



# PENZANCE COUNCIL

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**TOWN CLERK: JAMES HARDY**

1 September 2023

To: All Penzance Councillors

You are hereby summoned to a meeting of Penzance Council to be held in the Main Hall of St John's Hall on Monday 11 September 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 17 July 2023
8. To Confirm the Minutes of the Extraordinary Penzance Council Meeting of 16 August 2023
9. To Receive Questions from Members of which Prior written Notice has Been Given (SO No.17)
10. To Note the Minutes of the Following Committee Meetings
  - (a) Planning Committee – 19 July, 9 August and 30 August 2023
  - (b) Arts and Culture Committee – 31 July 2023
  - (c) Personnel Committee – 2 August 2023
  - (d) Leisure and Amenities Committee – 7 August 2023
  - (e) Finance and General Purposes Committee – 21 August 2023
11. Reports from Other Committees for Decision

Arts and Culture Committee

  - (a) Penlee House Admission and School Visit Charges

Finance and General Purposes Committee

  - (b) Application for Grant – Newlyn Harbour Lights
12. Reports for Decision
  - (a) Future CCTV Provision
  - (b) Coach House Project – Town Deal Enterprise Grant

- (c) Cooperation Between Penzance Council and the Penzance Regeneration Company
- (d) Future Banking Arrangements
- (e) 16 Days of Action on Violence Against Women and Girls

13. Reports for Information

- (a) Golowan Festival Community Interest Company 2023 Report

14. Reports from Outside Bodies - for Information

15. Matters Arising for Report at Next Meeting

**MINUTES OF PENZANCE COUNCIL MEETING** held in the Main Hall of St John's Hall on Monday 17 July 2023 at 7:00 pm.

**PRESENT**

Councillors SJ Reynolds (Mayor)  
W Elliott (Deputy Mayor)

Councillors	DJ Axford (until 8.56 pm)	Z Lawlor
	MJ Beveridge	TS Marrington (until 9.09 pm)
	NC Broadhurst	NG Pengelly
	MJ Durrant	J Power (until 8.56 pm)
	S Elliott	R Sorrell
	JM How	P Young
	B Jackson	

Also present: James Hardy (Town Clerk), Cameron Sil (Responsible Finance Officer), Elliot Ridington (Democratic Services Officer), Pastor Charles Fleming (Council's Chaplain).

**29. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bosworth, Crago, Davis and McKenna.

**30. DECLARATIONS OF INTEREST**

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

Councillor Young declared a non-registerable interest in Agenda No. 11(a) 'Pengarth Day Centre – Service Level Agreement for the 2023-24 Financial Year' as a trustee of Pengarth Day Centre and left the meeting for the duration of that item.

**31. PUBLIC PARTICIPATION TIME**

Lizzie Matthews was in attendance and spoke in favour of Agenda No. 11(f) 'Cornwall Council Car Parking Charges'.

John Forsyth was in attendance and spoke in favour of Agenda No. 11(g) 'West Cornwall Hospital Urgent Treatment Centre'.

Mary-Jane Willows was in attendance and spoke in favour of Agenda No. 11(h) 'Erosion of Face to Face Services – Penzance Railway Station Ticket Office and Post Office Outreach Services'.

**32. CORNWALL COUNCILLORS' REPORTS**

Councillor Dwelly

Councillor Dwelly had provided his apologies for the meeting.

Councillor George

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

- i) Confirmation had now been provided that the proposed new outpatient department at West Cornwall Hospital would continue to be provided, albeit that approximately 85% of the initial proposal would now be constructed due to budget pressures. The new development would not offer any additional services but would offer a significant improvement on the current location.
- ii) Confirmation had also been provided that the staff currently located at the Bellair Clinic site would not be relocated to West Cornwall Hospital and would remain in their current location. This news was to be welcomed as, were the staff relocated and the site sold, any funds would be returned to Central Government and not retained for services in the area. This also led to an opportunity for the future use of the current outpatient department at West Cornwall Hospital, and he hoped that this might be used to house intermediate beds in future.
- iii) He had recently submitted a motion to Cornwall Council's Health and Adult Social Care Overview and Scrutiny Committee regarding the provision of the Urgent Treatment Centre at West Cornwall Hospital which focussed on ensuring that it did not just sound better but would have diagnostic support available and links to support at the Emergency Department at the Royal Cornwall Hospital, without being provided by locum medical staff. The motion also requested that an inquiry be established in order to receive evidence from the appropriate staff and to report back to the next meeting of the Committee. However, unfortunately the motion was not supported by the Committee.

