

LEISURE & AMENITIES COMMITTEE, 11 JUNE 2018

REPORT FOR DECISION
HEAMOOR FIELD

Recommendation: -

That the Leisure and Amenities Manager produces a specification of works and sources quotes for required preventative maintenance to the wall on the boundary of Heamoor Field. The quotes should also include provision for improved access requirements to ensure that the Town Council can access and maintain the field in future.

Background: -

Following an inspection of Heamoor Field it was found that a number of stones had fallen out of the Cornish hedge wall on the boundary of the site. A meeting was held with a Cornish Hedge Contractor to assess the damage to the wall and potential routes for rectification. Upon a detailed inspection of the wall it was established that, following several years of neglect, there were now a number of issues with the wall. Due to a lack of hedge maintenance, the growth on the top of the wall was now adding considerable weight to the wall. In addition to this, there is extensive ivy growth over the wall that has become an integral part of the structure and, in a number of places, is holding the wall together.

The contractor commented that the wall was several decades old and, in all likelihood, had not had maintenance carried out on it since its installation. He commented that the wall was originally of very good quality and that the quality of the stone within the wall was very high. His suggestion was that the growth on the top of the wall should be removed, the ivy completely removed and that the wall may then need to be rebuilt in its entirety.

Due to the restricted access into the field it is not currently possible for Penzance Town Council to access the site with their machinery to carry out grass cutting and other maintenance work on the site; this is currently an outsourced contract. It is therefore recommended that quotes be sought to carry out the required hedge work, incorporating a new access which would allow the Town Council truck and trailer to access the site for future cutting and maintenance. This work will involve liaison with Cornwall Council, as it may render the pavement adjacent to wall and field unavailable whilst the works are being carried out.

Ben Brosgall
Leisure and amenities Manager

LEISURE & AMENITIES COMMITTEE
REPORT FOR DECISION
PUBLIC TOILET CLEANING CONTRACT

Recommendation: -

That the Leisure and Amenities Committee authorises the Leisure and Amenities Manager to finalise a draft specification of the next annual cleaning contract to be brought before the next available committee meeting for approval before completing a formal tender process.

Background: -

Extensive research has been carried out to assess the best way for the Town Council to proceed with the procurement of a contractor for the Public Toilet Cleaning Contract.

Following a telephone conference with the Town Clerk and a public-sector procurement specialist, the pros and cons of offering a one or two-year contract were discussed.

The recommendation to the committee is to continue with single year contracts for the next two years with a review to be carried out after this point in time to assess whether any change is required. There are many benefits to the Town Council of taking this approach, especially when considering that the delivery of the Public Toilet service is still a relatively new one for Penzance Town Council. Some of these benefits include:

- 1) Single year contracts offer greater flexibility should the Council wish to make substantial changes to the delivery;
- 2) Effective performance management - Shorter term contracts can help maintain a higher standard of delivery given that contractors must maintain higher standards knowing that they will need to compete for the contract on an annual basis;
- 3) Opportunities to bring additional elements into the contract can occur more frequently;
- 4) Lower value "annual" contracts will not exclude local contractors from participating in the process which may occur should the contract value breach those defined in the OJEC thresholds

Whilst annual contracts will require more work from officers to prepare and run the tender processes, it is felt that this maintains the best method to ensure that Penzance Town Council achieves "value for money" with it's contracts.

Ben Brosgall
Leisure and Amenities Manager

LEISURE & AMENITIES COMMITTEE, 11 JUNE 2018

REPORT FOR DECISION
PUBLIC TOILETS: - FIXED ELECTRICAL CONDITION REPORTS

Recommendation: -

That the Leisure and Amenities Manager carries out the required recommendations following unsatisfactory electrical condition reports on the Public Toilet facilities owned or managed by Penzance Town Council. (prices are excl VAT)

1165/7/1 – TIC Maintenance - £673.00

1165/3/1 – Alexandra Playpark Toilet Maintenance - £592.00

1165/4/1 – Penalverne Maintenance - £420.00

1165/6/1 – South Pier Maintenance - £75.00

Background: -

Following some uncertainty over the electrical inspections carried out at the Public Toilet facilities in 2017, a new contractor was sourced to carry out the annual inspection in 2018.

