Local Festivals
 - ii) Theatres
 - iii) Museums and Galleries
 - iv) Music Venues
 - v) Events
5. The Finance and General Purposes Committee receive responsibility for any strategy, budgets and earmarked reserves associated with the Council's responsibility for CCTV.
 6. The Terms of Reference for the affected Committees be amended as necessary and presented to the next scheduled ordinary meeting of Penzance Council for ratification.

It was then proposed as an amendment by Councillor McKenna and seconded by Councillor Power that

1. The redesignation of the Penlee House Committee as the 'Arts and Culture Committee' be approved, with the proposed 'Arts and Culture Committee' retaining the responsibilities of the current Penlee House Committee as defined within its Terms of Reference.
2. The proposed 'Arts and Culture Committee' receive the following responsibilities, both for strategy, budgets and any earmarked reserves, currently administered by the Leisure and Amenities Committee:-
 - i) Town Banners
 - ii) Penlee Open Air Theatre
 - iii) Christmas Lights
3. The proposed 'Arts and Culture Committee' receive responsibility for the following budgets and earmarked reserves, currently administered by the Finance and General Purposes Committee:-
 - i) Golowan
 - ii) Royal Events
4. The Royal Events budget be renamed the Cultural and General Events Budget
5. The proposed 'Arts and Culture Committee' undertake the strategic overview of the arts and cultural offer within Penzance Parish, working in partnership with arts and cultural organisations in the area as necessary to aim to develop and maintain a coherent and complimentary cultural strategy, including for, but not limited to:-
 - i) Local Festivals
 - ii) Theatres
 - iii) Museums and Galleries



- iv) Music Venues
 - v) Cultural and Art Related Events
6. The Finance and General Purposes Committee receive responsibility for any strategy, budgets and earmarked reserves associated with the Council's responsibility for CCTV.
7. The Terms of Reference for the affected Committees be amended as necessary and presented to the next scheduled ordinary meeting of Penzance Council for ratification.

On a vote the amendment was unanimously won

The amendment was then put to the Council as the substantive motion and it was unanimously

RESOLVED that

1. The redesignation of the Penlee House Committee as the 'Arts and Culture Committee' be approved, with the proposed 'Arts and Culture Committee' retaining the responsibilities of the current Penlee House Committee as defined within its Terms of Reference.
2. The proposed 'Arts and Culture Committee' receive the following responsibilities, both for strategy, budgets and any earmarked reserves, currently administered by the Leisure and Amenities Committee:-
 - i) Town Banners
 - ii) Penlee Open Air Theatre
 - iii) Christmas Lights
3. The proposed 'Arts and Culture Committee' receive responsibility for the following budgets and earmarked reserves, currently administered by the Finance and General Purposes Committee:-
 - i) Golowan
 - ii) Royal Events
4. The Royal Events budget be renamed the Cultural and General Events Budget
5. The proposed 'Arts and Culture Committee' undertake the strategic overview of the arts and cultural offer within Penzance Parish, working in partnership with arts and cultural organisations in the area as necessary to aim to develop and maintain a coherent and complimentary cultural strategy, including for, but not limited to:-
 - i) Local Festivals
 - ii) Theatres
 - iii) Museums and Galleries



- iv) Music Venues
 - v) Cultural and Art Related Events
6. The Finance and General Purposes Committee receive responsibility for any strategy, budgets and earmarked reserves associated with the Council's responsibility for CCTV.
 7. The Terms of Reference for the affected Committees be amended as necessary and presented to the next scheduled ordinary meeting of Penzance Council for ratification.

(Proposed: Councillor McKenna; seconded: Councillor Power)

c) Report of the Housing Crisis Working Group – Housing Crisis Response

The Housing Crisis Working Group was established by Penzance Council on 6 September 2021 and subsequently issued a report entitled 'Trapped' which was approved and adopted by Council on 7 March 2022.

At its meeting held on 9 December 2022, the Working Group reviewed the progress made to date on implementing the policy suggestions contained in that document.