Cllr Marrington

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

- i) She firstly wished to apologise as, during her update at the meeting of Penzance Council held on 22 May 2023, she referred to costs being awarded against Cornwall Council in an appeal decision for 29 affordable dwelling off Chywoone Hill, Newlyn, and the figure which she provided was inaccurate.
- ii) She made reference to the report regarding the erosion of services scheduled for consideration later in the Agenda and advised that she had recently been helping residents to contact BT due to their telephone lines being out of order. This had been a prime example of digital exclusion as there was no way for residents to contact BT if they did not have access to online services.
- iii) Another example of the erosion of services was the cost of contacting Cornwall Council by telephone as, if a resident did not have a mobile telephone contract, it could cost 40 pence a minute. The fact of which the Portfolio Holder was, apparently, unaware.
- iv) With reference to parking, discussions had taken place with the Portfolio Holder



on the issues caused by the increases in charges, for instance the effect on Town Deal projects. It was hoped that the Portfolio Holder would attend a meeting in the area to look at parking in a wider context and not to focus solely on charges, but potentially residents' parking schemes and so on.

- v) Finally, reference was made to the recent increase in vegetation on streets in the area and she requested that people continue to report these issues to Cornwall Council as they would then eventually be addressed.

Cllr McKenna

Councillor McKenna had provided his apologies for the meeting. However, he had requested that the Town Clerk advise Members that the Chapel Street Creative Charitable Incorporated Organisation had been successful in gaining community ownership funding. This funding, along with their own fundraising and the contribution approved by Penzance Council, would secure Centenary Hall, Chapel Street, Penzance for community use into the future.

**33. TO RESOLVE TO EXCLUDE MEMBERS OF THE PRESS AND PUBLIC**

In respect of Agenda Item 14(a), 'Extension to Contract', it was unanimously

**RESOLVED** – that members of the press and public be excluded from that section of the meeting.

(Proposed Councillor S Elliott; seconded: Councillor Beveridge)

**34. TO APPROVE WRITTEN REQUESTS FOR DISPENSATION**

No requests had been submitted.

**35. TO CONFIRM THE MINUTES OF THE PENZANCE COUNCIL MEETING HELD ON 22 MAY 2023**

Following consideration, it was

**RESOLVED** – that the Minutes of the Penzance Council meeting held on 22 May 2023 be approved as true and accurate record and signed by the Chair.

(Proposed: Councillor Broadhurst; seconded: Councillor How)

Vote; Thirteen in favour. Two abstentions.

**36. 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.

**37. TO NOTE THE MINUTES OF THE FOLLOWING COMMITTEE MEETINGS**

Members noted the Minutes of the following Committees:-

- (a) Planning Committee – 17 May, 7 June and 28 June 2023
- (b) Arts and Culture Committee – 5 June 2023
- (c) Leisure and Amenities Committee – 12 June 2023
- (d) Finance & General Purposes Committee – 26 June 2023

**38. REPORTS FROM OTHER COMMITTEES FOR DECISION****Arts and Culture Committee**

- a) Memorandum of Understanding Between the Friends of Penlee House and Penzance Council - (min no. 6 (d))

Representatives from Penzance Council, both officers and Councillors, and the Friends of Penlee House had met over the preceding months as a Penlee Partnership. These meetings had explored the relationship between the Friends of Penlee House and Penzance Council with a view to formalising this relationship. One of the outcomes of these meetings was a Memorandum of Understanding, set out at Appendix 1 to the report, which was recommended for approval and adoption.

Following consideration, it was unanimously

**RESOLVED** that

1. The Memorandum of Understanding between the Friends of Penlee House and Penzance Council, as set out at Appendix 1 to the report, be approved and adopted.
2. Said Memorandum of Understanding be signed by the Town Clerk on behalf of Penzance Council.

(Proposed: Councillor Beveridge; seconded: Councillor Marrington)

**Finance and General Purposes Committee**

- b) Penlee House Building Condition Actions - (min no. 73(b))

A buildings condition survey was undertaken by GPJ Consulting Engineers and presented to the former Penlee House Committee at its meeting held on 20 March 2023. At that meeting a list of remedial works was presented, with some areas highlighted as a priority, and some of the works outlined had since taken place.

The report set out the remedial building works recommended for completion during the 2023/24 financial year, with recommended virements from reserves to cover the costs of these works.

Following consideration, it was unanimously

**RESOLVED** that



1. It be noted that, at its meeting held on 5 June 2023, the Arts and Culture Committee resolved the following:-

*'The remedial building work projects proposed to be carried out in the financial year 2023/24, as set out in the table contained within the report, be approved.'*

2. A virement of up to £14,900 be made from 4995/1/2 (Penlee House Buildings Reserve) to 4100/2/6 (Penlee House Maintenance and Repairs) to meet the costs associated with the proposed remedial building work projects, as set out in the table contained within the report, to be completed during the financial year 2023/24.