Despite all of the facilities passing their electrical inspection reports in 2017, a number of the facilities subsequently received unsatisfactory reports in 2018 following inspections by the new contractor. Of the six facilities, four require actions to be carried out following the most recent inspection. The works are detailed below.

TIC Toilets: -

- 2 x 21 Fuse board
- 2 x Gland Packs
- 16mm Tails
- Trunking
- Full Test and certification

Alexandra Playpark Toilets: -

- Installation of 1 new fuse board
- 1 x metre tails
- Replacement of four light installations

Penalverne Toilets: -

- Installation of 1 new fuse board
- 1 x metre tails
- 1 x Gland Pack

South Pier Toilets: -

- Disconnection and removal of unused and obsolete electrical equipment

Ben Brosgall

Leisure and Amenities Manager

LEISURE & AMENITIES COMMITTEE, 11 JUNE 2018

REPORT FOR DECISION
SOUTH PIER TOILETS – EXTENDED OPENING

Recommendation: -

That the Leisure and Amenities Committee rejects the proposal from the Steamship Company to extend the opening hours of the South Pier Public Toilets to accommodate the earlier sailings of the Scillonian III.

Background: -

Penzance Town Council has been approached by the Steamship Company with a request to extend the opening hours for the Public Toilets at South Pier to accommodate the earlier sailings of the Scillonian throughout the season.

The dates which have been proposed are:

23rd June 08.00 departure

14th July 08.15 departure

12th August 08.00 departure

11th September 08.15 departure

10th October 08.15 departure

The times identified are departure times; therefore the Toilets would need to be opened considerably earlier than this for passengers waiting to embark.

Penzance Town Council is part-way through an active cleaning, opening and locking contract with their current cleaning contractor. The contract has been priced on the basis of the existing opening times and this is how the current budget has been allocated. Whilst variation to this agreement has been possible in the past at a cost to the Town Council, this has been carried out to support community events rather than to support the business function of a particular organisation.

Ben Brosgall
Leisure and Amenities Manager

LEISURE & AMENITIES COMMITTEE, 11 JUNE 2018

REPORT FOR DECISION
STATUTORY CERTIFICATION REVIEW: - ELECTRICAL INSPECTIONS -
REQUIRED ACTIONS

Recommendation: -

- a) That the Leisure and Amenities Committee approves the undertaking of the identified statutory fixed electrical inspections from the budget lines below (prices excl VAT):
- i. 1111/3 - Wherrytown Skate park floodlights: - £100.00
 - ii. 1015/1 - Penlee Park Lighting and Car Park machine: - £200.00
 - iii. 1015/1 – Testing of the gardener's store and workshop: - £150.00
 - iv. 1135/1 - Penlee Park Open Air Theatre: - £300.00
- b) That the Leisure and Amenities Committee recommends to the Finance & General Purposes Committee the virement of £1000.00 from budget line 1211 (Penlee Lodge statutory checks and inspections) and the transfer to a new budget line to be created for The Barbican Building.

Background: -

Following a review of the Town Council's files it has been noted that, historically, a number of statutory electrical inspections have not been completed across several of the Council's building and facilities.

The prices quoted above are for the inspections only and it should be anticipated that works will be required following the inspections to bring the electrical facilities up to standard. These rectification works will be quoted for upon submission of the testing certification and confirmation on whether each of the areas has passed or failed.

With regards to the Barbican Building and following the Full Council decision to continue with its tenancy and allow Golowan to utilise the building, a review of the tenancy agreement with the building owner will be carried out to ensure that the responsibility for the rectification works rests with the Town Council. On initial inspection it was thought that significant remedial works will be required at these premises.

Ben Brosgall
Leisure and Amenities Manager

LEISURE & AMENITIES COMMITTEE, 11 JUNE 2018
REPORT FOR DECISION
STATUTORY CERTIFICATION REVIEW: - LEGIONELLA TESTING

Recommendation: -

- a) That the Leisure and Amenities Committee authorises a delegated decision by the Town Clerk and Chair of the Leisure and Amenities Committee to appoint a contractor for the delivery of Penzance Town Council's Legionella inspection and testing requirements across its facilities.