As shown in the document set out at Appendix 1 to the report, the vast majority of the policy suggestions that lay within the powers of Penzance Council had now been actioned, largely through policies included in the Penzance Neighbourhood Plan which was currently at consultation draft stage, following completion of the Regulation 14 consultation period on 30 December 2022.

However, there was still progress to be made in other areas currently outside of the powers held by the Council. The Housing Crisis Working Group had agreed that second homes and holiday lets were a key factor in the ongoing housing crisis in the area, but also one that over which Penzance Council had have very limited powers.

The recommendations set out within the report drew on real examples from both Wales and Whitby. As a devolved assembly, Wales had the power to implement changes and was so doing from April 2023. Like Penzance Council, Whitby Town Council had no such power, and had to rely on a combination of central government legislation and devolved powers. However, Whitby Council had indicated what it wished to implement changes if, and when, powers became available to it.

During the debate, a Member stated that Whitby Council had done this even though they had no authority to enforce it. It made a statement that 'if we could we would' and that even though we cannot act we can choose not to be silent but to respond.

It was proposed by Councillor Reynolds and seconded by Councillor McKenna that

1. The following suite of planning policies be supported in principle to address the issue of second homes, with the principle of their implementation within the Penzance Civil Parish being further supported, should some or all of them become



available under devolved powers:-

- a) Imposing a levy equivalent to 300% of standard council tax on second homes and long-term unoccupied properties, with the precept due to Penzance Council on such properties receiving an uplift set at the same level (i.e. 300%).
 - b) Achieving clarity in the planning status of a property by adjusting change of use rules within the planning system to create three distinct use classes – primary residence, secondary residence and short-term let – with changes between those use classes requiring planning consent.
 - c) Achieving clarity in the distinction between business use (liable to business rates but exempt from council tax) and second home use (liable to council tax) by setting the threshold for business rates eligibility at a property being available for rent for 252 days per year and actually let for 182 days per year.
 - d) Establishing and maintaining a local register of short-term holiday lets, including whole property Airbnb and similar lets, in order to quantify local availability and assist decision making for planning committees when deciding applications for change of use.
 - e) Recognising Penzance Council as a key stakeholder in decision-making at Cornwall Council level, with a central role in developing and implementing devolved housing and planning policy within the Parish.
2. This decision be communicated to all Town and Parish Councils within Cornwall for information.

After further discussion it was then proposed as an amendment by Councillor McKenna and seconded by Councillor Reynolds that

1. The following suite of planning policies be supported in principle to address the issue of second homes, with the principle of their implementation within the Penzance Civil Parish being further supported, should some or all of them become available under devolved powers and or legislation:-
 - a) Imposing a levy equivalent to 300% of standard council tax on second homes and long-term unoccupied properties, with the precept due to Penzance Council on such properties receiving an uplift set at the same level (i.e. 300%).
 - b) Achieving clarity in the planning status of a property by adjusting change of use rules within the planning system to create three distinct use classes – primary residence, secondary residence and short-term let – with changes between those use classes requiring planning consent.
 - c) Achieving clarity in the distinction between business use (liable to business rates but exempt from council tax) and second home use (liable to council tax) by setting the threshold for business rates eligibility at a property being available for rent for 252 days per year and actually let for 182 days per year.



- d) Establishing and maintaining a local register of short-term holiday lets, including whole property Airbnb and similar lets, in order to quantify local availability and assist decision making for planning committees when deciding applications for change of use.
 - e) Recognising Penzance Council as a key stakeholder in decision-making at Cornwall Council level, with a central role in developing and implementing devolved housing and planning policy within the Parish.
2. This decision be communicated to all Town and Parish Councils within Cornwall for information.

