



PENZANCE COUNCIL

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TOWN CLERK: JAMES HARDY

7 January 2025

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 13 January 2025 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 11 November 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 – 20 November and 11 December 2024
 - (b) Arts and Culture Committee – 25 November 2024
 - (c) Leisure and Amenities Committee – 2 December 2024
 - (d) Finance and General Purposes Committee – 16 December 2024
10. Reports from Committees for Decision
Finance and General Purposes
 - (a) Three Phase Electrical Supply – Penlee Park
 - (b) Future Devolution and Cornwall Council Assets
11. 2025/26 Budget and Precept Setting
 - (a) Arts and Culture Projected 2024/25 Outturn and Proposed 2025/26 Budget
 - (b) Leisure and Amenities Projected 2024/25 Outturn and Proposed 2025/26 Budget
 - (c) Finance and General Purposes Projected 2024/25 Outturn and Proposed 2025/26 Budget
 - (d) 2025/26 Precept Setting
12. Reports for Decision
 - (a) Interim Internal Audit Report 2024/25

13. Reports for Information

- (a) Councillors' Attendance at Meetings
- (b) Outcome of Code of Conduct Complaint Received

14. Reports from Outside Bodies - for Information

- (a) Penwith 50+ Forum

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 11 November 2024 at 7:00 pm.

PRESENT

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

MJ Beveridge	TS Marrington (until 8.01 pm)
SJ Bosworth (until 8.44 pm)	J McKenna
NC Broadhurst	PI Osborne
NA Davis	NG Pengelly
JM How	SJ Reed
B Jackson	R Sorrell
PA Law	P Young
Z Lawlor	

Also present: Cal Bagshaw (Corporate Services Manager), Ben Brosgall (Leisure and Amenities Manager), Anna Renton (Director, Penlee House), Talan Richards (Finance Officer) and Elliot Ridington (Democratic Services Officer).

54. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Power and Tonner.

Councillor S Elliott was absent without having provided apologies.

55. DECLARATIONS OF INTEREST

In accordance with the Councils Code of Conduct:-

Councillor Broadhurst declared non-registerable interests in Agenda Items 10(a) and 14(a) 'Application for Grant – Montol Festival CIC' and 'Award of Contract to Deliver the Golowan Festival 2025-2027' as she was a member of the respective organisations. She therefore left the meeting for the duration of these items.

Councillor Pengelly declared disclosable pecuniary interests in Agenda Items 10(a), 11(k) and 14(a) 'Application for Grant – Montol Festival CIC', 'Urgent Decision Taken in Accordance with Financial Regulation 5.18 – Utilities for Penzance Food Festival' and 'Award of Contract to Deliver the Golowan Festival 2025-2027' as he supplied professional services to the respective organisations. He therefore left the meeting for the duration of these items.

56. TO APPROVE WRITTEN REQUESTS FOR DISPENSATION

No requests had been submitted.

57. PUBLIC PARTICIPATION TIME

There was no public participation.

58. CORNWALL COUNCILLORS' REPORTSCouncillor 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 but had provided a written report to the Mayor which he then read on his behalf. The report was as follows:-

'I apologise that I'll not be able to attend tomorrow evening's Council meeting in Penzance, as I will be in Parliament.

As you know, I've recently visited West Cornwall Hospital to meet the CEO and senior clinicians to press the case for the reinstatement of a 24/7 Urgent Treatment Centre, but on a clinically sound and sustainable basis. That work will continue. It's not easy and, although there's sympathy and support, there are many practical challenges to overcome.

You should have a copy letter following up previous efforts made to invest and reinstate Heabrook Parc Playing Field. I hope that that is self-explanatory and that this will help.

Needless to say, I've been closely consulted on the plans for Extra Care housing on the former Social Services offices and The John Daniel Centre.

Similarly, as a former volunteer with the street food project I've been consulted and involved in the relocation of that project to the former John Daniel Centre on an interim basis.

There's more which the Mayor and I need to follow up regarding safe pedestrian and traffic management in both Heamoor and Gulval and in particular around Mounts Bay Academy.

I'm pleased to support The Mayor's initiative regarding the message from fellow larger Councils on the government's plans for devolution.

If there are any further questions on these or other matters please get in contact.'

