

MINUTES OF THE PENZANCE COUNCIL MEETING held in the Alverne Room, St John's Hall, Alverton Street, Penzance on Monday 15 July 2024 at 7:00 pm.

PRESENT

Councillors SJ Reynolds (Mayor)

MJ Beveridge	J McKenna
NA Davis (until 9.20 pm)	NG Pengelly
MJ Durrant	J Power (until 9.17 pm)
B Jackson	R Sorrell
Z Lawlor (from 7.11 pm)	N Tonner
TS Marrington (until 8.12 pm)	P Young

Also present: James Hardy (Town Clerk), Cal Bagshaw (Corporate Services Manager), Cameron Sil (Responsible Finance Officer) and Elliot Ridington (Democratic Services Officer).

26. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bosworth, W Elliott and How.

Councillors Broadhurst and S Elliott were absent without having provided apologies.

27. DECLARATIONS OF INTEREST

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

Councillor Davis declared a non-registerable interest in Agenda Item 10(b), 'Application for Grant – Paul Cricket Club', due to having had previous involvement with Paul Cricket Club and left the meeting for the duration of the item.

Councillor Reynolds declared a non-registerable interest in Agenda Item 11(f), 'Relocation to Market House', as a Director of the Penzance Regeneration Company and left the meeting for the duration of the item.

Councillor Durrant declared a disclosable pecuniary interest in Agenda Item 11(i), 'Princess May Recreation Ground CIC – Service Level Agreement', as a Director of the Princess May Recreation CIC and left the meeting for the duration of the item.

Councillor Pengelly declared a disclosable pecuniary interest in Agenda Item 14(a), 'Golowan Festival Tendering Documents', as a supplier to the current contractor and left the meeting for the duration for the item.

Councillor Tonner declared a disclosable pecuniary interest in Agenda Item 14(a), 'Golowan Festival Tendering Documents', as she provided occasional consultancy

services to the current contractor and left the meeting for the duration of the item.

28. TO APPROVE WRITTEN REQUESTS FOR DISPENSATION

No requests had been submitted.

29. PUBLIC PARTICIPATION TIME

A member of the public was in attendance and spoke in favour of Agenda Item 11(a), 'Application for Grant – Growing Links CIC'. Councillor Pengelly was not present for this item.

A member of the public was in attendance and spoke in favour of Agenda Item 11(c), 'Jubilee Pool Penzance Ltd – Strategic Grant and Service Level Agreement'.

30. CORNWALL COUNCILLORS' REPORTS

Councillor Dwelly was unable to attend the meeting but Councillors George, Marrington and McKenna were in attendance and provided updates regarding the work and projects which were ongoing within their electoral divisions.

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

In respect of Agenda Items 14(a) and 14(b), 'Golowan Festival Tendering Documents' and 'Arrangements for Maternity Cover', it was unanimously

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

(Proposed: Councillor Beveridge; seconded: Councillor Lawlor)

32. TO CONFIRM THE MINUTES OF THE PENZANCE COUNCIL MEETING HELD ON 20 MAY 2024

Following consideration, it was

RESOLVED that the Minutes of the Penzance Council meeting held on 20 May 2024 be approved as true and accurate record and signed by the Chair.

(Proposed: Councillor Jackson; seconded: Councillor Marrington)

Vote; Ten in favour. Three abstentions.

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

No questions had been submitted.

34. TO NOTE THE MINUTES OF THE FOLLOWING COMMITTEE MEETINGS

Members noted the Minutes of the following Committees:-

- (a) Planning Committee – 15 May, 5 June and 26 June 2024
- (b) Arts and Culture Committee – 3 June 2024
- (c) Leisure and Amenities Committee – 10 June 2024
- (d) Finance & General Purposes Committee – 24 June 2024

35. REPORTS FROM OTHER COMMITTEES FOR DECISIONArts and Culture Committee**a) Creation of Budget Line for Purchase of Museum Objects - (min no. 7 (b))**

The Penlee House collection of art and artefacts continued to develop in line with the Penlee House Collections Development Policy and all new acquisitions were reported to the Arts and Culture Committee.

Acquisitions for permanent inclusion in the collection were carefully considered and the vast majority came via donation. Occasionally, items were purchased for the collection. These purchases were often made by the Friends of Penlee House, who, once an object was identified as having relevance to the collection, would generously purchase the item and then donate it to the Penlee House collection.

In addition to the financial support from the Friends, there were external funders to whom Penlee House could apply. These funders could make part-contributions towards the purchase of preeminent objects which they deemed should be preserved by public institutions such as Penlee House.