On a vote the amendment was unanimously won

The amendment was then put to the Council as a substantive motion and it was unanimously

RESOLVED that

1. The following suite of planning policies be supported in principle to address the issue of second homes, with the principle of their implementation within the Penzance Civil Parish being further supported, should some or all of them become available under devolved powers and or legislation:-
- a) Imposing a levy equivalent to 300% of standard council tax on second homes and long-term unoccupied properties, with the precept due to Penzance Council on such properties receiving an uplift set at the same level (i.e. 300%).
 - b) Achieving clarity in the planning status of a property by adjusting change of use rules within the planning system to create three distinct use classes – primary residence, secondary residence and short-term let – with changes between those use classes requiring planning consent.
 - c) Achieving clarity in the distinction between business use (liable to business rates but exempt from council tax) and second home use (liable to council tax) by setting the threshold for business rates eligibility at a property being available for rent for 252 days per year and actually let for 182 days per year.
 - d) Establishing and maintaining a local register of short-term holiday lets, including whole property Airbnb and similar lets, in order to quantify local availability and assist decision making for planning committees when deciding applications for change of use.
 - e) Recognising Penzance Council as a key stakeholder in decision-making at Cornwall Council level, with a central role in developing and implementing devolved housing and planning policy within the Parish.
2. This decision be communicated to all Town and Parish Councils within Cornwall for

information.

(Proposed: McKenna; seconded: Councillor Reynolds)

d) Virement of Funds – Wherrytown Outdoor Gym

At the meeting of Penzance Council held on 12 January 2021, during the consideration of the 2021/22 budget for Leisure and Amenities, it was resolved to take responsibility for the Outdoor Gym in the Bolitho Gardens at Wherrytown. As a part of this, it was further resolved to create a revenue expenditure line for maintenance and to create an earmarked reserve with a contribution of £1,000 each year to build up a replacement fund by the tenth year.

The maintenance budget line was created but the intended new earmarked reserve was not and so no contributions had been made. As this amount was included in the precepted figure for 2021/22 it would have been absorbed into the general fund as it was not earmarked for use elsewhere.

Further contributions to the Outdoor Gym reserve which were not included in the 2022/23 and 2023/24 budgets could be considered during the budget setting process for the Leisure and Amenities Committee for the 2024/25 year to ensure the reserve was at its intended level.

Following consideration, it was unanimously

RESOLVED that a virement of £1,000 be made from the General Fund to a new Outdoor Gym Earmarked Reserve, as intended and precepted for during the 2021/22 financial year.

(Proposed: Councillor Pengelly; seconded: Councillor Marrington)

e) Jubilee Pool Penzance Ltd Service Level Agreement

This item had been deferred to a later meeting due to the report being unavailable.

f) Princess May Recreation Ground

In order to complete the transfer of Princess May Recreation Ground to Penzance Council, a number of elements needed to be developed into a transitional agreement for the short-term management and operation of the site. Central to this was developing a management framework of responsibilities between Penzance Council and the Princess May Community Interest Company alongside some capital investment that may have been required initially to facilitate the transfer. Members had recently discussed the importance of understanding the responsibility and future budget / precept requirements of devolution items and developing a strong initial agreement would help to inform this process.

Further to this, it was also suggested that further delays in transfer of the site could have a detrimental impact on its condition when it was eventually transferred, requiring

larger amounts of expenditure from Penzance Council to bring the space up to desired standards.

During the debate, a Member noted that this had been going on for a length of time now and asked whether it was close to completion.

In response, it was advised that officers were now at a point where it was felt that a joint method of working could be agreed for the next twelve months while a long term arrangement was agreed regarding how the recreation ground could be run and this would enable the £10,000 devolution grant to be released to the Council. If the devolution grant was not claimed by 31 March then it would be lost.

It was proposed by Councillor Marrington and seconded by Councillor Beveridge that

1. The current position in relation to the devolution of Princess May Recreation Ground be noted.
2. Authority be delegated to the Town Clerk, following consultation with the Devolution Working Group, to finalise, and enter into, any necessary agreements with Cornwall Council, the Princess May Community Interest Company and any other interested parties in order for Penzance Council to take responsibility for said site at the earliest opportunity.
3. Subject to (2.) above, authority be delegated to the Town Clerk to receive said asset on behalf of Penzance Council.
4. Any underspent amounts associated to Princess May Recreation Ground budget lines at the end of the current financial year (estimated to be £12,030) are transferred to the same lines for the 2023 / 2024 financial year to support the activity in the above recommendations.