Councillor Marrington

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

- i) The consultation exercise regarding potential solutions for traffic issues in Newlyn was ongoing and a number of responses had been received. She now awaited meetings in order to consider the responses.
- ii) The feasibility study regarding traffic issues in Mousehole was ongoing but, unfortunately, had experienced some delays.
- iii) The 16 days of Activism to raise awareness of Violence Against Women and Girls was due to commence shortly and the walking vigil would take place on Monday 25 November 2024. Members would be kept updated by email.

Councillor McKenna

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

- i) He had met residents of the new housing estate at St Clare as the developers were shortly due to leave the site despite there still being a number of issues which required resolution. A management company had been established to manage the site but had so far been unhelpful in addressing the issues, leading to the recent formation of a residents' association.
- ii) He had recently attended an Overview and Scrutiny Committee meeting which was considering the 2025/26 budget and had been successful in dissuading the authority from reducing the Violence Against Women and Girls budget by £18,000. He could also confirm that Cornwall Council would be charging 200% council tax on all second homes.
- iii) He had attended an extraordinary Cornwall Council meeting to consider a vote of no confidence in the Leader of Cornwall Council which had been lost.
- iv) The green wheely bins which had been left behind on Chapel Street since the introduction of the new waste and recycling system had now finally been removed, along with others on Queens Street and the Alverton estate.
- v) Cornwall Council had recently advertised the shelters on Penzance promenade for public tender but, following a number of concerns raised, he had been successful in ensuring that these were removed from the tendering exercise, on the basis that another pitch might be advertised elsewhere on the promenade if necessary.

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

In respect of Agenda Items 14(a), 14(b) and 14(c), 'Award of Contract to Deliver the Golowan Festival 2025-2027', 'Notice of Termination of Lease' and 'Penzance Town Centre Anti-social Behaviour – Hotspot Response Initiative Update', it was unanimously

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

(Proposed: Councillor Beveridge; seconded: Councillor Lawlor)

60. TO CONFIRM THE MINUTES OF THE PENZANCE COUNCIL MEETING HELD ON 9 SEPTEMBER 2024

Following consideration, it was

RESOLVED that the Minutes of the Penzance Council meeting held on 9 September 2024 be approved as true and accurate record and signed by the Chair, subject to page 32 being amended to state that the meeting took place on 9 September 2024 and not 15 July 2024.

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

Vote; Sixteen in favour. One abstention.

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

No questions had been submitted.

62. TO NOTE THE MINUTES OF THE FOLLOWING COMMITTEE MEETINGS

Members noted the Minutes of the following Committees:-

- (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 & General Purposes Committee – 21 October 2024

63. REPORTS FROM COMMITTEES FOR DECISION

Finance and General Purposes

- a) Application for Grant – Montol Festival 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 unanimously

RESOLVED that a grant of £5,000 be awarded from the General Grants Budget to Montol Festival CIC for the project: 'Montol 2024'.

(Proposed: Councillor Reed; seconded: Councillor McKenna)

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

b) Application for Grant – Newlyn Harbour Lights

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 £6,000 be awarded from the General Grants Budget to Newlyn Harbour Lights for the project: 'Christmas Lights Switch On', on the condition that either Option 2 or 3 within firework quotes, contained within Appendix 1 to the report, is selected for a quieter display.

(Proposed: Councillor Bosworth; seconded: Councillor Davis)

c) Princess May Recreation Ground – Post Devolution Repairs

The transfer of Princess May Recreation Ground had concluded and the site, its safety and the safety of its users was now the responsibility of Penzance Council.

A number of inspections had been undertaken on site, taking into account the condition and safety of a number of site elements such as the skate park and play equipment.

A number of defects were present on site following its transfer and it was therefore recommended that engagement with industry specialists took place to identify and implement a prioritised repair and replacement programme to address safety concerns.

Following consideration, it was unanimously

RESOLVED that

1. Upon its receipt, a virement of the £60,000 'devolution payment' from Cornwall Council be made from income line 399 'Miscellaneous' to the Princess May Recreation Ground earmarked reserve.
2. The use of up to £60,000 from the Princess May Recreation Ground earmarked reserve be approved to address safety concerns on site.