(Proposed: Councillor Axford; seconded: Councillor Broadhurst)

### **39. REPORTS FOR DECISION**

#### a) Pengarth Day Centre – Service Level Agreement for the 2023-24 Financial Year

At its meeting held on 22 May 2023, Penzance Council resolved that:-

1. *Pengarth Day Centre be approved in principle as the recipient of a Strategic Grant from Penzance Council on a pilot basis for 2023/24.*
2. *Authority be delegated to the Town Clerk to develop a Service Level Agreement, including the proposed level of funding, with Pengarth Day Centre for 2023/24.*
3. *The proposed funding and Service Level Agreement, referred to above, be presented to a future meeting of Penzance Council for approval.*

A draft Service Level Agreement between Penzance and West Penwith Old Peoples Welfare Trust (Pengarth) and Penzance Council was set out at Appendix 1 to the report.

Following discussions, the proposed Service Level Agreement was predicated on all Penzance Council funding being used to offset the client costs for accessing Pengarth Day Care provision and services, for residents of Penzance Parish, while also improving accessibility and overcoming barriers for residents in need of support.

For the period 1 April 2023 to 31 March 2024 – funding of £20,000 was proposed, with further provisional funding of £22,000 for 1 April 2024 to 31 March 2025 and £24,200 for 1 April 2025 to 31 March 2026, proposed in principle, subject to Penzance Council's annual budget approval.

During the debate, a Member suggested that any decision of the Council to provide ongoing funding to Pengarth Day Centre should be publicised as there were a number of surrounding parishes whose residents benefitted from the services of the Centre but without their making any contribution.

Following consideration, it was unanimously

**RESOLVED** that

1. The Service Level Agreement between the Penzance and West Penwith Old Peoples Welfare Trust (Pengarth) and Penzance Council for the 2023/24, 2024/25 and 2025/26 financial years, as set out at Appendix 1 to the report, be approved.
2. Said Service Level Agreement be signed by the Town Mayor and Town Clerk on behalf of Penzance Council.
3. A payment of £20,000 be made to the West Penwith Old Peoples Welfare Trust (Pengarth) for the 2023/24 financial year, with £18,205 being met from the Strategic Grant Partners Reserve and £1,795 being met from the General Grants Budget.
4. The further funding for the 2024/25 and 2025/26 financial years, as detailed in said Service Level Agreement, be approved in principle, subject to the availability of funding following Penzance Council's annual consideration of its budget.

(Proposed: Councillor Broadhurst; seconded: Councillor Power)

**b) Jubilee Pool Penzance Ltd (JPPL) – Service Level Agreement for the 2023-24 Financial Year**

Each year, as a part of its budget setting process, Penzance Council reviewed its strategic grant commitments to outside organisations. On 16 January 2023 the Council resolved to set its funding contribution to Jubilee Pool Penzance Ltd for the 2023/24 financial year at £40,000.

This funding was allocated on the basis of:-

- £10,000 to fund the new concession scheme providing free access to Jubilee Pool for all under 16s in the Penzance Parish;
- £30,000 as a winter maintenance and storm damage contribution, with any unspent funding set aside to create a storm damage reserve;
- The 20% discount for all other residents of Penzance Parish being retained; and
- Penzance Council's Service Level Agreement with JPPL being amended to include a commitment not to use single use plastics.

The revised Service Level Agreement, as set out at Appendix 1 to the report, had been agreed by the JPPL Board and Members were now similarly being asked to agree the Service Level Agreement between Jubilee Pool Penzance Ltd (JPPL) and Penzance Council for the 2023/24 financial year.

Following consideration, it was

**RESOLVED** that



1. The Service Level Agreement between Jubilee Pool Penzance Ltd (JPPL) and Penzance Council for the 23/24 Financial Year, as set out at Appendix 1 to the report, be approved.
2. Said Service Level Agreement be signed by the Town Mayor and Town Clerk on behalf of Penzance Council.

(Proposed: Councillor Reynolds; seconded: Councillor Durrant)

Vote; Fourteen in favour. One abstention.

c) Shares in Pennon Group

The council held 162 ordinary shares in Pennon Group plc at a current share price of £7.11, as of 3 July 2023, therefore giving a total indicative value of £1,151.82.

The Company's annual general meeting (AGM) was due to be held on 20 July 2023 in Exeter, but the ability existed to vote by proxy online by 18 July 2023.

