



PENZANCE COUNCIL

PENLEE CENTRE
PENLEE PARK
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TOWN CLERK: JAMES HARDY

5 November 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 11 November 2024 at 7.00 pm to discuss the business set out in the Agenda below.

A handwritten signature in black ink that reads "James Hardy".

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 9 September 2024
8. To Receive Questions from Members of which Prior Written Notice has Been Given (SO No.17)
9. To Note the Minutes of the Following Committee Meetings
 - (a) Planning Committee – 18 September, 9 October and 30 October 2024
 - (b) Arts and Culture Committee – 30 September 2024
 - (c) Leisure and Amenities Committee – 7 October 2024
 - (d) Finance and General Purposes Committee – 21 October 2024
10. Reports from Committees for Decision

Finance and General Purposes

 - (a) Application for Grant – Montol Festival CIC
 - (b) Application for Grant – Newlyn Harbour Lights
 - (c) Princess May Recreation Ground – Post Devolution Repairs
 - (d) Penzance and Newlyn Youth Project Funding and Service Level Agreement
11. Reports for Decision
 - (a) Appointments to Committees
 - (b) Appointment of Member to Outside Body – The Newlyn Archive
 - (c) Penzance Council Risk Register
 - (d) Fees and Charges Review
 - (e) Report of the External Auditor for the Year Ending 31 March 2024
 - (f) Appointment of Internal Auditor for 2024/25
 - (g) Reallocation of Funds for the Replacement and Repair of the Penlee House Roof

- (h) Virement from the Elections Reserve to Meet the Expenditure for Two Byelections
- (i) Rescission and Amendment to Resolution – Voluntary Tourism Investment Scheme Feasibility Study
- (j) Rescission and Amendment to Resolution – Princess May Recreation Ground CIC – Service Level Agreement
- (k) Urgent Decision Taken in Accordance with Financial Regulation 5.18 – Utilities for Penzance Food Festival
- (l) Establishment of Community of Interest Focus Groups as Part of the Community Engagement Strategy
- (m) Statement on Central Government Devolution

12. Reports for Information

- (a) Councillors' Attendance at Meetings
- (b) Service Level Agreement Update Reports

13. Reports from Outside Bodies - for Information

- (a) Penzance and District Tourism Association
- (b) Penzance Civic Society
- (c) Larger Councils Committee of CALC
- (d) Penzance BID
- (e) Penzance / Concarneau Twinning Association
- (f) Penwith Community Area Partnership

14. Confidential Reports for Decision

- (a) Award of Contract to Deliver the Golowan Festival 2025-2027
- (b) Notice of Termination of Lease
- (c) Penzance Town Centre Anti-social Behaviour – Hotspot Response Initiative Update
(to follow)

15. Matters Arising for Report at Next Meeting

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)
W Elliott (Deputy Mayor)

MJ Beveridge	J McKenna
SJ Bosworth	PI Osborne
NC Broadhurst (until 8.12 pm)	NG Pengelly (from 8.10 pm)
NA Davis	J Power
JM How	SJ Reed
B Jackson	R Sorrell
Z Lawlor	P Young

Also present: James Hardy (Town Clerk) and Elliot Ridington (Democratic Services Officer).

41. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Marrington and Tonner.

Councillor S Elliott was absent without having provided apologies.

42. DECLARATIONS OF INTEREST

There were no declarations of interest.

43. TO APPROVE WRITTEN REQUESTS FOR DISPENSATION

No requests had been submitted.

44. PUBLIC PARTICIPATION TIME

There was no public participation.

45. CORNWALL COUNCILLORS' REPORTS**Councillor Dwelly**

Councillor Dwelly had provided his apologies for the meeting and so no update was provided.

Councillor George

Councillor George had provided his apologies for the meeting and so no update was provided.

Councillor Marrington

Councillor Marrington had provided her apologies for the meeting and so no update was provided.

Councillor McKenna

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

- i) The newly introduced waste and recycling arrangements continued to cause problems for a number of residents and approximately 130 people had contacted him so far. He had been able to resolve roughly 80 of the complaints but there continued to be a number of issues experienced, particularly among elderly people.
- ii) With reference to housing, he was currently supporting a Livewest tenant whose accommodation was in a poor state of repair, with the landlord reluctant to meet its responsibilities to make the necessary improvements. In addition, he was currently supporting some residents who had been threatened with 'no fault' evictions.
- iii) There seemed to be less anti-social behaviour to report than had been the case at recent meetings but graffiti continued to represent a problem in some parts of the town.
- iv) He had recently had some success in ensuring that two untaxed, abandoned vehicles were removed from roads in the area and was also dealing with six planning enforcement cases at present.
- v) Progress continued to be made on the construction of the new outpatients department at West Cornwall Hospital and a neighbouring residents meeting was due to be held in the near future.