(Proposed: Councillor Marrington; seconded: Councillor Broadhurst)

d) Penzance and Newlyn Youth Project Funding and Service Level Agreement

At its meeting held on 16 January 2023, Penzance Council supported an initial grant of £5,000 towards the development of a Penzance and Newlyn Youth Project with a further extension of funding, to the value of £10,000, granted in August 2023 on the

understanding that any future funding would be on the basis of a future Service Level Agreement.

The Town Clerk had worked with the Penzance and Newlyn Youth Project to develop a detailed service level agreement which was set out as an appendix to the report.

The proposed service level agreement was based on Penzance Council providing £20,000 per annum for two years towards an £80,000 total budget:-

• Project Management -	£12,000
• Sessional Lead Youth Worker -	£3,400
• Sessional Youth Worker -	£3,000
• Materials -	£1,600
TOTAL	£20,000

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

- i) A concern was raised that, despite being referred to as the Penzance and Newlyn Youth Project, it was understood that the service was no longer being provided in Newlyn as had been the case previously. Young people in Newlyn would not now necessarily be travelling to Penzance to access the service and an assurance was sought that every effort would be made to address the issue in future.
- ii) The report stated that *'the volume of young people regularly attending reinforces the need for the continuation'*. However, no information had been provided regarding the actual numbers of young people who were accessing the service and it was therefore requested that this information be supplied to the Council on a regular basis in order to measure the project's success.
- iii) It was suggested that the 'End of Financial Year Report', referenced in paragraph 7.1(a) of the proposed Service Level Agreement, should also include Equality, Diversity and Inclusion monitoring statistics in order to ensure that all groups were able to access the service.

Following consideration, it was

RESOLVED that

1. Subject to the consideration and approval of a corresponding Service Level Agreement, a virement of £10,000 be made from the Youth Strategy Earmarked Reserve (3995/9) to spend against the Youth Activities Budget (3225) to support the continued delivery of the Penzance and Newlyn Youth Project for a period of six months.

Vote; Unanimous.

2. An item be added to the Finance and General Purposes 2025/26 draft budget to allow for the consideration of further financial support to the Penzance and Newlyn Youth Project through the continuation of said Service Level



Agreement.

Vote; Unanimous.

3. The Service Level Agreement referred to above, as set out at Appendix 1 to the report, be approved and signed by the Town Mayor and Town Clerk on behalf of Penzance Council, subject to paragraph 7.1(a) being amended to read '*End of Financial Year Report – an End of Financial Year report, including Equality, Diversity and Inclusion monitoring statistics, should be provided and;*'.

Vote; Thirteen in favour. Three against. One abstention.

(Proposed: Councillor Beveridge; seconded: Councillor Broadhurst)

64. REPORTS FOR DECISION

a) Appointments to Committees

At the byelection held on 24 October 2024, Peter Andrew (known as Andy) Law was elected as Councillor for the Penzance East Ward.

Having been elected, it was necessary to appoint Councillor Law to committees and, following discussions, Councillor Law had requested that he sit on the Arts and Culture and Leisure and Amenities Committees.

Once appointed, the Terms of Reference for these Committees would need to be amended to reflect the changes in their membership numbers.

Following consideration, it was unanimously

RESOLVED that

1. Councillor Law be appointed to the Arts and Culture and Leisure and Amenities Committees.
2. The Terms of Reference for Committees be amended to reflect their updated memberships.

(Proposed: Councillor Beveridge; seconded: Councillor Broadhurst)

b) Appointment of Member to Outside Body – The Newlyn Archive

The appointments to outside organisations for 2024/25 were made at the Annual Council meeting held on 7 May 2024. However, no appointment was made to the Newlyn Archive Group and this outside organisation had therefore operated without a Council representative since that time.

Following the byelection in the Newlyn and Mousehole Ward on 22 August 2024, Councillors Osborne and Reed were contacted to ascertain if either would be prepared to represent the Council on this group and it was mutually agreed that Councillor Reed would act as representative.

It was therefore recommended that Penzance Council ratify the appointment of Councillor Reed to the Newlyn Archive.

Following consideration, it was unanimously

RESOLVED that Councillor Reed be appointed as the Council's representative on the Newlyn Archive.

(Proposed: Councillor Broadhurst; seconded: Councillor Marrington)

c) Penzance Council Risk Register

The regular review of Penzance Council's Risk Register had been completed and had been updated in line with national guidance. Following a detailed review by Penzance Council's Corporate Management Team, the document now contained a more realistic and manageable reflection of the Council's risk status and focus.