By retaining the shares in the company, the Council retained the ability to vote and use its influence to impact the decisions of Pennon Group which would have an impact upon the way which South West Water operated within the Penzance parish.

The recommendation was therefore to retain the shares held, not with the intention of making the Council a significant return from dividends, but to maintain the right to vote on the Company's decisions.

Following consideration, it was

**RESOLVED** that

1. The 162 shares currently held in Pennon Group plc be retained by Penzance Council.
2. Authority be delegated to the Town Clerk to vote at the Annual General Meetings of the Pennon Group in accordance with the Strategic Aims adopted by the Council.

(Proposed: Councillor Axford; seconded: Councillor Marrington)

Vote; Fourteen in favour. One abstention.

d) Investment in the Public Sector Deposit Fund

The Public Sector Deposit Fund was an investment fund managed by CCLA (Churches, Charities and Local Authorities). It was a short-term, cash management solution designed specifically for local authorities, where clients were looking for a high level of capital security with a competitive rate of interest on their funds.

The fund was launched in 2011, after the Local Government Association (LGA) invited CCLA to develop the fund, and was now valued at £1.62bn worth of investments. The credit quality and sensitivity rating provided by Fitch was 'AAAmf', which met the Council's investment strategy under section 4.2, 'meeting a sufficient level of security and liquidity'. The fund had strong governance with an advisory board made up of representatives of the LGA, Chartered Institute of Public Finance and Accountancy (CIPFA) and other treasury specialists from the sector.

The investment fund objective was to maximise income for local authorities while preserving principal and liquidity by investing in a diversified portfolio of high-quality pound sterling denominated deposits and instruments.

The Fund's 30-day investment yield as of 4 July 2023 was 4.79%, net of fees, which was a very competitive rate of return as the interest rates offered for savings accounts with banks remained at around 1.5%, despite the current Bank of England interest rate being 5%. Returns on investments were paid monthly into the client's bank account, in the same manner as interest was paid.

It was not recommended to invest precept or revenue income during the year as these funds were required for operational expenditure. These funds would remain within the Council's bank savings account and act as a 'feeding account' to the current account, accruing some interest, albeit at a lower rate of return.

Following consideration, it was unanimously

**RESOLVED** that Penzance Council's general and earmarked reserves be invested in the Public Sector Deposit Fund.

(Proposed: Councillor Broadhurst; seconded: Councillor Power)

e) Reserve Movement – Catering Equipment Fund

According to the terms of the lease agreement with the Orangery Café operator, Penzance Council was responsible for purchasing replacement equipment. The coffee grinder had reached the end of its life despite being regularly serviced and maintained.

In accordance with the agreement with the café operator, a new coffee grinder had been purchased. Three quotes were received and the best value quote was for £1696.16. This was from a local supplier and included a discount.

The Orangery Café Capital Purchase budget line stood at £0.00 and so was now effectively overspent to the value of £1696.16. A virement was therefore requested from the earmarked reserve Catering Equipment Fund (4995/1/8) to be made to the Orangery Café Capital Purchase budget line (4100/6/2) to meet the costs associated with the purchase.

Following consideration, it was

**RESOLVED** that

1. It be noted that the Town Clerk exercised his delegated authority, as defined within Financial Regulation 4.5A, to purchase a new coffee grinder for the Orangery Café within the Penlee House Gallery and Museum at a cost of £1696.16.
2. With reference to (1.) above, a virement of £1696.16 be made from the Catering Equipment Fund (4995/1/8) to the Orangery Café Capital Purchase budget line (4100/6/2) to meet the cost associated with this purchase.

(Proposed: Councillor Pengelly; seconded: Councillor Sorrell)

Vote; Twelve in favour. Three abstentions.

**f) Cornwall Council Parking Charges**

Revised car parking charges were introduced with effect from 31 May 2023 at all Cornwall Council owned car parks, including those in the Penzance parish.

Representations from local stakeholders had resulted in some reductions relative to the initial proposals, such as restricting the proposed increase in multi-session tickets at the Wharfside car park from £5.00 to £2.50 and re-zoning the St Erbyns car park.

However, the new charges represented a significant increase in costs for local residents and workers already coping with a cost of living crisis.

Several thousand signatures had already been collected by a Penzance resident by way of an online petition, although, realistically, the charges were unlikely to be reversed this summer, if only due to the need for a further three-month consultation period.

To avoid a repetition of the summer's price rises and their adverse impact, it was vital that Cornwall Council began working in partnership with Penzance Council and the local community to develop a parking charges system which worked for local residents, businesses and workers but without incurring a significant loss of revenue. This could be achieved, for example, by data sharing between the Penzance BID (such as footfall statistics) and Cornwall Council (on car park visits and revenue). The aim would be to have a tariff scale specific to local circumstances in place for the start of the 2024 tourist season, rather than the current "one size fits all" approach.