All items which were acquired for permanent inclusion in the Penlee House collection were the property of Penzance Council and the responsibilities of owning this collection were set out in the Collections Development Policy.

To enable the purchase of objects, it was recommended that a dedicated budget line was created in the Arts and Culture budget. Although the allocated expenditure would be £0.00, this line would enable acquisitions funded by external organisations to be properly attributed within the budget prior to the funds being reimbursed.

Following consideration, it was unanimously

RESOLVED that a budget line be created in the Arts & Culture budget, with a value set at £0.00, for the purpose of accounting for the purchase of museum objects.

(Proposed: Councillor Beveridge; seconded: Councillor Sorrell)

Finance and General Purposes Committee

b) Application for Grant – Paul Cricket Club – (min no. 8(b))

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.

Following consideration, it was unanimously

RESOLVED that a grant of £10,000 be awarded from the General Grants Budget to Paul Cricket Club for the project: 'Paul Cricket Club Nets'.

(Proposed: Councillor Pengelly; seconded: Councillor Marrington)

(Councillor Davis was not present for this item.)

c) Application for Grant – YMCA Cornwall (min no. 8(e))

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.

Following consideration, it was unanimously

RESOLVED that a grant of £5,000 be awarded from the Climate Emergency Grants Budget to YMCA Cornwall for the project: 'Raise the Roof!'.

(Proposed: Councillor Davis; seconded: Councillor Marrington)

d) Revised Financial Regulations (min no. 9(a))

The National Association of Local Councils had issued new Model Financial Regulations which took into account various changes to legislation with which the Council was required to comply.

Work had been undertaken to compare and contrast the new Model Financial Regulations with those already adopted by Penzance Council and they had since been amalgamated to ensure that the resulting document met the requirements of legislation while also meeting the business requirements of Penzance Council. The document was set out at Appendix 1 to the report.

Following consideration, it was

RESOLVED that the revised Financial Regulations, set out at Appendix 1 to the report, be approved and adopted.

(Proposed: Councillor Beveridge; seconded: Councillor Durrant)

Vote; Twelve in favour. One abstention.

36. REPORTS FOR DECISION**a) Application for Grant – Growing Links CIC**

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.

Following consideration, it was

RESOLVED that a grant of £8,313.97 be awarded to Growing Links CIC for their project 'Moving Street Food Project to the John Daniel Centre', with said grant to be met by £6,040 from the Social Action Grants budget and £2,273.97 from the General Grants budget, on the condition that confirmation be received that the organisation's bank account has a two-to-sign payment rule in place.

(Proposed: Councillor McKenna; seconded: Councillor Durrant)

Vote; Eleven in favour. One against. Councillor Pengelly was not present for this item.

b) Appointments to Committees

Councillor Lawlor was not undertaking Council business when Councillors were appointed to committees at the Annual Council meeting held on 7 May 2024. Having now resumed his duties, he had requested that he was reappointed to the Finance and General Purposes and Leisure and Amenities Committees.

Following consideration, it was unanimously

RESOLVED that the Councillor Lawlor be appointed to the Finance and General Purposes and Leisure and Amenities Committees.

(Proposed: Councillor Reynolds; seconded: Councillor Jackson)

c) Jubilee Pool Penzance Ltd – Strategic Grant and Service Level Agreement

Each year, as part of its budget setting process, Penzance Council reviewed its strategic grant commitments to outside organisations. On 15 January 2024 the Council resolved to maintain its funding contribution for the 2024/25 financial year at £40,000, subject to a review and report from Jubilee Pool Penzance Ltd detailing the delivery during the previous year and its revised seasonal operational plan. These documents were set out as appendices to the report alongside the proposed Service Level Agreement for 2024/25.

In accordance with Standing Order 4(p), Councillor Davis requested that the vote relating to this item be recorded.

Following consideration, it was

RESOLVED that

1. The Service Level Agreement between Jubilee Pool Penzance Ltd (JPPL) and Penzance Council for the 24/25 Financial Year, as set out at Appendix 3 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 Pengelly; seconded: Councillor Young)

Vote; Councillors Beveridge, Durrant, Jackson, Lawlor, Pengelly, Power, Reynolds and Young in favour. Councillor Davis against. Councillors McKenna, Sorrell and Tonner abstained.

d) Virement of Funds from the General Fund to the General Grants Budget

Three out of the twelve months of the 2024/25 financial year had elapsed and, as a result of just two Finance and General Purposes Committee meetings and two Council meetings, £34,926 of grant funding had been committed with a further £8,313.97 considered earlier during this meeting. This represented £43,239.97 out of the total £48,000 budgeted for the year, leaving just £4,760.03 for the remaining four Finance and General Purposes Committee meetings during the financial year.