- b) That the Leisure and Amenities Committee recommends to the Finance & General Purposes Committee the virement of £5,000.00 per annum from Public Toilet refurbishment reserve.

Background: -

Subject to finalising the requirements and obligations to carry out Legionella risk inspections and testing across the Town Council's facilities, the appointment of a contractor to carry out these requirements should be made as quickly as possible. As a duty holder over facilities which include hot and cold water systems, Penzance Town Council should adopt the guidance from the HSE (Health and Safety Executive) and the LCOP L8 guidance documents.

Whilst the guidance documents do not form part of Law, it is stated in the HSG274 document that:

"This guidance is issued by the Health and Safety Executive. Following the guidance is not compulsory, unless specifically stated, and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance."

The requirements include, but are not limited to:

- Drafting of a water management risk assessment for the control of Legionnaires disease in Public Facilities
- Design of Testing regimes and checks
- Implementation of water and temperature monitoring checks

In light of the above it is suggested that a recommendation be made to the Finance & General Purposes Committee (and then to Full Council) for the virement of funds from the Public Toilet refurbishment reserve fund 1995/4 and transferred to a new budget line (created) for a legionella testing contract for the Public Toilets. One quote has so far been received for these works which needs to be further revised, however, it has been estimated at £4,700.00. £5,000.00 is suggested as a virement in the hope that three competitive quotes can be obtained under this value for review and appointment.

Ben Brosgall
Leisure and Amenities Committee

LEISURE & AMENITIES COMMITTEE, 11 JUNE 2018

REPORT FOR DECISION
PENZANCE TENNIS CLUB: - REFURBISHMENT PROJECT

Recommendation: -

That the Leisure and Amenities Committee approves the proposal from Penzance Tennis Club for their court rejuvenation project and allows Penzance Tennis Club the use of 8 car parking bays free of charge for a period no longer than 7 days to enable the project to be carried out.

Background: -

Penzance Tennis Club has provided a written proposal for the completion of their court rejuvenation project. This can be found in appendix 1 and appendix 2.

To enable the works to be undertaken, Penzance Tennis Club has requested the use of eight car parking bays for 7 days and that these be provided free of charge by Penzance Town Council.

Any agreement or alternative proposal should be made on the understanding that Penzance Tennis Club will remain solely responsible for the rectification of any damage or nuisance caused by the project or as a result of materials and machinery being stored on and in the car park.

Appendix 1 – Details of Proposal

Appendix 2 – Diagram of proposed parking space requirement

Ben Brosgall
Leisure and Amenities Manager



**Penzance Tennis Club
Penlee Park
Penzance
TR18 4NH**

19/03/18

RE: Court 1-4 Artificial Grass Rejuvenation Project September 2018

Background

Penzance Tennis Club, now in its 71st year, has been a tenant of Penzance Town Council in Penlee Park since 1950. We are currently in the 16th year of a 30 year lease.

In 2003 the Club was awarded a large lottery grant and working with the Town Council and our governing body the Lawn Tennis Association (LTA), successfully replaced the 6 original courts and wooden clubhouse with the current 7 tennis courts, 1 mini tennis court and clubhouse, with completion early 2005.

In 2013 two further projects were completed. Rejuvenation of the 4 court artificial grass block in front of the Clubhouse, and installation of floodlighting on courts 6&7. In March 2018 a project to resurface courts 6&7, a two court block located behind the Open Air Theatre was successfully completed. These projects, managed by the Club, were completed to the satisfaction of the Club and Town Council, etc., without incident or accident using LTA approved, tried and tested contractors.

Proposed Project

As mentioned above the silica sand infill within the artificial grass on courts 1-4 was rejuvenated successfully in 2013. It now does not drain very well and clumps up in places due to it being contaminated with detritus, such as leaf mulch, moss, etc., and now needs to be rejuvenated again.