Following consideration, it was unanimously

**RESOLVED** that

1. The Cornwall Council Portfolio Holder for Transport and the senior officers with responsibility for parking issues be invited to engage in constructive dialogue with Penzance Council to explore potential alternative charging arrangements for Cornwall Council car parks within the Penzance Parish that better suit the



needs of local residents, workers and businesses, including (but not limited to) differentiated pricing such as a discount scheme for local residents.

2. Authority be delegated to the Town Clerk, following consultation with the Town Mayor, to take part in said discussions and report back to Penzance Council as and when required.

(Proposed: Councillor Pengelly; seconded: Councillor Beveridge)

g) West Cornwall Hospital Urgent Treatment Centre

The Urgent Treatment Centre at West Cornwall Hospital continued to remain closed at night with the prospect of only limited reopening times in the very near future. This inevitably meant that the people of West Cornwall, along with the many visitors to the area, were currently having to travel to Truro to access urgent care between the hours of 9.00pm and 8.00am, 7 days a week, 365 days a year.

This placed a real burden on people who were ill, at risk or in pain to make a decision as to whether or not they should wait until the morning to get treatment or find transport to get them to A&E at the Royal Cornwall Hospital in Truro.

Along with other recent examples of the actual or proposed withdrawal of key services, the continued unavailability of this vital local facility disproportionately affected the most disadvantaged in local communities, in particular those who did not have access to a car to transport themselves to Truro out of hours.

As well as calling on the Cornwall and Isles of Scilly Integrated Care Board and Royal Cornwall Hospitals NHS Trust to reinstate the service, individual Members of Penzance Council were also encouraged to support the petition organised by West Cornwall Health Watch set out at Appendix 1 to the report.

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

- i) The recommendations set out in the report should have been strengthened as, previously, a full accident and emergency service was enjoyed at West Cornwall Hospital and this should have been reinstated.
- ii) While it was understood that Members would wish to see a full accident and emergency department reinstated, this was unlikely to happen as such a service would require a number of supporting services including anaesthetists, surgeons and so on and, were these not in place, any accident and emergency department would be unsafe.
- iii) It was suggested that the Council could establish a Health Working Group to consider the various health related issues in the parish, including the Urgent Treatment Centre at West Cornwall Hospital, and receive evidence in order to allow it to reach an informed position.

Following consideration, it was

**RESOLVED** that



1. Penzance Council supports the reinstatement of the 24/7 Urgent Treatment Centre at West Cornwall Hospital, as being vital to the people of West Cornwall and the many thousands of visitors to the area each year, and also to relieve pressure on an already overstretched Emergency Department at the Royal Cornwall Hospital in Truro.
2. Authority be delegated to the Town Clerk, following consultation with the Town Mayor, to call on the Cornwall and Isles of Scilly Integrated Care Board and Royal Cornwall Hospitals NHS Trust to reinstate the night service at the Urgent Treatment Centre at West Cornwall Hospital as a matter of urgency, and to call on the MP for St Ives and the four Cornwall Council division Members from the Penzance Parish to support said reinstatement.
3. Individual Members of Penzance Council be encouraged to support and promote the West Cornwall Health Watch petition calling for the reinstatement of the 24/7 Urgent Treatment Centre at West Cornwall Hospital.

(Proposed: Councillor S Elliott; seconded: Councillor Pengelly)

Votes; Fourteen in favour. One abstention.

h) Erosion of Face to Face Services – Penzance Railway Station Ticket Office and Post Office Outreach Services

A pattern was emerging of the erosion of key services within local communities, from the night-time closure of the Urgent Treatment Centre at West Cornwall Hospital to the recent failure by the Cornwall Fire and Rescue Service to send a crew from Penzance fire station in response to a fatal house fire in Heamoor.

Discussions were already under way with a view to a coordinated response from Penzance Council to the erosion of key services, including a possible march in the town in support of local key services and key workers.

In the meantime, there were two pressing and time-critical issues which called for a response, the proposed closure of the ticket office at Penzance railway station and potential threats to the continuation of the mobile post office service. The background associated with these two issues was set out within the report.

Following consideration, it was unanimously

**RESOLVED** that

1. Penzance Council supports for the retention of the existing staffed ticket office counter service at Penzance Railway Station and objects to the proposed ticket office closure.
2. In line with (1.) above, Authority be delegated to the Town Clerk to respond to the ongoing consultation on rail ticket office closures, and to communicate the



Council's objection to the proposed closure to the management of GWR.