It was then proposed as an amendment by Councillor Pengelly and seconded by Councillor Reynolds that

1. The current position in relation to the devolution of Princess May Recreation Ground be noted.
2. Authority be delegated to the Town Clerk, following consultation with the Devolution Working Group, to finalise, and enter into, any necessary agreements with Cornwall Council, the Princess May Community Interest Company and any other interested parties in order for Penzance Council to take responsibility for said site at the earliest opportunity.
3. Subject to (2.) above, authority be delegated to the Town Clerk to receive said asset on behalf of Penzance Council.
4. Any underspent amounts associated to Princess May Recreation Ground budget lines at the end of the current financial year (estimated to be £11,866) are transferred to the budget line 1320/9 (Play Equipment) from the commencement



of the 2023 / 2024 financial year to support the activity in the above recommendations.

On a vote the amendment was unanimously won.

The amendment was then put to the Council as the substantive motion and it was

RESOLVED that

1. The current position in relation to the devolution of Princess May Recreation Ground be noted.
2. Authority be delegated to the Town Clerk, following consultation with the Devolution Working Group, to finalise, and enter into, any necessary agreements with Cornwall Council, the Princess May Community Interest Company and any other interested parties in order for Penzance Council to take responsibility for said site at the earliest opportunity.
3. Subject to (2.) above, authority be delegated to the Town Clerk to receive said asset on behalf of Penzance Council.
4. Any underspent amounts associated to Princess May Recreation Ground budget lines at the end of the current financial year (estimated to be £11,866) are transferred to the budget line 1320/9 (Play Equipment) from the commencement of the 2023 / 2024 financial year to support the activity in the above recommendations.

(Proposed: Councillor Pengelly; seconded: Councillor Reynolds)

133. REPORTS FOR INFORMATION

Members noted the following report for information:-

- a) Feedback from the Cultural Strategy Inclusion in the Penzance 'EXPO'

134. REPORTS FROM OUTSIDE BODIES

Members noted the following verbal reports received from Outside Body representatives:-

- a) BID – Cllr How reported that a new BID manager had been recruited and was starting in post from 13 March 2023.
- b) Neighbourhood Plan – Cllr Reynolds reported that the group was now in the process of going through the consultation responses received from the public and statutory consultees. The next meeting was on Thursday 9 March and the next stage of the process was for consultation with Cornwall Council.
- c) Police Liaison Group Meeting – The Town Clerk reported that the group meeting had mainly been focussed on police resources and that the neighbourhood



manager Darren Hughes would be leaving his current post. The meeting also gave an insight into how the Domestic Violence team works.

- d) Town Deal – The Town Clerk reported that the latest meeting had given overviews of project enterprise grants and that capacity at Cornwall council was delaying getting the individual grant funding agreements in place. There were also delays with the Ponsandane car park transport scheme as a water main had been unexpectedly discovered. Cllr McKenna also reported that the decision regarding the Waterside Meadery was being reviewed but that the final decision on this lay with Cornwall Harbour Authority
- e) Jubilee Pool – Cllr Reynolds reported that the pool was now closed until April for winter maintenance which was being carried out by Penzance Dry Dock and that the pool management team were reviewing the business plan.

135. CONFIDENTIAL REPORTS FROM OTHER COMMITTEES FOR DECISION

Finance and General Purposes Committee

- a) Leisure and Amenities Staffing Review (min no. 64(a))

The background and implications associated with this item were set out in the report.

Following consideration, it was unanimously

RESOLVED that the recommendations, as set out in the report, be approved.