The risk management strategy has also been reviewed to drive an enhanced approach to risk management.

Service leads for each area and activity were responsible for maintaining relevant sections of the register, alongside their respective operational risk assessments and management processes. Where elevated risks were identified, these were further developed through a Risk Management Action Plan.

The updated Risk Register and revised Risk Management Strategy were set out as appendices to the report and were presented for adoption.

Following consideration, it was unanimously

RESOLVED that

1. The updated Penzance Council Risk Register, as set out at Appendix 1 to the report, be noted and adopted.
2. The revised Risk Management Strategy, as set out at Appendix 2 to the report, be approved and adopted.

(Proposed: Councillor Broadhurst; seconded: Councillor Bosworth)

d) Fees and Charges Review

The Council's Financial Regulations prescribed that fees and charges for Council services were reviewed annually. The report set out the areas of income for which the Arts and Culture and Leisure and Amenities Committee held responsibility, along with recommendations from the respective budget holders as to the proposed scales of fees and charges.

During the debate, reference was made to the parking charges levied in Wellfields Car Park and that, in order to review the parking order, a cost would be experienced, with the last parking order having resulted in a cost of approximately £6,000. It was therefore requested that an exercise be undertaken to consider increases in parking charges and that any potential increases be considered on the basis of offsetting the costs associated with a new parking order.

In accordance with Standing Order 4(p), Councillor Broadhurst requested that the vote on this item be recorded and then further requested that each recommendation be considered separately.

Following consideration, it was

RESOLVED that

1. The fees and charges which fall within the purview of the Arts and Culture Committee, as set out in Appendix 1 to the report, be adopted from 1 April 2025 and used to inform the draft budget for 2025/26.

Vote; Councillors Beveridge, Broadhurst, W Elliott, Jackson, How, Law, Lawlor, Marrington, McKenna, Osborne, Pengelly, Reed, Reynolds and Young in favour. Councillors Bosworth, Davis and Sorrell abstained.

2. The fees and charges which fall within the purview of the Leisure and Amenities Committee, as set out in Appendix 2 to the report, be adopted from 1 April 2025 and used to inform the draft budget for 2025/26.

Vote; Councillors Beveridge, Bosworth, Broadhurst, W Elliott, Jackson, How, Law, Lawlor, Marrington, McKenna, Osborne, Reed, Reynolds, Sorrell and Young in favour. Councillor Pengelly against. Councillor Davis abstained.

(Proposed: Councillor Broadhurst; seconded: Councillor Reynolds)

e) **Report of the External Auditor for the Year Ending 31 March 2024**

The external auditor, BDO LLP, had concluded the external audit of the 2023/24 accounting statements. Their responsibility was to review Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR) in accordance with the Accounts and Audit Regulations 2015

They had confirmed, based on their review of Sections 1 and 2 of the Annual

Governance and Accountability Return, that, in their opinion, the information in Sections 1 and 2 of the AGAR was in accordance with proper practices and no other matters had come to their attention which would give cause for concern.

Following consideration, it was

RESOLVED that the report of the external auditor for financial year ended 31 March 2024, as set out at Appendix 1 to the report, be accepted.

(Proposed: Councillor How; seconded: Councillor Beveridge)

Vote; Sixteen in favour. One abstention.

f) Appointment of Internal Auditor for 2024/25

The Council had now come to the end of its three-year agreement with its internal auditor, Hudson Accounting, and it needed to appoint an independent and competent person to undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes.

It was necessary for the internal auditor to be able to demonstrate independence from the Council's financial decision making and the Clerk, Responsible Finance Officer, any members of staff or Councillors (or close associates such as family members of those individuals) were not considered independent from the Council's financial decision making.

Following the conclusion of the 2023/24 audit, Hudson Accounting had offered a renewal on a year-by-year basis going forward, to be reviewed annually upon completion of that year's audit, and the cost of the service was to remain at £2,500 for this current year's audit, as shown in the proposal set out at Appendix 1 to the report.

Following consideration, it was unanimously

RESOLVED that

1. Hudson Accounting Ltd be appointed as Penzance Council's internal auditor for the financial year 2024/25.
2. The Council confirms that it is satisfied that said internal auditor is independent from the Council's financial decision making.