3. Penzance Council supports the continuation of face-to-face Post Office counter services within the Penzance Parish, and in particular for the mobile services provided in Heamoor, Gulval, Newlyn and Mousehole pending restoration of permanent post office facilities.
4. Authority be delegated to the Town Clerk to make representations to Post Office Ltd and the Postal Affairs Minister seeking assurances that adequate resources will be made available to sustain staffed post office provision in communities within the Penzance parish.

(Proposed: Councillor Power; seconded: Councillor Broadhurst)

i) Wellfields Car Park Wall Repair – Appointment of Contractor

Following a further round of quote refinement, insufficient funds were available to complete the project in line with the previous specification. At this point, work was undertaken with the remaining / most cost-effective contractor in conjunction with the Council's appointed Building and Structural Engineers to examine the specification and identify areas for further cost saving and reduction whilst still ensuring that a correctly constructed wall would be built meeting all structural requirements.

A value engineering phase was completed to bring a proposal together within the approved budget, and Penzance Council had appointed DA Giles to undertake the demolition and rebuilding of the retaining wall within Wellfields Car Park. This appointment was made in line with the decision of the Leisure and Amenities Committee at its meeting held on 30 January 2023, where it resolved that authority be delegated to the Town Clerk, following consultation with the Chair and Vice Chair of the Leisure and Amenities Committee, to appoint a contractor to undertake the works.

Following consideration, it was

**RESOLVED** that the appointment of D.A. Giles to undertake the necessary demolition and rebuild of the wall in Wellfields Car Park be noted and supported.

(Proposed: Councillor Lawlor; seconded: Councillor W Elliott)

Vote; Twelve in favour. One abstention.

j) Gwavas Play Area – Community Infrastructure Levy Application

An initial Community Infrastructure Levy (CIL) Grant application to Cornwall Council, submitted by Solomon Browne Memorial Hall, was supported in principle by Cornwall Council, subject to further consultation and clarification on the scheme detail. Since this application, further community consultation had been undertaken to further inform the potential improvements, such as a consultation day and school visits.

Unfortunately, the Solomon Browne Memorial Hall was no longer able to act as lead



applicant for the bid and Members were therefore being asked to confirm Penzance Council's willingness to become the lead applicant.

The Town Clerk had met with a representative from Cornwall Council's Environment Service, who confirmed that Cornwall Council and Cormac would commit to the maintenance of the new play equipment, meaning that there would be no additional liability for Penzance Council. However, there was a clear need for additional investment into Gwavas Play Area, which the application would enable.

Following consideration, it was

**RESOLVED** that Penzance Council act as the applicant for a Community Infrastructure Levy Grant Application for Gwavas Play Area.

(Proposed: Councillor Durrant; seconded: Councillor Sorrell)

Vote; Twelve in favour. One abstention.

**40. REPORTS FOR INFORMATION**

There were no reports for information.

**41. REPORTS FROM OUTSIDE BODIES**

A verbal report was received from the appointee to the following Outside Body:-

- i) The West Penwith Police Liaison Group

**42. CONFIDENTIAL REPORTS FOR DECISION**

- a) Extension to Contract

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

Following consideration, it was unanimously

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

(Proposed: Councillor S Elliott; seconded: Councillor Broadhurst)

**43. MATTERS ARISING FOR REPORT AT THE NEXT MEETING**

Members were advised that it had now been over six months since Councillor Thomas had attended a meeting of the Council and, in accordance with the Local Government Act 1972, he had now therefore ceased to be a Member of the Council. A report would therefore be presented to the next meeting of the Council to declare the office vacant.



The meeting closed at 9:10 pm

Town Mayor

11 September 2023

DRAFT

**MINUTES OF THE EXTRAORDINARY PENZANCE COUNCIL MEETING** held in the St Piran's Room, the Penlee Centre, Penlee Park, Penzance on Wednesday 16 August 2023 at 7:00 pm

**PRESENT**

Councillors SJ Reynolds (Mayor)  
W Elliott (Deputy Mayor)

Councillors	MJ Beveridge	Z Lawlor
	NC Broadhurst	J McKenna
	MJ Durrant	NG Pengelly (from 7.03 pm)
	S Elliott	R Sorrell
	JM How	P Young
	B Jackson	

Also present: James Hardy (Town Clerk), Sharron Goldingay (Corporate Services Manager) and Elliot Ridington (Democratic Services Officer).

**44. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Marrington.

Councillors Axford, Bosworth, Crago, Davis and Power were absent without having provided apologies.