The number of requests for grants which the Council had received at this point in the financial year in comparison to previous years was unusual. Following the second Finance and General Purposes Committee meeting in the 2023/24 financial year, just £3,899 had been allocated to grant applicants. However, while this may have been an anomaly, it may also have been as a result of a variety of external factors such as increased interest rates and the general costs of living which were being felt by external organisations, leading to their requesting grants from Penzance Council when they may not have done so in the past or, alternatively, seeking larger amounts. It was therefore important to ensure that Penzance Council's Grants Policy was fit for purpose and that it did not find itself in a similar position in future, whereby it had exhausted its grant funds a quarter of the way through the year.

Increasing the General Grants budget by £15,000 would allow the Finance and General Purposes Committee an average of £4,940 to award at each remaining meeting of the financial year. The impact on the Council's general reserve for 2024/25 was set out in the report.

Following consideration, it was

RESOLVED that



1. A virement of £15,000 be made from the General Fund to the General Grants Budget, for one time only, to increase the funding available for grants for the remainder of the 2024/25 financial year.
2. The remaining funds in the Climate Emergency and Social Action Grants budgets be transferred to the General Grants budget to enable future grants to be considered within a single budget for the remainder of the 2024/25 financial year.
3. The Council's Grants Policy be reviewed to explore potential solutions to prevent the early exhaustion of funds in future financial years and presented to a future meeting of Penzance Council for consideration.

(Proposed: Councillor Pengelly; seconded: Councillor Beveridge)

Vote; Eleven in favour. One abstention.

e) Establishment of Community of Interest Focus Groups as Part of the Community Engagement Strategy

In 2020, Penzance Council approved a Community Engagement Strategy, subsequently updated in 2022, which required it to gain the Local Council Quality Award.

The Local Council Quality Awards came in three levels; Foundation, Quality and Gold. Penzance Council had already achieved the Foundation and Quality Awards and had committed to work towards gaining the Gold Award.

To achieve the Foundation Award level, the Council evidenced how the community had been consulted within the guidelines, including through the use of 'surveys, online polls, focus groups or public meetings.' To achieve the Quality Award level, the Council produced an action plan and related budget for undertaking community engagement and set out a timetable for action and review whilst consulting with the community in at least three different ways, including through 'surveys, focus groups, online or street polls and community workshops'.

To achieve the Gold Award level, the Council would need to evidence that it had engaged with diverse groups in the community using a variety of methods and that this engagement influenced the Council's activity and priorities.

Penzance Council had successfully consulted geographically-based communities. However, engaging with hard-to-reach communities of interest required a different approach as many lacked community development and infrastructure. The establishment of focus groups to represent these communities would allow for individuals and community organisations to engage with the Council and not only aid community development but also facilitate an evolving community consultation process.

During the debate, Members raised concerns that the establishment of 'Community of Interest' focus groups could have significant resource implications for the Council and that these did not appear to have been assessed within the report. In addition, it was suggested that there may have been further 'hard to reach' communities which may have warranted focus groups, such as those who were digitally excluded or those who were neurodiverse. Finally, it was suggested that further thought would need to be given to how the feedback from the focus groups would be collated and provided to Members of the Council.

It was proposed by Councillor McKenna and seconded by Councillor Jackson that this item be deferred to the Penzance Council meeting due to take place on 9 September 2024 in order to allow full consideration of the potential resource implications, methods of feedback and other potential 'hard to reach' communities.

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

1. The element of the Community Engagement Strategy which seeks to ensure that the 'many communities' in Penzance parish have a voice in the debate around improving the delivery of local services be noted.
2. 'Community of Interest' focus groups be established during 2024/25 to seek the views and opinions of those harder to reach communities often missed out of community engagement activities, that is; women, BAME, LGBT+, young people and people with disabilities.
3. Work continue to be undertaken towards achieving the Local Council Gold Quality Award.

On a vote the amendment was lost.

Vote; Four in favour. Six against. One abstention.

A vote was then taken on the substantive motion and it was

RESOLVED that this item be deferred to the Penzance Council meeting due to take place on 9 September 2024 in order to allow full consideration of the potential resource implications, methods of feedback and other potential 'hard to reach' communities.

(Proposed: Councillor McKenna; seconded: Councillor Jackson)

Vote; Nine in favour. Three abstentions.

f) Relocation to Market House

As the Mayor had declared a non-registerable interest in relation to this item and was

required to leave the meeting, it was necessary to elect a Chair for the duration of the item's consideration.

Following consideration, it was unanimously

RESOLVED that Councillor Jackson be elected as Chair for the duration of this item's consideration.

