



PENZANCE COUNCIL

PENLEE CENTRE
PENLEE PARK
PENZANCE
CORNWALL TR18 4HE
Telephone: (01736) 363405
Email: info@penzance-tc.gov.uk

TOWN CLERK: JAMES HARDY

14 May 2024

To: All Penzance Councillors

You are hereby summoned to a meeting of Penzance Council to be held in the Alverne Room, St John's Hall, Alverton Street, Penzance on Monday 20 May 2024 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. To Approve Written Requests for Dispensation
4. Public Participation Time (lasting up to 15 minutes in total)
5. Cornwall Councillors' Reports
6. 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.
7. To Confirm the Minutes of the Penzance Council Meeting of 4 March 2024
8. To Confirm the Minutes of the Annual Penzance Council Meeting of 7 May 2024
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 – 13 March, 3 April and 24 April 2024
 - (b) Arts and Culture Committee – 18 March 2024
 - (c) Leisure and Amenities Committee – 25 March 2024
 - (d) Finance and General Purposes Committee – 15 April 2024
 - (e) Personnel Committee – 1 May 2024
11. Reports from Committees for Decision

Finance and General Purposes Committee

 - (a) Application for Grant – Newlyn Regeneration Community Interest Company
 - (b) Sustainable Penzance – Strategic Grant and Service Level Agreement
 - (c) Amendments to Financial Regulations and Statement of Internal Control

Personnel Committee

 - (d) Corporate Policy Updates
12. Reports for Decision
 - (a) Revised Standing Orders (Committee Terms of Reference)

- (b) Internal Audit End of Year Report 2023/24
- (c) Annual Governance and Accounting Statement 2023/24
- (d) Investment Strategy Review
- (e) Conflicts of Interest with the External Auditor
- (f) Penlee Park Food Festival (*to follow*)
- (g) Flying a Progress Pride Flag Outside St John's Hall in Support of Penzance's LGBTQ Community During Pride and LGBT History Month
- (h) Finance Training for Councillors

13. Reports for Information

None.

14. Reports from Outside Bodies - For Information

- (a) Penzance Community Flora Group – Councillor Young

15. Confidential Reports from Committees for Decision

- (a) Results of the Penlee House Staffing Review and Next Steps

16. Matters Arising for Report at Next Meeting

MINUTES OF PENZANCE COUNCIL MEETING held in the Alverne Room, St John's Hall, Alverton Street, Penzance on Monday 4 March 2024 at 7:00 pm.

PRESENT

Councillors SJ Reynolds (Mayor)

MJ Beveridge	J McKenna
NC Broadhurst (until 8.06 pm)	NG Pengelly
S Elliott	J Power (until 8.09 pm)
JM How	N Tonner
B Jackson	P Young
TS Marrington	

Also present: James Hardy (Town Clerk), Cal Bagshaw (Corporate Services Manager), Elliot Ridington (Democratic Services Officer) and Pastor Charles Fleming (Council's Chaplain).

112. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bosworth, Crago, Durrant, W Elliott, Lawlor and Sorrell.

Councillors Axford and Davis were absent without having provided apologies.

113. DECLARATIONS OF INTEREST

There were no declarations of interest.

114. TO APPROVE WRITTEN REQUESTS FOR DISPENSATION

No requests had been submitted.

115. PUBLIC PARTICIPATION TIME

There was no public participation.

116. CORNWALL COUNCILLORS' REPORTS

Councillor Dwelly

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

- i) With reference to housing, during the past year Cornwall Council had delivered the lowest number of affordable homes in comparison to the preceding ten years, at just 680. When taking the scale of the housing emergency into account this was an extremely worrying trend. Cornwall Council was once in first place



throughout the country for the delivery of affordable homes but was now ninth. However, there were a number of developments taking place within Penzance and these were welcomed.

- ii) Graffiti continued to be a problem and he would be happy to meet with the Mayor and Town Clerk to consider actions which could be taken, perhaps utilising the 'Community Payback' scheme.
- iii) A traffic order consultation would be undertaken in the near future with a view to implementing no waiting and loading restrictions for heavy good vehicles on Jelbert Way.