**45. DECLARATIONS OF INTEREST**

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

Councillor McKenna declared a non-registerable interest in Agenda No. 7(d) 'Penzance Football Club Lease and Stand Roof' as a member of the Penzance AFC Committee and left the meeting for the duration of this item.

**46. PUBLIC PARTICIPATION TIME**

There was no public participation.

**47. TO RESOLVE TO EXCLUDE MEMBERS OF THE PRESS AND PUBLIC**

There were no confidential items for consideration.

**48. TO APPROVE WRITTEN REQUESTS FOR DISPENSATION**

No requests had been submitted.

**49. TO DEAL WITH BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE**

There was no business to be transacted.

## **50. REPORTS FOR DECISION**

### **a) Corporate Policy Review**

A policy review was carried out in July 2023 and all Penzance Council policies relating to personnel matters were considered, consisting of thirty-one in total. The policies had been amended to comply with updated guidance and the proposed changes were set out in a table within the report.

The report and each of its appendices were reviewed in detail by the Personnel Committee at its meeting held on 2 August 2023, where it unanimously resolved to approve the recommendations as set out.

Following consideration, it was unanimously

### **RESOLVED** that

1. The revisions to the Absence Management Policy, set out using tracked changes at Appendix 1 to the report, be approved and the document be adopted.
2. The existing Bullying and Harassment Policy, as set out at Appendix 2 to the report, be superseded by the proposed Dignity at Work Policy, as set out at Appendix 25 to the report.
3. The revisions to the CCTV Policy, set out using tracked changes at Appendix 3 to the report, be approved and the document be adopted.
4. The revisions to the Complaints Procedure, set out using tracked changes at Appendix 4 to the report, be approved and the document be adopted.
5. The revisions to the Data Protection Policy, set out using tracked changes at Appendix 5 to the report, be approved and the document be adopted.
6. The revisions to the Data Retention Policy, set out using tracked changes at Appendix 6 to the report, be approved and the document be adopted.
7. The revisions to the Employee Code of Conduct, set out using tracked changes at Appendix 7 to the report, be approved and the document be adopted.
8. The revisions to the Enhanced Employee Benefits Scheme, set out using tracked changes at Appendix 8 to the report, be approved and the document be adopted.
9. The revisions to the Equal Opportunities Policy, set out using tracked changes at Appendix 9 to the report, be approved and the document be adopted.
10. The revisions to the Flexible Working Policy, set out using tracked changes at Appendix 10 to the report, be approved and the document be adopted.



11. The revisions to the Freedom of Information Policy, set out using tracked changes at Appendix 11 to the report, be approved and the document be adopted.
12. The Health and Safety Policy Statement, as set out at Appendix 12 to the report, be approved and signed by the Town Clerk on behalf of Penzance Council.
13. The revisions to the Leave Policy, set out using tracked changes at Appendix 13 to the report, be approved and the document be adopted.
14. The revisions to the Maternity / Paternity / Adoption Policy, set out using tracked changes at Appendix 14 to the report, be approved and the document be adopted.
15. The revisions to the Mobile Phone Policy, set out using tracked changes at Appendix 15 to the report, be approved, its redesignation as the 'Mobile Phone and Laptop Policy' be approved, and the document be adopted.
16. The existing Overtime Policy, as set out at Appendix 16 to the report, be superseded by the proposed Overtime and TOIL Policy, as set out at Appendix 29 to the report, at such time that any affected staff have been consulted as necessary.
17. The revisions to the Safeguarding Policy, set out using tracked changes at Appendix 17 to the report, be approved and the document be adopted.
18. The revisions to the Scheme of Delegation – Officers, set out using tracked changes at Appendix 18 to the report, be approved and the document be adopted.
19. The existing TOIL Policy, as set out at Appendix 19 to the report, be superseded by the proposed Overtime and TOIL Policy, as set out at Appendix 29 to the report, at such time that any affected staff have been consulted as necessary.
20. The revisions to the Training and Development Policy, set out using tracked changes at Appendix 20 to the report, be approved and the document be adopted.
21. The revisions to the Whistleblowing Policy, set out using tracked changes at Appendix 21 to the report, be approved and the document be adopted.
22. The revisions to the Bereavement Policy, set out using tracked changes at Appendix 22 to the report, be approved and the document be adopted.
23. The revisions to the Capability Procedure, set out using tracked changes at Appendix 23 to the report, be approved and the document be adopted.
24. The revisions to the Covid and Respiratory Infection Policy, set out using tracked changes at Appendix 24 to the report, be approved, its redesignation as the 'Respiratory Infections (Including Covid 19) Policy' be approved, and the



document be adopted.