(Proposed: Councillor Law; seconded: Councillor Beveridge)

(Councillor Broadhurst was not present for this item.)

g) Reallocation of Funds for the Replacement and Repair of the Penlee House Roof

The upgrade of the Penlee House plant was planned for January/February 2025 to save energy and prolong its life. This project was to be funded through the Plant Fund earmarked reserve (4995/1/7) which was augmented with the non-domestic rates rebate received in early 2024. However, following a detailed specification and the advertisement of the opportunity on Contracts Finder, there were no applications from contractors to undertake this work.

Meanwhile, the Penlee House roof condition had worsened significantly, leading to frequent water ingress and damage to the internal fabric of the building. Despite multiple small repairs the deterioration was of increasing concern.

It was therefore recommended to postpone the plant upgrade work to enable the roof works to be undertaken urgently using some of the funds allocated to the plant upgrade.

Further information relating to the proposals was set out within the report.

Following consideration, it was

RESOLVED that

1. A virement of £116,000 be made from the Penlee House Plant Fund earmarked reserve (4995/1/7) to the Penlee House Building Fund earmarked reserve (4995/1/2).
2. Any funds received from the Penlee House Buildings Appeal be transferred into the Penlee House Building Fund earmarked reserve (4995/1/2).
3. The use of up to £180,000 from the Penlee House Building Fund earmarked reserve (4995/1/2) be approved in order to effect the urgent roof and associated works at Penlee House Gallery and Museum, as detailed in the report.
4. It be noted that the Arts and Culture Committee had resolved to procure a specialist contractor to undertake the preliminary work required to progress the roof works (e.g. a full schedule of works, drawings, planning consent if required etc), while also considering other remedial building works which can be completed whilst scaffolding is in place.
5. Once the schedule of works and detailed specification referred to in (4.) above are complete, authority be delegated to the Town Clerk to approve said document(s) and release those associated with the roof works for public tender.
6. Authority be delegated to the Town Clerk to, upon the conclusion of the public tender exercise referred to in (5.) above, appoint (a) contractor(s)



to undertake the roof works.

7. Should it be necessary, authority be delegated to the Town Clerk to seek such planning consents as may be required on behalf of Penzance Council.

(Proposed: Councillor Reed; seconded: Councillor Bosworth)

Vote; Sixteen in favour. One abstention.

Councillor Marrington then left the meeting.

- h) Virement from the Elections Reserve to Meet the Expenditure for Two Byelections

Cornwall Council had provided an invoice for the Newlyn and Mousehole byelection which took place on 22 August 2024, for the sum of £12,966, and a second invoice for the byelection which took place on 24 October 2024 was expected in due course. The estimated cost of the Penzance East byelection was £11,600, but the final costs from Cornwall Council's elections department were still awaited.

Following consideration, it was unanimously

RESOLVED that the use of up to £26,000 from the Elections earmarked reserve to pay for the two by-elections, in the Mousehole and Newlyn Ward in August 2024, and in the Penzance East Ward in October 2024, be approved.

(Proposed: Councillor Bosworth; seconded: Councillor Jackson)

- i) Rescission and Amendment to Resolution – Voluntary Tourism Investment Scheme Feasibility Study

At its meeting held on 15 January 2024 Penzance Council resolved to make a contribution of £5,000 to St Ives Town Council to commission a Voluntary Tourism Investment Scheme Feasibility Study.

Following further discussions with other town and parish councils, agreement was reached that Looe, Penzance and St Ives Town Councils would join the partnership in order to commission the study.

Cornwall Council then announced the re-opening of the Community Capacity Fund which was a funding strand of the UK Shared Prosperity Fund and came under the 'Good Growth Programme.' However, as St Ives and Penzance Councils had received funding under the 'Town Deal' programme, they would be considered a low priority for additional funding.

The lead officer for the Community Capacity Fund therefore advised that Looe Town

Council would be best placed to apply on behalf of the partnership and, subsequently, it had been successful in gaining the requested funding.

As Looe Town Council had taken the lead on this work, it was necessary for Penzance Council's match funding contribution to be paid to Looe, rather than St Ives, Town Council. It is therefore recommended that the Council's decision to pay St Ives Town Council be rescinded and, instead, payment be made to Looe Town Council in order to allow the approved project to progress.