Councillor George

Councillor George had provided his apologies for the meeting but had submitted a written statement which was read by the Mayor, and was as follows:-

1. *The council will be aware by now re. the outcome of this morning's planning committee meeting re. the Trannack development. My primary concerns about the detrimental impact of this development were not taken on board, sadly. But officers were being unusually assertive.*

Our previous pressure re. impact of use of Polmennor Rd had borne results. I still felt that further pressure on the developer might have forced them to revisit their refusal to use the Treneere roundabout and to address the other concerns re non-motorised users.
2. *Pleased to see start on site at Hospital. Though I'll continue to press the Trust re.: a) the effective use of the back of the hospital; b) the upgrading of the UTC and re-establishment of 24/7 access; and c) ensuring the newbuild results in a significant increase in access to outpatient services in the west.*
3. *I'm keen to push forward plans for traffic measure improvements in Heamoor and Gulval, as Stephen knows. More on this in future.*
4. *Have requested a briefing for all local Cllrs re. Cornwall Council (Extra Care) plans for the Roscadghill sites (JD Centre and former Soc Services offices).'*

Councillor Marrington

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

- i) The project to renovate the play area at Gwavas had now commenced and was involving local schools, with two schools having visited during the past week.
- ii) With reference to planning enforcement, issues often took a long time to reach a resolution and the expectations of members of the public were often greater than the powers which were available to the Council. However, she had recently had a number of successes within her division.
- iii) Road surfaces continued to experience significant numbers of potholes and, having recently reported a number in her area, she had been advised that people should report issues as often as possible though 'Report Something



- Cornwall' in order to ensure that they were resolved.
- iv) Meetings were now beginning to plan for the 16 Days of Activism to End Violence Against Women and Girls for 2024 and Members were requested to let her know if they wished to be involved.
 - v) She had attended the meeting of the West Sub-Area Planning Committee that morning where they had considered the planning application for 320 homes at Trannack. The recommendations put forward by officers to receive delegated authority to approve the application had been supported by the Committee and it was hoped that the issues which had been raised in relation to highways and footpaths could be addressed in order to ensure that the best possible development was provided.

Councillor McKenna

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

- i) With reference to the new outpatients development at West Cornwall Hospital, he had now established a residents group, primarily involving residents from the Penalverne Estate, in order to address any adverse impacts which they might encounter while works were ongoing. The new outpatients department was due to be open for patients in April 2025.
- ii) He had recently attended a meeting regarding the future of the John Daniels Centre site and the proposal was for around seventy 'extra care' homes to be provided on the site – a provision which did not currently exist within the Penzance area.
- iii) A public meeting regarding the proposals for the Coinagehall Street site was due to take place on Thursday 7 February and all Members were encouraged to attend. The developer had now addressed a number of the concerns which had previously been raised and amended its plans accordingly.
- iv) He had attended the consultation event regarding the future proposals for Penzance Harbour which was attended by three hundred people in five hours.
- v) He had attended the Safer Penzance meeting where continued issues with anti-social behaviour in Morrab Gardens were discussed. There was a possibility that CCTV could be provided within the Gardens which could be hosted by the Gardeners House.
- vi) A briefing had taken place regarding the development of the future Cornwall Local Plan which would need to be available for inspection within the next two years. Despite it currently being prevented by legislation, officers had agreed to consider the inclusion of a 30% biodiversity net gain requirement for future housing developments in light of the possibility of a new government in the near future.
- vii) The Penzance Family Hub had opened earlier that day which was great news for the local area.

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

There were no confidential items for consideration.

118. TO CONFIRM THE MINUTES OF THE PENZANCE COUNCIL MEETING HELD ON 15 JANUARY 2024

Following consideration, it was

RESOLVED that the Minutes of the Penzance Council meeting held on 15 January 2024 be approved as true and accurate record and signed by the Chair.

(Proposed: Councillor How; seconded: Councillor Beveridge)

Vote; Nine in favour. Three abstentions.

119. TO RECEIVE QUESTIONS FROM MEMBERS OF WHICH PRIOR WRITTEN NOTICE HAD BEEN GIVEN

Councillor Beveridge asked if the Council would ensure that this year it would request permission from Cornwall Council to fly a Progress Pride flag outside St John's Hall. She went on to ask, in the event that Cornwall Council granted permission, would the Council purchase a Progress Pride flag and see it flown during the month of June when Cornwall Pride took place in Penzance, on Saturday 1 June, to show support for the LGBT+ community by the Council in Penzance.

In accordance, with Standing Order 17(a), the Mayor advised that he would ensure that a response was provided to Councillor Beveridge within ten working days.