(Proposed: Councillor Beveridge; seconded: Councillor Power)

136. CONFIDENTIAL REPORTS FOR INFORMATION

Members noted the following confidential report for information:-

- a) Delegated Decision – Extension to Contract

137. MATTERS ARISING FOR REPORT AT THE NEXT MEETING

There were no matters arising for report at the next meeting.

The meeting closed at 8:39 pm

Town Mayor

22 May 2023



MINUTES OF THE PENLEE HOUSE COMMITTEE MEETING held in the St Piran's Room, Penlee Centre, Penlee Park, Penzance on Monday 20 March 2023 at 7:00pm.

PRESENT

Councillors: M J Beveridge (Chair)
P Young (Vice-Chair)

DJ Axford R Sorrell
J M How

Co-opted Advisors: Arwen Fitch
Trevor Thorne

Also present: Councillor Stephen Reynolds, James Hardy (Town Clerk), Anna Renton (Director, Penlee House) and Elliot Ridington (Democratic Services Officer).

46. APOLOGIES FOR ABSENCE

Apologies for absence were received from John Swarbrooke and Councillors Marrington and W Elliott.

Councillor Durrant was absent without having provided apologies.

47. TO RECEIVE DECLARATIONS OF INTEREST

There were no declarations of interest.

48. PUBLIC PARTICIPATION

There was no public participation.

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

In respect of agenda items 8(a) and 8(b), 'Penlee House Maintenance Contract' and 'Penlee House Masterplan Update', it was unanimously

RESOLVED – that members of the press and public be excluded from those sections of the meeting.

(Proposed Councillor How; Seconded Councillor Axford)

50. MINUTES OF THE MEETING HELD ON 6 FEBRUARY 2022

Having previously been circulated, it was

RESOLVED that the Minutes of the meeting held on 6 February 2023 be approved as a true and accurate record and signed by the Chair.



(Proposed: Councillor Young; seconded: Councillor Sorrell)

Vote; Four in favour. Councillor Axford abstained.

51. REPORTS FOR DECISION

(a) Penlee House Risk Register Review

The Risk Register was an active document which required regular review to reflect and incorporate the ongoing changes within the Council. Each Committee was responsible for:-

- Taking ownership of risks associated with its activities
- Identifying risks and appropriate mitigation strategies
- The creation and maintenance of risk register entries for the activities that fell within the remit of the Committee
- The Investigation of risk events and 'near misses' for its activities.

Officers had reviewed and updated the document which had been presented for adoption. Although this section dealt solely with risks pertaining to Penlee House, the full Risk Register covered the corporate and strategic risks (e.g. fire, flood etc.) that could also affect Penlee House.

During the debate, reference was made to a risk set out within the document relating to the disposal or sale of collections, and it was queried as to whether any pieces held by Penlee House might be considered to have been appropriated in the distant past, therefore potentially requiring return.

In response, it was advised that there may have been a small number of ethnographic pieces within the collection but it was not possible to provide a definitive response at this meeting. However, a response would be provided to Members of the Committee in due course.

Following consideration, it was unanimously

RESOLVED TO RECOMMEND TO PENZANCE COUNCIL that the section of the Risk Register relating to Penlee House be noted and adopted.

(Proposed: Councillor How; seconded: Councillor Axford)

(b) Building Condition Survey

A Building Condition Survey report was commissioned and undertaken by GPJ Consulting Engineers and recommendations were made within the document, set out at Appendix 1 to the report, which could broadly be split into three sections:

- (i) Replacement of plant – predicted to save 50% in energy costs;
- (ii) Remedial building works – to repair damage to the exterior and interior of the building;
- (iii) Standalone projects – refurbishment of the toilets and replacement of the two lifts.



The report and its appendices provided further information in relation to these items.