In addition, due to the oversubscription of grants budgets during the 2024/25 financial year, the proportion of the funding which was due to be met from 2024/25 Social Action Grant Budget was subsequently allocated for grants. It was therefore suggested that the 2024/25 contribution, i.e. £1,220, was met from the Community Engagement Budget which stood at £4,664.

Following consideration, it was unanimously

RESOLVED that

1. The following resolution, set out within Minute No. 109(e) – 'Voluntary Tourism Investment Scheme Feasibility Study', agreed by this Council at its meeting held on 15 January 2024, be rescinded, namely:-

'a contribution of £5,000 be made to St Ives Town Council to commission a Voluntary Tourism Investment Scheme Feasibility Study, with a proportion being met from the remaining 2023/24 Social Action Grant Budget of £3,780 and the remaining amount being met from the 2024/25 Social Action Grant Budget.'

2. A contribution of £5,000 be made to Looe Town Council to commission a Voluntary Tourism Investment Scheme Feasibility Study, with a proportion being met from the remaining 2023/24 Social Action Grant Budget of £3,780 and the remaining amount being met from the Community Engagement Budget.

(Proposed: Councillor How; seconded: Councillor Osborne)

- j) Rescission and Amendment to Resolution – Princess May Recreation Ground CIC

At its meeting held on 17 July 2024, Penzance Council 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.*

However, shortly following this meeting the circumstances of the Princess May Recreation CIC changed, following the sad death of Councillor Durrant, impacting upon its ability to deliver the full level of services which had been envisaged in the original Service Level Agreement.

The Town Clerk had therefore been in discussion with the CIC in order to ascertain the levels of service which could be provided by its remaining members and, in light of these discussions, had developed a revised Service Level Agreement which was set out at Appendix 1 to the report.

Further information relating to the proposed recommendations were set out in the report.

Following consideration, it was unanimously

RESOLVED that

1. The following sections of the resolution set out within Minute No. 36(i) – 'Princess May Recreation Ground CIC – Service Level Agreement', agreed by this Council at its meeting held on 17 July 2024, be rescinded, namely:-
 - 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.'*
2. The revised 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 and signed by the Town Mayor and Town Clerk on behalf of Penzance Council.
3. In accordance with said revised Service Level Agreement, the use of



£5,000 from the Devolution Earmarked Reserve be approved in order to effect the associated payment to the Princess May Recreation CIC.

4. It be noted that, in accordance with Financial Regulation 5.18, the Town Clerk exercised his delegated authority to authorise expenditure, to the value of £5,600, to purchase two replacement shipping containers for use by Princess May Recreation CIC, rather than issuing the previously agreed grant funding for the same purpose.
5. A virement of £5,600 be made from the Devolution earmarked reserve to the Princess May Rec CIC budget (1320/10) to meet the costs associated with the expenditure referenced in (4.) above.

(Proposed: Councillor Broadhurst; seconded: Councillor McKenna)

k) Urgent Decision Taken in Accordance with Financial Regulation 5.18 – Utilities for Penzance Food Festival

At its meeting held on 20 May 2024 Penzance Council resolved that:-

1. *Authority be delegated to the Town Clerk, following consultation with the Leisure and Amenities Committee, to enter into discussions and negotiations on behalf of the Council, to support the development and delivery of a Penzance Food Festival in Penlee Park on Friday 13 to Sunday 15 September 2024.*
2. *A virement of £5,000 be made from the Penlee Park Infrastructure Reserve (1995/11) to the Penlee Park Capital Projects Budget (1015/10) to deliver infrastructure improvements for future events in Penlee Park.*

Subsequent to this decision, discussions and work were undertaken and a successful Penzance Food Festival was delivered between 13 and 15 September 2024. However, with reference to (2.) set out above, upon further investigation the virement of £5,000 would not have been adequate in order to deliver the infrastructure improvements necessary in order to deliver a successful festival, i.e. the installation of a new water and three phase electricity supply within Penlee Park.

The Town Clerk subsequently exercised his delegated authority, in line with Financial Regulation 5.18, to approve expenditure to the value of £2,600 in order to provide water and electricity, in the form of quiet generators, for the event.