Rejuvenation involves introducing compressed air into the surface to de-compact the upper layer and agitate the lower layer of sand infill. A depth of sand would be removed, loaded into skips in the adjacent Penlee car park to the front of the Tennis Club, and carted away to a suitable tip. The contractor will then apply new sand and thoroughly work this into the surface with their tractor mounted mechanical oscillating brushing equipment to form a true playing surface. The Tennis Club proposes to use the same Lawn Tennis Association (LTA) approved contractor (Fosse Contracts Limited), who not only rejuvenated courts 1-4 in 2013 but also successfully completed the resurfacing of courts 6&7 as mentioned above. Fosse understands the requirements and constraints of working in and adjacent to Penlee Park. In January 2018 the contractor, at a site meeting, was in discussion with officers of the Club and Town Council to ascertain concerns, discuss working practices, etc.



Prior to commencement of works a formal minuted on-site pre-start meeting will be held between the Club, Town Council and contractor. At this meeting all insurances, safe working practices, risk assessments, etc., in a full Health and Safety plan, will be discussed and agreed. The contractor will take photos before and after the works of all areas that it will come into contact with such as car parking bays adjacent to the Tennis Club, public footpath and areas of the park within the Tennis Club's leased area boundaries.

Responsibility for any repairs/make good will be with the contractor. Access to the court block will be from a suitably cordoned off and signed area using existing car parking bays, and segregated from the public.

There will be no need to access any other areas of the park. The mechanical plant requires only access and egress from the car park and the driver during these periods will be supervised by banksmen during this process. An air-line will be in place at times during these works which will be elevated above head height from the car park over the footpath to avoid any trip hazard. A comprehensive risk assessment and method statement has been produced by the contractor and is attached.

The Tennis Club will be:-

- a. Obtaining written opinion from Cornwall Council advising that, as in 2013, as it's a like for like replacement, that neither formal planning permission nor building control consent will be required for the works.
- b. Obtaining agreement from Cornwall Council to traverse the public footpath, etc., as detailed above from the South of the car park to the North of the Club and courts.

A formal 'do I need planning or building regulations approval' application for the above works has been submitted to Cornwall Council. Application form and site plan attached.

The contractor requires up to 8 parking bays adjacent to the tennis club for storage of plant and materials during the completion of the works which will be required for up to 7 days, works are expected to be completed in 5 days. It is hoped that the Town Council will provide these bays free of charge.

Pending agreement from the Town Council, etc., the club is now in a position to place a contract with Fosse Contracts to progress the project through to completion, which is planned to take place in September 2018.

Regards,

Penzance Tennis Club.