Following consideration, it was unanimously

RESOLVED that

1. The Preliminary Building Condition document and the Schedule of Findings, Remedial Works and Costs, as set out at Appendices 1 and 2 to the report, be noted.
2. A detailed work plan and cost breakdown for the replacement of the plant be commissioned, reflecting the detail set out in Appendix 1 of the report, and submitted to a future meeting of the Arts and Culture Committee for its consideration alongside recommendations as to how these works might be funded.
3. A virement of up to £6,000 be made from the Penlee House Plant Fund earmarked reserve (2995/7) to the Museum Fittings Maintenance budget line (2100/2) to procure the works referenced in (2.) above.
4. A schedule of Remedial Works be drafted, reflecting the detail set out at Appendix 2 to the report, and submitted to a future meeting of the Arts and Culture Committee for its consideration, with said schedule to include recommendations as to how these works might be funded.

(Proposed: Councillor Axford; seconded: Councillor Young)

52. REPORTS FOR INFORMATION

The following reports for information were noted:-

- a) Penlee House Director's Report
- b) Budget Comparison Report – 1 April 2022 – 8 March 2023
- c) Implementation Plan Progress Report
- d) Penlee House Partnership Update
- e) Redesignation of Penlee House Committee as Arts and Culture Committee

53. CONFIDENTIAL REPORTS FOR DECISION

- (a) Penlee House Maintenance Contract

Penlee House had a contract with the National Maritime Museum Cornwall (NMMC) to provide weekly maintenance inspections, to monitor and to recommend repairs and to manage contractors to repair faults with the chiller units and air conditioning plant. This was in addition to other regular maintenance tasks and checks around the building. This arrangement had been in place for several years. However, NMMC had given notice that this contract would cease at the end of March 2023.

Without regular maintenance visits, the plant was at risk of failure, leading to costly repairs and potential damage to the building fabric and collections items. It was



therefore important that regular checks continued to take place and that a specialist contractor was appointed to undertake this work.

A formal procurement process would be followed to ensure best value for the Council and to ensure that a robust contract was in place with the chosen supplier. Owing to the urgent nature of this requirement, it was requested that a formal procurement process be undertaken and that authority to appoint a contractor be delegated to the Town Clerk, following consultation with the Chair of this, or the future Arts and Culture, Committee.

The report also made reference to the finances associated with undertaking the procurement process and an additional recommendation was included for this purpose.

Following consideration, it was unanimously

RESOLVED that

1. A formal procurement process be commenced to secure the services of a maintenance contractor to carry out regular and routine maintenance visits to Penlee House.
2. Authority be delegated to the Town Clerk, following consultation with the Chair of the Penlee House (or Arts and Culture) Committee, to appoint a contractor on the basis of best value, expertise or viability, subject to the costs being met within the agreed budget line: 2100/2 'Museum Fittings – Maintenance'.
3. The recommendation, as set out in the report, be approved.

(Proposed: Councillor Axford; seconded: Councillor Young)

(b) **Penlee House Masterplan Update**

The report set out the background and various issues associated with this item.

Following consideration, it was unanimously

RESOLVED that

1. The progress made so far in the further investigation of the revised Masterplan options be noted.
2. A Virement of up to £10,000 be made from the Projects Fund Earmarked reserve to the Capital Projects Budget Line (2800) at the commencement of the 2023/24 financial year to enable access to a budget for approved expenditure to support further development of the revised Masterplan.

(Proposed: Councillor How; seconded: Councillor Sorrell)

54. MATTERS ARISING FOR REPORT ONLY



There were no matters arising for report.

The meeting closed at 8:25 pm

Chair
22 May 2023

DRAFT

MINUTES OF THE FORTY-THIRD ANNUAL MEETING OF THE PENZANCE TOWN COUNCIL held in The Main Hall, St Johns Hall, Penzance on Tuesday 9 May 2023 at 7:00 pm.

PRESENT

The Retiring Town Mayor (Councillor JM How)
The Retiring Deputy Town Mayor (Councillor W Elliott)

Councillors	MJ Beveridge	J McKenna
	NC Broadhurst	NG Pengelly
	S Elliott	JS Power
	B Jackson	SJ Reynolds
	Z Lawlor	R Sorrell
	TS Marrington	P Young

1. ELECTION OF TOWN MAYOR 2023/2024

Councillor How proposed that Councillor Reynolds be elected to fill the office of Town Mayor for the ensuing year. Councillor Marrington seconded the proposal.