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

There were no confidential items for consideration.

47. TO CONFIRM THE MINUTES OF THE PENZANCE COUNCIL MEETING HELD ON 15 JULY 2024

Following consideration, it was

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

(Proposed: Councillor Davis; seconded: Councillor Sorrell)

Vote; Fourteen in favour. Two abstentions.

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

No questions had been submitted.

49. TO NOTE THE MINUTES OF THE FOLLOWING COMMITTEE MEETINGS

Members noted the Minutes of the following Committees:-

- (a) Planning Committee – 17 July, 7 August and 28 August 2024
- (b) Arts and Culture Committee – 29 July 2024
- (c) Leisure and Amenities Committee – 5 August 2024
- (d) Personnel Committee – 12 August 2024
- (e) Finance & General Purposes Committee – 19 August 2024

50. REPORTS FOR DECISION

a) Appointments to Committees

At the byelection held on 22 August 2024, Penny Osborne and Simon Reed were elected as Councillors for the Newlyn and Mousehole Ward.

Having been elected, it was necessary to appoint Councillors Osborne and Reed to committees and, following discussions, Councillors Osborne and Reed had requested that they sit on the Committees set out within the recommendations contained in the report. However, since the Agenda had been published, Councillor Osborne had requested that she sit on the Finance and General Purposes Committee instead of the Planning Committee.

Once appointed, the Terms of Reference for each of these Committees would need to be amended to reflect the changes in their membership numbers and further amendments would need to be made to accommodate the seats which were previously held by Councillor Durrant.

Following consideration, it was unanimously

RESOLVED that

1. Councillor Osborne be appointed to the Finance and General Purposes and Leisure and Amenities Committees.
2. Councillor Reed be appointed to the Arts and Culture and Leisure and Amenities Committees.
3. The Terms of Reference for Committees be amended to reflect their current

membership numbers.

(Proposed: Councillor McKenna; seconded: Councillor Broadhurst)

b) Appointment of Members to the Penlee Partnership Group

The Penlee Partnership Group was established in early 2023 and aimed to develop clear and transparent arrangements between Penzance Council and the Friends of Penlee House, predominantly in relation to the levels of assistance and support provided by both parties towards sustaining and developing Penlee House Gallery & Museum and its cultural offer to the wider community.

The Friends of Penlee House had recently become a Charitable Incorporated Organisation and had dissolved its committee. Therefore, Councillor representation on the committee was no longer possible and, instead, Councillors were requested to attend the Penlee Partnership Group.

The Penlee Partnership group met four times per year and it was proposed that up to six Councillors, including the Chair and Vice-Chair of the Arts & Culture Committee, join the group.

Following consideration, it was

RESOLVED that, in addition to the Chair and Vice-Chair of the Arts and Culture Committee, the following Members be appointed to the Penlee Partnership Group:-

- i) Councillor Bosworth
- ii) Councillor Jackson
- iii) Councillor Young

(Proposed: Councillor Reynolds; seconded: Councillor Lawlor)

Vote; Fifteen in favour. One abstention.

c) Penzance Anti-Social Behaviour – Hotspot Response Initiative Update

At the meeting of Penzance Council held on 15 July 2024, authority was 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 (PZ BID), to enter into negotiations and to jointly deliver and manage the Penzance Anti-Social Behaviour (ASB) Hotspot Initiative.

The report provided an update in relation to the progress made and actions taken.

Following consideration, it was unanimously

RESOLVED that



1. The Penzance Anti-Social Behaviour Hotspot Response Initiative update be received and noted.
2. A further Anti-Social Behaviour focussed informal meeting of Penzance Council be agreed and established to inform Penzance Councils future budget setting process.

(Proposed: Councillor McKenna; seconded: Councillor Broadhurst)

d) Penlee Coach House Redevelopment – Progress and Next Steps

Penzance Council had been awarded funding of £250,000 from the Penzance Town Deal Enterprise Fund to convert the Coach House in Penlee Park into a new café/restaurant. The funding represented 48.08% of the total project cost, with the remaining £269,915 committed by Penzance Council, at its meeting held on 11 September 2023, from various Arts and Culture reserves and underspends in a number of budgets during 2023/24, predominantly realised as a result of the significant increases in the costs of energy at the time the 2023/24 budget was approved.