As this urgent decision was effectively made to meet the cost of utilities, rather than infrastructure improvements, this expenditure now needed to be met in order to rebalance the overspend in the Cultural and General Events budget. It was therefore recommended that a virement was made from the Penlee Park Infrastructure earmarked reserve.

Following consideration, it was unanimously

RESOLVED that

1. It be noted that, in accordance with Financial Regulation 5.18, The Town Clerk exercised his delegated authority to authorise expenditure, to the value of £2,600, to meet the cost of utilities, i.e. energy and water, for the Penzance Food Festival.
2. A virement of £2,600 be made from the Penlee Park Infrastructure earmarked reserve (1995/11) to the Cultural and General Events (4500/2) budget to meet the costs associated with the expenditure highlighted in (1.) above.

(Proposed: Councillor Bosworth; seconded: Councillor Jackson)

(Councillor Pengelly was not present for this item.)

l) **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.

The matter was initially considered by Penzance Council at its meeting held on 15 July 2024. However, consideration was ultimately deferred due to concerns raised that the '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.

In light of these concerns, the recommendations within the report had been amended to take into account the two additional 'harder to reach' communities which were highlighted at the meeting and an additional recommendation had also been included. This additional recommendation (3.) suggested that a Member Champion be appointed for each of the 'harder to reach' communities in order to allow the Focus Groups to be taken forward and would address the concerns raised regarding both the resource implications for the Council and how feedback would be collated.

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

- i) Cornish People were recognised as a national minority by Central Government under the European Framework Convention for the Protection of National Minorities and, bearing in mind that only 17% of people in Cornwall identified as Cornish during the 2021 census, it was suggested that Cornish people should also have been included as a community of interest and therefore be represented by a Member Champion and respective focus group.
- ii) It was highlighted that there were a number of Members who were not present at the meeting and therefore suggested that, rather than making appointments at the meeting, the Town Clerk might seek expressions of interest and make appointments accordingly in order to ensure that all Members could be included if they so wished.
- iii) This item had initially been deferred at the meeting held on 15 July 2024 due to concerns raised regarding the capacity available to deliver the proposed focus groups and the administrative support which would be required. While the report now suggested that Member Champions be appointed in order to take the lead in running the focus groups, there would still be the need for administrative support.

In response, Members were advised that there was no capacity available among officers in order to offer administrative support for the focus groups and so there was concern that, should these groups be established, no resources would be available to develop the processes and frameworks for each Member Champion to follow, in addition to the lack of day to day administrative support which each group would inevitably require in order to function effectively.

It was then further stated that, while the Town Clerk could appoint each Member Champion, it would be important that a Champion was appointed for each and every

'harder to reach community' as, were this not the case, there might be a perception that those communities without representation were being actively discriminated against. It was therefore suggested that the recommendation be amended to stipulate that focus groups only be established when Member Champions had been appointed to represent all of the listed communities of interest.

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

Following consideration, it was

RESOLVED 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, people with disabilities, digitally excluded people, neurodiverse people and Cornish people, subject to Member Champions being appointed to represent each of these individual communities.
3. A Member Champion be appointed for each of the harder to reach communities in order to make the arrangements for, take the lead in and report back from said Focus Groups, and authority be delegated to the Town Clerk to seek expressions of interest and determine each appointment:-

Women:-	Councillor <TBC>
BAME:-	Councillor <TBC>
LGBT+:-	Councillor <TBC>
Young People:-	Councillor <TBC>
People with Disabilities:-	Councillor <TBC>
Digitally Excluded People:-	Councillor <TBC>
Neurodiverse People:-	Councillor <TBC>
Cornish People:-	Councillor <TBC>
4. Work continue to be undertaken towards achieving the Local Council Gold Quality Award.

Vote; Councillors Beveridge, Broadhurst, How, Law, McKenna, Osborne, Reed and Young in favour. Councillors Davis, Jackson, Pengelly, Reynolds and Sorrell against. Councillor Bosworth, W Elliott and Lawlor abstained.

m) Statement on Central Government Devolution

The new government had signalled its intent to embark on a “devolution revolution” to transfer powers to the regions. Cornwall Council, and the Cornish MPs collectively, had expressed their support for a “Cornwall-only” devolution option, rather than a combined authority option such as Plymouth and Cornwall or “Greater South West” region.