Attachments:-

Site plan

Contractor Risk Assessment

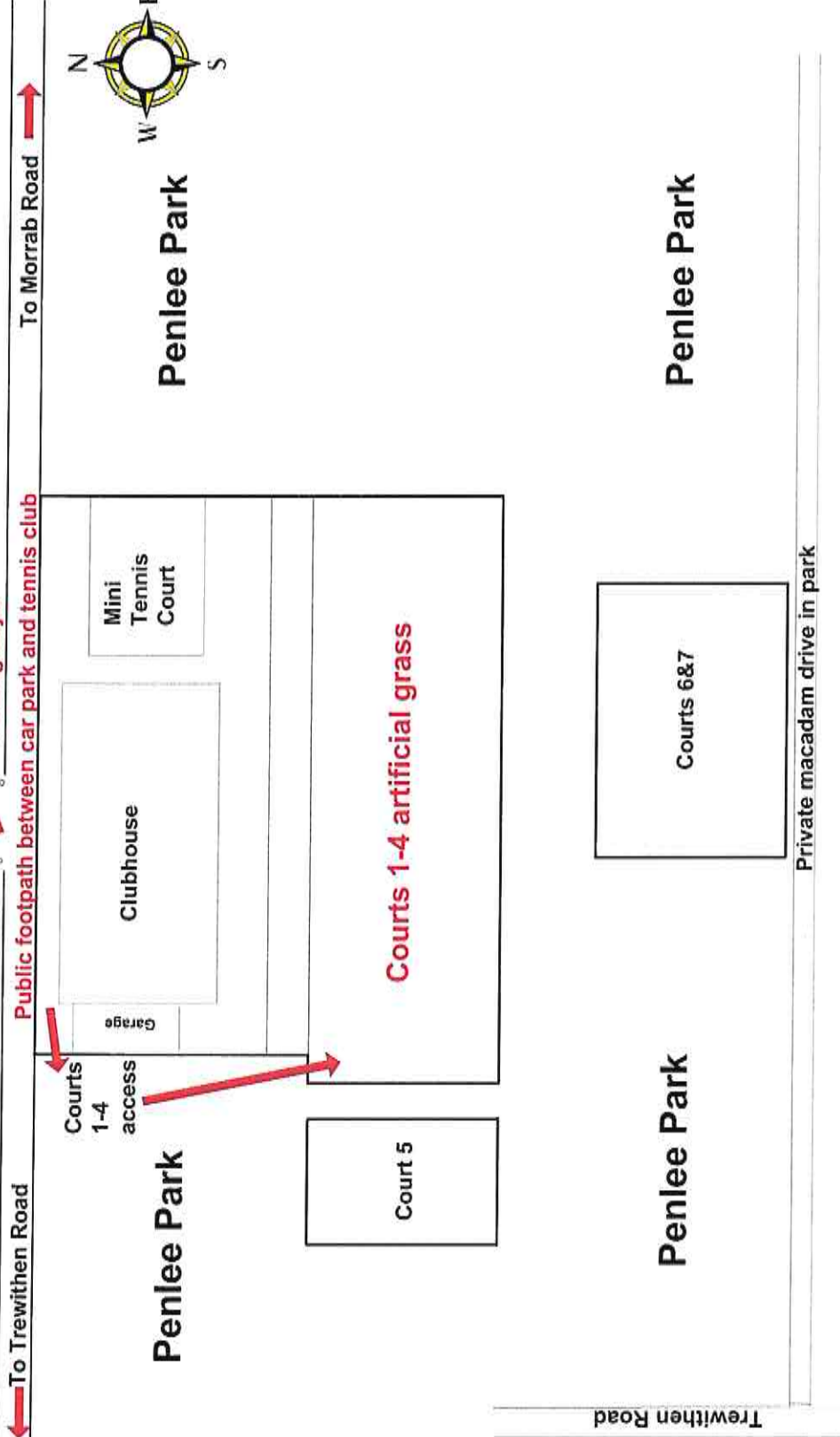
Cornwall Council 'do I need planning or building regulations application form'

APPENDIX A Penzance Tennis Club Site Plan



Penlee Park
Penzance
TR18 4HE

Penzance Town Council, Penlee Car Park



Trewithen Road

LEISURE & AMENITIES COMMITTEE, 11 JUNE 2018

REPORT FOR DECISION
LIONS CLUB FUN DAY – PENLEE PARK

Recommendation: -

That the Leisure and Amenities Committee approves the request from Penzance Lions Club to hold their annual Fun Day in Penlee Park on Saturday 11th August, subject to compliance with the requirements set out below.

Background: -

Penzance Town Council has been approached by the Penzance Lions Club with the following request:

"Penzance Lions Club request if we could use Penlee Park Penzance on Saturday 11th of August for our fun day instead of Sunday 12th of August. Penzance Lions Club raise money for Penzance and the surrounding areas for people in need, we also help anyone in need of help by providing services within the community. We are part of the Lions Club international. All the stalls at our fun day are charitable institutions, within Penzance and the surrounding areas. We would like to change to the Saturday as Penzance would have more footfall so could raise more money to help organisations and people in Penzance. And spread the word about Penzance Lions Club.

We always leave the park clean and tidy. If any councillor would like to know more about what we do as a club they are very welcome to attend one of our meeting that we hold every second Monday of the month at the Queens Hotel Penzance."

It is understood that this event has been approved in Penlee Park for a number of years now. Subject to the Lions Club providing details of what activities and stalls will be in place and submission of Public Liability Insurance and risk assessment documents, the recommendation is for the Lions Club to be allowed to proceed on Saturday 11th August as requested.

