

MINUTES OF PENZANCE TOWN COUNCIL MEETING held in The Alverne Room, St John's Hall, Penzance on Monday 21 May 2018 at 7.00pm

PRESENT

Councillor R B Cliffe (Town Mayor)
N C Broadhurst (Deputy Mayor) (from 7.03pm)

Councillors K M Baker
A Bates
S J Bosworth
S M Cordel
N A Davis
J H Dixon
W Elliott
T L Halliday (left at 9.10pm)
J M How
B Jackson
R A Mann
N G Pengelly
S J Reed (left at 9.13pm)
N N Waller (from 7.01pm)
P Young

Also present: Hester Hunt (Town Clerk), Teresa Fogarty (Senior Administration Officer), Paula Smith (Support Services Manager/RFO), Ben Brosgall (Leisure and Amenities Manager), Councillors Roger Harding and Cornelius Olivier (Cornwall Council), 3 members of the public.

Prayers

Apologies for absence had been received from Reverend Julian Drew.

10. APOLOGIES FOR ABSENCE

Councillors D J Axford, J S Lambourn, N C Roach

11. DECLARATIONS OF INTEREST

None.

12. PUBLIC PARTICIPATION TIME

(a) Presentation by Tim Pullen re "Second Homes: The Neighbourhood Development Plan"

[Cllr Waller joined the meeting – 7.01pm]

Mr Tim Pullen addressed the meeting with concerns over the number of second homes in the Parish, particularly in Mousehole, and urged the Council to support the inclusion of a policy in the NDP for Penzance restricting the construction of new build homes to those for primary residence only, similar to that adopted in St Ives Parish.

[Cllr Broadhurst joined the meeting – 7.03pm]

Mr Pullen also presented a petition with 400 signatures to support the request.

Members then had the opportunity to put questions to Mr Pullen and the Mayor suggested that the NDP Board should include a representative from each area of the parish. This was welcomed by Mr Pullen who would be willing to represent Mousehole.

- (b) Mr Keith Perry raised concerns over the removal of a bench at the bottom of Causewayhead that he felt disadvantaged the elderly and infirm visitors to the town centre. The bench had been removed to dissuade perpetrators of anti-social behaviour from gathering in that area. Mr Perry felt that more public seating in general was needed throughout the town centre and also more policing.
- (c) Ms Charlie Rainbow spoke in support of Mr Perry's concerns and pointed out that the removal of the bench had not had the desired effect and people were still gathering in the near vicinity. It was noted that this item would be added to the agenda for the next Town Council meeting.

13. CORNWALL COUNCILLORS' REPORTS

Cllr Cornelius Olivier

- Moves were being made to remove the planter at the bottom of Causewayhead that was being used as a seat and meeting area as a result of the bench having been removed and therefore anti-social behaviour was still a problem. However, appropriate permission would need to be sourced for the removal.
- The proposed 'Stadium for Cornwall' had received a surprising positive vote from Cornwall Councillors.
- Councillor Olivier commended the efforts of a community group in the Fountain Court area in successfully establishing a community garden that was now used by many local residents, including children.
- The proposed plans for the Penlee Quarry could be very positive if it went ahead and it was the duty of all Councillors to make sure that the maximum benefit possible for local people should be obtained.
- Councillor Olivier had recently carried out a review of the flower beds adjacent to the Harbour Car Park which were in a very poor state. However, it was noted that substantial investment by Cornwall Council was unlikely and Councillor Olivier felt that the Car Parks Department could be approached to provide some

funding from the increased car parking charges. The Mayor pointed out that the Penzance Community Flora Group was investigating the potential of this area.

Cllr Roger Harding

- Newlyn Post Office – a commitment had been received from the Post Office to reinstate services and, as a short term measure, a mobile unit would be positioned in the village every Tuesday and Thursday from the end of May. A medium term solution was being sought, pending resolution of legal difficulties with the existing contract. The long term solution would be to identify suitable premises in Newlyn for a Post Office.
- The success of the Foxes Playing Field refurbishment was a good example of a community initiative working successfully.
- Redevelopment of the Fish Market was moving along and work on the units at Sandy Cove would start soon.
- Councillor Harding had received complaints from local residents about the rise in car parking charges in Penzance that were deterring people from shopping in the town centre.
- Concerns had been raised over the large number of planning applications in the Newlyn area, without any planned improvements to the traffic infrastructure.
- The implementation of new double yellow lines in all areas of the county would commence from end May and this would include the approved yellow lines in parts of Newlyn.