Councillor Beveridge then stated that when walking up Market Jew Street recently following a heavy shower, water was continuing to pour down over pedestrians as a result of overloaded gutters, clogged to the gunnels with detritus and foliage. She had heard many negative comments about the town's main streets due to their run-down appearance, again primarily due to gutters being overgrown. She then asked, as the Town Council was a significant contributor to Business Improvement District (BID), could it, as a steering group member, and the BID manager address a future meeting of Penzance Council on the possibility of having a gutter cleaning day.

Councillor Beveridge noted that paving underneath the worst gutters was broken and in poor shape, possibly as a result of the constant overflows. It could have been a health and safety issue and was certainly a trip hazard. Alternative suggestions to tackle the issue were welcome.

In accordance, with Standing Order 17(a), the Mayor advised that he would ensure that a response was provided to Councillor Beveridge within ten working days.

120. TO NOTE THE MINUTES OF THE FOLLOWING COMMITTEE MEETINGS

Members noted the Minutes of the following Committees:-

- (a) Planning Committee – 10 January, 31 January and 21 February 2024
- (b) Arts and Culture Committee – 29 January 2024
- (c) Leisure and Amenities Committee – 5 February 2024

(d) Finance & General Purposes Committee – 19 February 2024

121. REPORTS FROM OTHER COMMITTEES FOR DECISION

Finance and General Purposes Committee

a) Application for Grant – Newlyn Regeneration Community Interest Company - (min no. 49 (a))

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, Members raised concerns that, despite the recommendations in the report making reference to 'sites' for a car park in Newlyn and the application form referencing 'site options', the application form then went on to provide a land registry reference for one specific site which could act to limit future options. Of further concern was that Cornwall Council had itself assessed this site and had not so far provided the required permission or support.

The application also made reference to a public consultation which had been undertaken in Newlyn in 2019 and that responses to this consultation had expressed concerns over traffic and a lack of parking. However, this did not necessarily constitute support for a car park on one specific site and it was therefore queried as to whether any local consultation for this specific proposal had been undertaken and, if so, what the result had been.

Following consideration, it was

RESOLVED that the consideration of this item be deferred to allow:-

- (i) Confirmation to be sought from the Newlyn Regeneration Community Interest Company that any feasibility study would assess parking solutions across all of Newlyn.
- (ii) Further information to be sought from the Newlyn Regeneration Community Interest Company as to the consultation undertaken for the proposal.

(Proposed: Councillor McKenna; seconded: Councillor Broadhurst)

Vote; Eleven in favour. One abstention.

122. REPORTS FOR DECISION

a) End of Year Virements of Funds

The report set out a number of proposed virements and the reasons for them. It was highlighted that, were these virements not made, the funds for the specific projects would return to the General Fund at the conclusion of the financial year.

Following consideration, it was unanimously

RESOLVED that

1. The Community Infrastructure Levy payments income of £16,099.06 received during the 2023/24 financial year be vired into the 'CIL Funds' earmarked reserve to allow it to be allocated to specific eligible projects in the future.
2. Any future Community Infrastructure Levy receipts be transferred into the 'CIL Funds' earmarked reserve.
3. The remaining funds within the following operational budgets be vired into the respective earmarked reserves to allow the projects to be completed in future:-
 - (i) *Princess May Recreation Grounds – 1320.* £13,160 be vired to the Princess May Recreation Ground Earmarked Reserve.
 - (ii) Penzance Football Club, Capital Projects & Refurbishments – 1120/2. £10,235 be vired to the Penzance AFC Earmarked Reserve.

(Proposed: Councillor Broadhurst; seconded: Councillor Pengelly)

b) Members' Attendance at Meetings

At the Penzance Council meeting held on 15 January 2024 a report was considered relating to the establishment of named substitutes for committees. During the debate, it was suggested that substitutes may not have been necessary if the attendance of Members at meetings were to improve.

It was highlighted that the statistics for Councillors' attendance at meetings were currently published on an annual basis and suggested that, were they published on a more regular basis, more regular attendance amongst Members might be encouraged.

The attendance statistics were compiled throughout the year and so publishing on a more regular basis would not result in any significant increase in workload. It was therefore recommended that the data relating to Councillors' attendance at meetings was included within each Penzance Council Agenda as a report for information.

Following consideration, it was

RESOLVED that the data relating to Councillors' attendance at meetings be presented to each Penzance Council meeting, for information.