(Proposed: Councillor Davis; seconded: Councillor McKenna)

Councillor Jackson thereupon took the chair.

The Council had received considerable feedback from a wide range of residents on the importance and need to maintain an accessible face to face service. As more and more agencies moved to automated and online services, the need for Penzance Council to provide accessible support both at the present time and in the future was heightened.

A potential relocation of the 'face to face' service to Market House would provide a further opportunity to take accessible support into the key civic building in the heart of the town centre and would be supported by service users. It was proposed that the Corporate Services team and the reception administration team were relocated, while the Penlee Centre was maintained as accommodation for the Leisure and Amenities Team and to address the accommodation needs of the Penlee House Gallery and Museum.

Although there were no immediate budget implications involved in developing the plans, formal approval in principle was sought for the proposed relocation, to confirm staff resources in developing the detailed plans and for future budget setting.

Following consideration, it was

RESOLVED that

1. The relocation of Penzance Council's reception, face to face services and the Corporate Services team to the lower ground floor of Market House be supported in principle.
2. Detailed service specifications for a revised face to face service be developed and presented to a future meeting of Penzance Council for consideration.
3. Detailed budget proposals and a lease agreement for the lower ground floor be developed and presented to a future meeting of Penzance Council for consideration.

(Proposed: Councillor Power; seconded: Councillor McKenna)

Vote; Ten in favour. Two abstentions.

g) Penzance Anti-Social Behaviour – Hotspot Response Initiative

Further to a successful bid to the Anti-Social Behaviour (ASB) Hotspot Response Fund, Devon and Cornwall's Police and Crime Commissioner had received £1 million from the Home Office to tackle ASB and serious violence in key locations across the peninsula. An additional £200,000 from the Commissioner would bolster the fund, maximising the number of community patrols across Devon and Cornwall.

Sixteen hotspot areas had been identified by analysing crime data for serious violence and anti-social behaviour during the preceding year. The hotspot areas in Cornwall were Truro, Newquay, Penzance, Camborne and St Austell and these areas would receive funding for uniformed high-visibility community patrols, such as street marshals or street rangers, providing additional uniformed high-visibility patrols in designated areas within the selected towns.

The Penzance Business Improvement District had agreed to act as Accountable Body for the grant and, collectively, the Partnership was working to roll out the additional patrols alongside targeted Police and ASB Officer Patrols as quickly as possible.

It was requested that authority be delegated to the Town Clerk to work in partnership with Devon and Cornwall Police, Cornwall Council's Community Safety team and the Penzance Business Improvement District to enter into negotiations and jointly deliver and manage the Penzance Anti-Social Behaviour Hotspot Initiative. The results of the initiative would then inform additional proposals for Penzance Council's future budget setting process.

Following consideration, it was unanimously

RESOLVED that

1. Authority be delegated to the Town Clerk to work in partnership with Devon and Cornwall Police, Cornwall Council's Community Safety team and the Penzance Business Improvement District to jointly deliver and manage the Penzance Anti-Social Behaviour Hotspot Initiative on behalf of Penzance Council.
2. Authority be delegated to the Town Clerk to develop additional proposals to strengthen and maintain a partnership response to Anti-Social Behaviour issues, based on the evaluation of the initiative's impact, to inform Penzance Councils future budget setting process.

(Proposed: Councillor Pengelly; seconded: Councillor Young)

h) Workplace Travel Grant

Cornwall Council had announced the opportunity for organisations to apply for Workplace Travel Grants for up to £5,000. This funding was intended to help workplaces expand travel choices and reduce car use. The grant could be for facilities and equipment such as cycle parking shelters, car share parking spaces or pool bikes.

The Workplace Travel Grant was working in association with the Active Travel Social Prescribing Fund, which meant that there was additional funding available to support projects in Bodmin, St Austell and Penzance.

Following an informal meeting of the Climate Emergency Sub-Committee held on 6 June, agreement was sought to develop a Workplace Travel Grant application to support the purchase of a pool electric bike and additional secure cycle storage.

A minimum of 25% match funding was required for applications and approval of a budget of up to £2,500 from the Climate Emergency Support Budget was therefore requested.

Following consideration, it was

RESOLVED that

1. The further development and submission of a Workplace Travel Grant application be supported.
2. Authority be delegated to the Town Clerk, following consultation with Members of the Climate Emergency Sub-Committee, to develop and submit said application.
3. A budget of up to £2,500 from the Climate Emergency Support Budget be allocated as Penzance Council match funding towards the Workplace Travel Grant Application for sustainable transport.