There being no other nominations, the Town Clerk ascertained the views of the Members by means of a show of hands and Councillor Reynolds was thereupon unanimously declared to have been elected as Town Mayor for the ensuing year.

Councillor Reynolds made the statutory declaration of acceptance of the office of Town Mayor which was duly witnessed by the Town Clerk.

In accordance with ancient custom, the Town Clerk presented the newly elected Town Mayor with the various insignia of office, stating that they were symbols of the civic traditions of the former Borough of Penzance, having been presented to successive Mayors on acceptance of office over a period of at least half a century. The Town Clerk also explained the purport of the items.

The Town Mayor then addressed the meeting and announced that his Consort would be Jane Lambert.

Councillor Reynolds then proposed a vote of thanks to the retiring Mayor, Councillor How. Councillor Broadhurst seconded the proposal and it was unanimously

RESOLVED that the proposal be carried.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Axford, Bosworth, Crago, Davis, Durrant and Thomas.

3. ELECTION OF DEPUTY TOWN MAYOR

Councillor Jackson proposed that Councillor W Elliott be appointed as Deputy Town Mayor for the ensuing year. Councillor Reynolds seconded the proposal. In the absence of any other nominations, Councillor W Elliott was, by show of hands,

declared to have been elected by as Deputy Town Mayor for the ensuing year.

The Town Mayor then invested Councillor W Elliott with the chain of office and he then signed the Declaration of Acceptance of Office, duly witnessed by the Town Clerk.

The Deputy Mayor then addressed the meeting and announced that his Consort would be Miss Amber Nethersole.

4. THE ELECTION OF CIVIC DEPUTIES

Councillor S Elliott proposed that Councillors Jackson and Young be appointed as Civic Deputies. Councillor Beveridge seconded the proposal and, in the absence of any other nominations, Councillors Jackson and Young were unanimously appointed as Civic Deputies for the ensuing year.

5. SERGEANTS AT MACE

The Town Mayor appointed Andrew Chellew and Simon Reed to act as Sergeants at Mace, and Talan Richards to serve as Deputy, until the next Annual Meeting or until others be appointed in their stead. The Town Clerk then administered the oath to Mr Chellew, Mr Reed and Mr Richards.

6. TOWN CRIER

The Town Mayor named Philip Northcott as the person to act as Town Crier.

7. APPOINTMENT OF COUNCIL'S CHAPLAIN

The Town Mayor reported that Pastor Charles Fleming would act as the Town Council's Chaplain.

8. APPOINTMENT OF MEMBERS TO SERVE ON COMMITTEES, REPRESENTATIVES TO SERVE ON OUTSIDE BODIES AND TIMETABLE OF MEETINGS

Councillor Broadhurst proposed and Councillor S Elliott seconded that those Members listed in Appendix "A" be approved; those Members listed in Appendix "B" be approved; the meeting dates listed in Appendix "C" be approved; and the annual meeting attendance list, set out in Appendix D, be confirmed. It was then unanimously

RESOLVED: that the proposal be carried.

9. APPOINTMENT OF COMMITTEE CHAIRS 2023/24

Councillor How proposed and Councillor Young seconded that Councillor Joan Beveridge be appointed as Chair of the Arts and Culture Committee, Councillor Zach Lawlor be appointed as the Chair of the Finance and General Purposes Committee, Councillor Nicole Broadhurst be appointed as Chair of the Leisure and Amenities Committee, Councillor Penny Young be appointed as Chair of the Personnel Committee and Councillor Simon Elliott be appointed as Chair of the Planning Committee. It was then unanimously

RESOLVED: that the proposal be carried.

The meeting closed at 7:56 pm

Town Mayor
22 May 2023

DRAFT