The report went on to provide information in relation to the project's aims, milestones, governance and finances.

Following consideration, it was

RESOLVED that

1. The background, aims and revised project milestones associated with the Penlee Coach House redevelopment, as set out in the report, be noted.
2. Authority be delegated to the Town Clerk, following consultation with a Project Delivery Group consisting of the Mayor, the Chair of Arts & Culture Committee, the Chair of Finance & General Purposes Committee and the Chair of the Leisure & Amenities Committee, to manage the Penlee Coach House redevelopment project.
3. A project specification, including detailed construction plans, landscaping plans and any other necessary documentation, be commissioned and approved by the Town Clerk following consultation with the Project Delivery Group referred to in (2.) above.
4. Upon its completion and approval, said project specification be released for public tender in order to procure (a) contractor(s) for the redevelopment project.
5. Authority be delegated to the Town Clerk, following consultation with the

Project Delivery Group referred to in (2.) above, to, upon the conclusion of the public procurement exercise, appoint (a) contractor(s) to deliver the redevelopment project.

6. Should it be necessary, authority be delegated to the Town Clerk, following consultation with the Project Delivery Group referred to in (2.) above, to submit (a) revised planning application(s) to the Local Planning Authority to take into account any amendments which might be required as a result of the detailed construction and landscaping plans.
7. A virement of up to £20,000 be made from the Coach House Refurbishment Fund earmarked reserve, currently standing at £269,915, to the Coach House, Capital Refurbishment budget (4100/7/5) to fund the revised project planning and procurement process set out above, including the procurement of any specialist advice deemed necessary.
8. Progress updates be provided at each ordinary meeting of the Arts and Culture Committee.

(Proposed: Councillor How; seconded: Councillor Beveridge)

Vote; Fourteen in favour. One against. One abstention.

e) Penlee House Learning Centre Feasibility Study

At its meeting held on 18 March 2024, the Arts and Culture Committee resolved that a brief be developed for a consultant to undertake a feasibility study into a new Learning Centre in Penlee Park as the redevelopment of the Coach House would displace the Learning Activity which currently took place in this building and an alternative site was therefore required.

The draft brief was subsequently developed and presented to the Penlee Masterplan Working Group on 20 June 2024 and feedback from the Group had since been incorporated, which was set out at Appendix 1 to the report.

It was agreed that the feasibility study would be more effective if options for sites for the proposed centre were provided to the consultants undertaking the work. The Masterplan Group therefore recommended a number of sites and these were detailed within the report.

The Penlee Masterplan Working Group was initially established by the Arts and Culture Committee but, as the work of the Group had developed, there had been areas of crossover with the Leisure and Amenities Committee, meaning that it had been necessary to incorporate Members from both. As the membership spanned two separate Committees, it was requested that this membership was confirmed by Penzance Council.

Following consideration, it was unanimously

RESOLVED that

1. The proposed brief for the procurement of a contractor to undertake a feasibility study for a new Penlee House Learning Centre, as set out at Appendix 1 to the report, be approved
2. The proposed sites for the feasibility study, as set out in the report, be approved.
3. It be noted that the funding for said feasibility study will be met by the Friends of Penlee House.
4. The representatives from the Arts and Culture and Leisure and Amenities Committees, as set out in the report, be confirmed as Members of the Penlee Masterplan Working Group.
5. Authority be delegated to the Town Clerk, following consultation with the Penlee Masterplan Working Group, to award the contract for said feasibility study once quotes have been received.

(Proposed: Councillor Power; seconded: Councillor Beveridge)

51. REPORTS FOR INFORMATION

The following report for information was noted:-

- a) Councillors' Attendance at Meetings

52. REPORTS FROM OUTSIDE BODIES

Reports from a representative to the following Outside Bodies were noted:-

- a) Cornwall Association of Local Councils – Larger Councils Committee
- b) Penzance BID
- c) Penzance / Concarneau Twinning Association
- d) Penzance / Cuxhaven Twinning Association
- e) Penwith Community Area Partnership

53. MATTERS ARISING FOR REPORT AT THE NEXT MEETING

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

The meeting closed at 8:13 pm



Town Mayor
11 November 2024

DRAFT