(Proposed: Councillor McKenna; seconded: Councillor Power)

Vote; Ten in favour. Two against.

i) Princess May Recreation Ground CIC – Service Level Agreement

The long-standing devolved transfer of Princess May Recreation Ground was drawing to a conclusion, with the legal transfer of the site due to complete during the week commencing 15 July 2024. This would finalise Penzance Council's historic open space devolution programme and would trigger the receipt of a £60,000 'Devolution Grant' from Cornwall Council upon completion.

In order to maintain an operational plan for Princess May Recreation Ground for the remainder of the financial year, whilst commencing community consultation on potential development and improvement in the longer term, a Service Level Agreement

with Princess May Recreation CIC had been developed for the remainder of the financial year.

The proposed Service Level Agreement identified the obligations for the CIC in terms of supporting operational maintenance of the site, specifically with reference to site maintenance, green space management, waste, litter picking, dog fouling and events and was underpinned with clear expectations in terms of management requirements and health and safety.

The financial implications of the Service Level Agreement required a payment from the 'Devolution' earmarked reserve, via a newly created budget line, for £27,750. £16,500 was for capital expenditure to fund the purchase of a new mower and secure storage containers and £11,250 was expenditure to meet the revenue costs associated with the delivery of the obligations set out in the Service Level Agreement for the remainder of the financial year.

In addition, during the legal due diligence work undertaken to finalise the lease, Section 106 funding, specifically linked to Princess May Recreation Ground, to the value of £35,930.15 was identified. The Town Clerk had met with Cornwall Council's Section 106 lead and sought approval to progress an application to draw down the funding to contribute to planned improvements.

Following consideration, it was unanimously

RESOLVED that

1. The Service Level Agreement between Princess May Recreation CIC (PMR CIC) and Penzance Council for the 24/25 Financial Year, as set out at Appendix 1 to the report, be approved.
2. In accordance with said Service Level Agreement, the use of £27,750 from the Devolution Earmarked Reserve be approved in order to effect the associated payment to the Princess May Recreation CIC.
3. The creation of a new budget line entitled 'Princess May Rec CIC' (1320/10) be approved.
4. An application be made for £35,930.15 of Section 106 funding, specifically for improvements to Princess May Recreation Ground.

(Proposed: Councillor McKenna; seconded: Councillor Tonner)

(Councillor Durrant was not present for this item.)

37. REPORTS FOR INFORMATION

The following report for information was noted:-

a) Councillors' Attendance at Meetings

38. REPORTS FROM OUTSIDE BODIES

No reports from representatives to Outside Bodies had been received.

39. CONFIDENTIAL REPORTS FROM COMMITTEES FOR DECISION

Arts and Culture Committee

a) Golowan Festival Tendering Documents

The celebration of the midsummer solstice and the Feast of St. John with bonfires, flaming tar barrels and burning torches was widespread in Cornwall until the late nineteenth Century. Penzance was one of the last towns to lose this tradition in the 1890s. In 1991, the tradition was revived and over time grew from a one-day celebration, Mazy Day, to a week-long event, the Golowan Festival, culminating in the Mazy Day weekend.

Golowan was managed by the community until 2007, when Penzance Council stepped in on a temporary basis due to financial difficulties. Since then, the Council had continued to provide financial assistance in support of the festival because of its importance to the local community. However, in the long term it was envisaged that, with guidance, it would become self-sustainable.

The previous Service Level Agreement maintaining financial support from Penzance Council would expire after completion of the 2024 festival. In accordance with regulations, the Council needed to advertise for community groups interested in applying to deliver the Golowan Festival. To assist with this, a description of the festival, its aims and its key deliverables had been drafted ahead of publication on the government's Contracts Finder Website, along with the Application Form, and these were set out at Appendices 1 and 2 to the report.

The proposed timescales associated with the procurement process were set out within the report.

Following consideration, it was unanimously

RESOLVED that the Golowan Festival tendering documents, as set out in Appendices 1 and 2 to the report, be approved and issued for public tender.

(Proposed: Councillor McKenna; seconded: Councillor Young)

(Councillors Pengelly and Tonner were not present for this item.)

Finance and General Purposes Committee

b) Arrangements for Maternity Cover

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

Following consideration, it was unanimously

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

(Proposed: Councillor Reynolds; seconded: Councillor Young)

40. MATTERS ARISING FOR REPORT AT THE NEXT MEETING

As Item 11(e), 'Establishment of Community of Interest Focus Groups as Part of the Community Engagement Strategy', had been deferred earlier during the meeting, this matter would now be considered at the meeting scheduled to take place on 9 September 2024.

The meeting closed at 9:21 pm

Town Mayor

9 September 2024