25. The proposed Dignity at Work Policy, as set out at Appendix 25 to the report, be approved and adopted.
26. The revisions to the Disciplinary Procedure, set out using tracked changes at Appendix 26 to the report, be approved and the document be adopted.
27. The revisions to the Grievance Policy, set out using tracked changes at Appendix 27 to the report, be approved and the document be adopted.
28. The revisions to the Lone Working Policy, set out using tracked changes at Appendix 28 of the report, be approved and the document be adopted.
29. The proposed Overtime and TOIL Policy, as set out at Appendix 29 to the report, be approved for staff consultation and implemented upon the expiry of said consultation period.
30. The revisions to the Protocol on Member/Officer Relations, set out using tracked changes at Appendix 30 to the report, be approved and adopted.
31. The revisions to the Recruitment and Selection Policy, set out using tracked changes at Appendix 31 to the report, be approved and adopted.
32. With reference to (1.) to (31.) above, authority be delegated to the Town Clerk to make any minor changes in order to address errors of a grammatical or typographical nature.

(Proposed: Councillor W Elliott; seconded: Councillor S Elliott)

b) Declaration of Casual Vacancy

Under section 85 of the Local Government Act 1972, a Councillor ceased to be a Member of the Council if they had failed to attend any meetings for six consecutive months.

Former Councillor Michael Benjamin Thomas last attended a Penzance Council meeting on 16 January 2023 and, due to personal circumstances, did not attend any further meetings of Penzance Council between 17 January 2023 and 17 July 2023. He therefore ceased to be a Councillor on the latter date.

If a Councillor had not attended a meeting for six consecutive months, the Act required that the parish or town council declare a Councillor's seat vacant.

Following consideration, it was

**RESOLVED** that the seat of the former Councillor, Michael Benjamin Thomas, of Penzance East Ward, be declared vacant.

(Proposed: Councillor McKenna; seconded: Councillor Beveridge)

Vote; Twelve in favour. One against.

c) Civility and Respect Pledge

It was recommended that Penzance Council endorsed and adopted the “Civility and Respect Pledge” developed by various bodies, including the National Association of Local Councils and the Society of Local Council Clerks, to promote civility and respect in public life, good governance and positive debate, and to support the wellbeing of Councillors and officers.

To date, a total of 1,181 councils had signed this Pledge, thereby demonstrating their commitment to treating Councillors, clerks, employees, members of the public, representatives of partner organisations and volunteers with civility and respect. In order to sign the pledge Councils were required to register and agree with a number of statements which were set out within the report. Having adopted a Dignity at Work Policy, Penzance Council now met all of the obligations required in order to sign the Civility and Respect Pledge.

Following consideration, it was

**RESOLVED** that

1. The Civility and Respect Pledge be endorsed and adopted by Penzance Council.
2. Authority be delegated to the Town Clerk to sign the Civility and Respect Pledge on behalf of Penzance Council.

(Proposed: Councillor Reynolds; seconded: Councillor Durrant)

Vote; Twelve in favour. One abstention.

d) Penzance Football Club Lease and Stand Roof

Penzance Council had been in negotiation with Penzance AFC regarding its lease renewal for some time. Following these considerable negotiations and extensive legal advice, the revised lease was set out at Appendix 1 to the report and was now recommended for approval.

In addition, Penzance Council was in the process of procuring a contractor for the removal and disposal of the asbestos roofing of the football club grandstand and its subsequent replacement. It was recommended that authority was delegated to the Town Clerk to appoint the successful contractor.

During the debate, it was highlighted that the recommendation set out in the report referred to ‘Penzance AFG Commercial Ltd’ when it should in fact have referred to ‘Penzance AFC Commercial Ltd’.

Following consideration, it was unanimously

**RESOLVED** that



1. The lease between Penzance Council and Penzance AFC Commercial Ltd, as set out at Appendix 1 to the report, be approved.
2. Said lease be signed by the Mayor and Town Clerk on behalf of Penzance Council.
3. Subject to sufficient funds being available within the approved budget(s), authority be delegated to the Town Clerk, following consultation with the Chairs of the Finance and General Purposes and Leisure and Amenities Committees, to appoint a contractor to undertake the removal and disposal of the existing Penzance Football Club grandstand roof and its subsequent replacement.

(Proposed: Councillor S Elliott; seconded: Councillor W Elliott)

(Councillor McKenna was not present for this item.)

**51. MATTERS ARISING FOR REPORT AT THE NEXT MEETING**

Reference was made to a number of instances of antisocial behaviour in Penzance town centre and it was requested that the Police Inspector for Penzance be invited to discuss the matter informally with Penzance Councillors prior to the next meeting of Penzance Council.

The meeting closed at 7:25 pm

Town Mayor

11 September 2023