(Proposed: Councillor Broadhurst; seconded: Councillor Marrington)

Vote; Ten in favour. Two abstentions.

c) Appointment of Members to the Chapel Street Creative Charitable Incorporated

Organisation

At its meeting held on 16 January 2023, Penzance Council resolved to provide grant funding to the Chapel Street Creative Charitable Incorporated Organisation towards the community purchase of Centenary Hall, Chapel Street, Penzance. This grant funding was subject to a number of conditions, one of which was as follows:-

'iv) The charity, prior to the receipt of grant funding from Penzance Council, invite Penzance Council to appoint Members to the charity's Trustee Board in perpetuity, with said seats on the Board being equal to the percentage of Penzance Council's contribution to the property.'

As Penzance Council contributed £80,000, when the purchase price of the property was £320,000 (which represented 25%), and, according to the website of the Charity Commission for England and Wales, the charity's Board of Trustees currently numbered eight, Penzance Council would be required to appoint three Members to the Board of Trustees to meet its percentage requirement - as two would equate to only 20%.

However, despite not having been formally appointed by Penzance Council, as two of the Trustees were Penzance Councillors, Councillors Crago and Marrington, Penzance Council could instead opt to formally ratify them as their nominees, which would enable it to meet its requirement of holding 25% of the seats on the Board of Trustees without the need to require any further increases and/or changes in its membership.

Following consideration, it was

RESOLVED that Councillors Crago and Marrington be appointed as Penzance Council's representatives on the Chapel Street Creative Charitable Incorporated Organisation.

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

Vote; Eleven in favour. One abstention.

123. REPORTS FOR INFORMATION

The following reports for information were received:-

- a) Report of the Antisocial Behaviour Caseworker – October 2023 – January 2024
- b) Update from the Golowan Festival Community Interest Company
- c) Outcome of Code of Conduct Complaint Received

During the consideration of item b) set out above, Councillor Tonner highlighted that she had been referenced within the document and went on to clarify that, despite having been named, she would not have any involvement with the Golowan Youth Project.

124. REPORTS FROM OUTSIDE BODIES



A written report was received from the appointee to the following outside body:-

- a) Penzance and District Tourism Association

125. MATTERS ARISING FOR REPORT AT THE NEXT MEETING

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

The meeting closed at 8:25 pm

Town Mayor

20 May 2024

DRAFT



MINUTES OF THE FORTY-FOURTH ANNUAL MEETING OF THE PENZANCE TOWN COUNCIL held in The Main Hall, St Johns Hall, Alverton Street, Penzance on Tuesday 7 May 2024 at 7:00 pm.

PRESENT

The Retiring Town Mayor (Councillor SJ Reynolds)
The Retiring Deputy Town Mayor (Councillor W Elliott)

Councillors	MJ Beveridge	NG Pengelly
	NC Broadhurst	R Sorrell
	JM How	N Tonner
	B Jackson	P Young
	J McKenna	

1. ELECTION OF TOWN MAYOR 2024/25

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

In the absence of any other nominations, Councillor Reynolds was thereupon, following a unanimous vote, 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.

The Town Mayor thanked all of those who had attended the meeting, all of those who had supported him through his year in office, the various voluntary organisations operating throughout the parish, his fellow Members, the Town Clerk and all staff for their support throughout the year.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Axford, Bosworth, Crago, Davis, Durrant, S Elliott, Lawlor, Marrington and Power.

3. ELECTION OF DEPUTY TOWN MAYOR

Councillor How proposed that Councillor W Elliott be appointed as Deputy Town Mayor for the ensuing year. Councillor Young seconded the proposal.

In the absence of any other nominations, Councillor W Elliott was thereupon, following a unanimous vote, 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 Broadhurst proposed that Councillors Jackson and Young be appointed as Civic Deputies. Councillor W Elliott 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, 2024/25 TIMETABLE OF MEETINGS AND 2023/24 MEMBER ATTENDANCE

Councillor Beveridge proposed and Councillor Reynolds 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 2024/25

Councillor How proposed and Councillor Jackson seconded that Councillor Joan Beveridge be appointed as Chair of the Arts and Culture Committee, Councillor Nigel Pengelly be appointed as Chair of the Finance and General Purposes Committee, Councillor Nicole Broadhurst be appointed as Chair of the Leisure and

Forty-Fourth Annual Meeting

7 May 2024

Amenities Committee, Councillor Penny Young be appointed as Chair of the Personnel Committee and Councillor Will Elliott be appointed as Chair of the Planning Committee.

It was then, unanimously

RESOLVED: that the proposal be carried.

The meeting closed at 7:48 pm

Town Mayor
20 May 2024