In addition, It was felt that it was important for the voices of Cornwall’s town and parish councils to be heard, so the Penzance Town Mayor and Town Clerk took the lead in developing a co-ordinated response, initially through an informal meeting of Mayors and Clerks and then at a meeting of the Larger Councils Committee of Cornwall Association of Local Councils (CALC).

The statement set out at Appendix 1 to the report was the outcome of that process and had been circulated to all Town and Parish councils in Cornwall for approval.

Following consideration, it was

RESOLVED that the position statement regarding central government devolution to Cornwall, as set out at Appendix 1 to the report, be endorsed.

(Proposed: Councillor Reynolds; seconded: Councillor McKenna)

Vote; Fifteen in favour. One abstention.

Councillor Bosworth then left the meeting.

65. REPORTS FOR INFORMATION

The following reports for information were noted:-

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

66. REPORTS FROM OUTSIDE BODIES

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

- 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

67. CONFIDENTIAL REPORTS FOR DECISION

- a) Award of Contract to Deliver the Golowan Festival 2025-2027

At its meeting held on 15 July 2024, Penzance Council resolved that the documents outlining the opportunity to tender for delivery of the Golowan Festival 2025 – 2027 be released for public tender. This action was subsequently taken and the deadline for the receipt of tenders was 20 September 2024.

Only one tender was received and this documentation, from Golowan Festival Community Interest Company, was therefore set out at Appendix 1 to the report. In view of the situation, the scoring panel gave careful consideration to the reasonableness and affordability of Golowan Festival CIC's tender and created, and responded with, the Response to Tender document, which was set out at Appendix 2 to the report.

Following consideration, it was unanimously

RESOLVED that

1. The contract to deliver the Golowan Festival from 2025 – 2027 be awarded to the Golowan Festival Community Interest Company, on the basis of the payments and conditions outlined in the 'Response to Tender' document set out at Appendix 2 to the report, subject to:-
 - (i) Funding being approved by Penzance Council on an annual basis; and
 - (ii) Compliance with a corresponding Service Level Agreement.
2. Authority be delegated to the Town Clerk to develop, approve and implement a detailed Service Level Agreement which reflects the payments and conditions set out in Appendix 2 to the report.
3. Said Service Level Agreement include quarterly reporting in line with the obligations placed upon the Council's other Service Level Agreement providers.

(Proposed: Councillor Law; seconded: Councillor Reed)

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

b) **Notice of Termination of Lease**

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

Following consideration, it was

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

(Proposed: Councillor McKenna; seconded: Councillor Broadhurst)



Vote; Fourteen in favour. One abstention.

c) Penzance Town Centre Anti-social Behaviour – Hotspot Response Initiative Update

Penzance Council previously resolved '*for Authority to 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.*'

Following informal briefings from Devon and Cornwall Police, Cornwall Council's Community Safety Team and the Penzance Business Improvement District on 1 July and 14 October, a number of proposals were now being recommended for consideration as part of the Councils budget setting process and these were set out within the report.

Following consideration, it was

RESOLVED that

1. The dedicated Anti-Social Behaviour Caseworker role be extended for a further twelve months and approval be provided for the contribution set out in the report, i.e. 80% of the costs of the role from 1 June 2025 to 31 May 2026, subject to future consideration within the 2025/26 budget.

Vote; Twelve in favour. Two against. One abstention.

2. Funding of up to £26,250 be approved to maintain delivery of the 'Hot Spot Street Marshal Patrols for 1 April 2025 to 31st March 2026, subject to future consideration within the 2025/26 budget.

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

3. Authority be delegated to the Town Clerk to continue negotiations with the Police and Crime Commissioner and Penzance Business Improvement District and to enter into a contract with Infinitus Security and Training Ltd for the continuation of Hot Spot Street Marshall provision for Penzance.

Vote; Fourteen in favour. One against.

4. Funding of up to £3,000 be approved to support Probation Service delivered graffiti clean ups across the Parish, to be delivered in partnership with Penzance Business Improvement District, subject to future consideration of the 2025/26 budget.

Vote; Twelve in favour. Two against. One abstention.



(Proposed: Councillor Reynolds; seconded: Councillor McKenna)

68. MATTERS ARISING FOR REPORT AT THE NEXT MEETING

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

The meeting closed at 9:09 pm

Town Mayor
13 January 2024

DRAFT