Ben Brosgall
Leisure and Amenities Manager

LEISURE AND AMENITIES COMMITTEE, 11 JUNE 2018
REPORTS FOR INFORMATION

Footpath Maintenance Agreement 2018: -

Penzance Town Council has moved away from the Local Maintenance Partnership with Cornwall Council for 2018. The historical agreement stood that a grant payment was made to Penzance Town Council to cut the ground growth of Public Footpaths within the Parish boundary. Cutting side vegetation and clearance of fallen trees or other obstacles which would make the paths unpassable remained the responsibility of Cornwall Council.

In early 2018, the contract documents were released for the 2018 summer cutting season. The contract included a new clause which made the Town Council responsible for the cutting of side growth without making any adjustment to the grant amount. In addition to this, and upon inspection of a number of areas with the contractor previously used by the Town Council, it also became clear that a number of the issues previously reported to Cornwall Council over several years had not been actioned. Issues included fallen trees and pathways completely overgrown with side growth. Delivery of the contract this year (with its new clauses) was estimated by the contractor to be double the amount allocated within the current budget line.

The contract document from Cornwall Council identified that, if the Town or Parish did not sign the agreement, Cornwall Council would carry out the implementation of the agreement. Penzance Town Council wrote to Cornwall Council in March 2018 identifying that they would not be entering into the agreement for 2018 and that Cornwall Council should take measures to carry out the contract themselves. There were three primary reasons identified for the decision:

- 1) No action had been taken to rectify the fallen trees and overgrown side growth by Cornwall Council after being notified of the issues over a number of years.
- 2) The contract price received an incremental increase, however, significantly more work would have been required to fulfil it due to the requirement for side growth cutting being pushed on to the Town Council.
- 3) The contract documents and cost estimates had been delivered too late into the year for Penzance Town Council to effectively budget for the increased cost of the contract delivery.

Penzance Town Council has clearly explained in the letter to Cornwall Council that the Town Council feels we are best placed to implement this contract effectively and would be willing to look at re-joining the partnership in the future. This will require that the previous issues, which should have been rectified by Cornwall Council, are put right throughout 2018. In addition to this, Cornwall Council was also notified that the Town Council carries out its budgeting exercise towards the end of 2018 and, if the contract documents can be provided in time, the elected members of Penzance Town Council would be able to make an informed decision on whether they wished to support an increase to the current budget allocation and re-join the partnership agreement for 2019.

Heritage Plaques: -

Work is underway to progress two heritage plaques already approved by a previous committee decision. Steps have been taken to achieve the required consents (property owner and listed building) for both Lemon Hart and Jon Blight. Once the required consents have been received, orders will be placed for the plaques to be produced and arrangements will be made for their installation.

A number of additional plaque requests have been received and will be brought before the committee following the completion of those which have already been approved by previous Committees.

Penlee Car Park Drainage: -

Following the drain clearance work carried out in October 2017, a 6-month inspection was carried out by the Leisure and Amenities Manager and contractor to assess whether any further works were required. No further works were required at this stage although there was evidence of build up and debris in the drainage gutters. It is envisaged that drain clearance work will be required in the car park on an annual basis, but if this program is implemented on an annual basis, the length of time for the works and any inconvenience on the users of the car park will be minimised.

Flag Projects 2018: -

Both the Town and Promenade Flag projects were finished and delivered on time for installation over the last weekend in May. Positive reports have been received back regarding both installations. Fourteen new promenade flags were produced by Lucy Birbeck, as per the specification. Liz Tyrrell produced the Town Flags with in excess of sixty new flags made and repairs carried out to approximately 90 of last season's flags.

Penlee Play Park: - Annual ROSPA Safety Inspection: -

Following the annual inspection of the Penlee Park, play equipment – One item of equipment has been recommended for replacement. In addition to this a number of other pieces of equipment were identified as ageing and will soon be in need of replacement. The Leisure and Amenities Manager is liaising with contractors to provide proposals and quotes for the replacement pieces of equipment and these will be presented at the next available Leisure and Amenities Committee.

Ben Brosgall
Leisure and Amenities Manager