14. TO RESOLVE TO EXCLUDE MEMBERS 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**

There were no confidential items to be considered.

15. TO APPROVE WRITTEN REQUESTS FOR DISPENSATION

No requests had been submitted.

16. TO CONFIRM THE MINUTES OF THE EXTRAORDINARY TOWN COUNCIL MEETING OF 26 MARCH AND ANNUAL TOWN COUNCIL MEETING OF 8 MAY 2018

The minutes of the meeting having been previously circulated, it was unanimously

RESOLVED – to approve the minutes of the Extraordinary Town Council meeting held on 26 March and the Annual Town Council meeting held on 8 May 2018.
(Proposed: Cllr Dixon; seconded: Cllr How.)

17. TO DEAL WITH BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE

There were no matters to be dealt with.

18. TO RECEIVE QUESTIONS FROM MEMBERS OF WHICH PRIOR WRITTEN NOTICE HAD BEEN GIVEN, IN ACCORDANCE WITH SO NO. 15

Councillor Cordel had submitted the following:

“The park and ride was built using money to mitigate the impact of Sainsbury on Penzance. Now this has been leased for Scillonian parking, can the Town Council be updated on the status of the car park and how Penzance might be compensated for any financial loss.”

The Mayor gave a brief verbal explanation of the complications of the contract and would provide a written response within 10 working days.

19. TOWN MAYOR’S ANNOUNCEMENTS

- Port Penlee – The Mayor and other Councillors had attended a pre-application meeting about the proposed conversion of the disused Penlee Quarry to include a marina and housing.
- Plans for the proposed Heliport on Jelbert Way had been submitted and supported by the Planning Committee.
- Jubilee Pool would be opening for the 2018 season on Saturday 26 May.
- The Mayor and Mayoress had recently attended a reception at the Cayman Islands Embassy in London to mark the 60th anniversary of the awarding of a coat of arms to the Cayman Islands. Two of the original settlers of the islands had been deserters from Cromwell’s navy and were purported to have originated from Cornwall. The islands also have a long-standing connection with piracy (and hence Cornwall).

20. TO NOTE THE MINUTES OF THE FOLLOWING COMMITTEE MEETINGS

- (a) Planning Committee – 11 April and 2 May 2018

The minutes of the Planning Committee meetings held on 11 April and 2 May 2018 were presented and noted.

21. REPORTS FOR DECISION

- (a) Annual Report 2017/18

Members were asked to approve the three sections that made up the Annual Report:-

(i) Annual Internal Audit Report 2017/18

It was unanimously

RESOLVED – to approve the Annual Internal Audit Report for 2017/18.
(Proposed: Cllr Elliott; seconded: Cllr Reed.)

(ii) Governance Statement 2017/18

It was unanimously

RESOLVED – to approve the Governance Statement 2017/18.
(Proposed: Cllr Broadhurst; seconded: Cllr Pengelly.)

(iii) Accounting Statement 2017/18

It was unanimously

RESOLVED – to approve the Accounting Statement 2017/18.
(Proposed: Cllr Pengelly; seconded: Cllr Reed.)

The Town Mayor, the Town Clerk and the RFO signed the relevant documents a copy of which can be found at Appendix A to these minutes.

(b) Local Government Pension Scheme – abatement of pension in payment

Abatement is a method of reducing a pension where a pensioner is re-employed by a local authority, or any employer and again becomes eligible for membership of the Local Government Pension Scheme (LGPS) and the pay plus pension exceeds the person's pay when they retired.

After consultation in 2014, the Cornwall Council Pensions Committee decided to operate an abatement policy only for those pensioners returning to Local Government employment after retiring due to ill health. The policy was now being reviewed and members were asked to decide whether or not the Council wished to apply abatement in respect of all or just specific retirements and submit that response to the Cornwall Pension Fund.

Members considered the options and it was

RESOLVED – to approve abatement in respect of all retirements.
(Proposed: Cllr Dixon; seconded: Cllr Elliott.) 1 abstention

(c) Jubilee Pool Operations/Maintenance Grant

During 2017/18 Jubilee Pool Penzance Limited (JPPL) were allocated two grants by the Town Council, one grant of £53,400 to support operational costs during the season and a second grant of £59,000 to assist towards the cost of the winter maintenance programme for the pool.

Members were now asked to consider whether to award a grant of £48,836 for the current financial year (to be paid in two instalments) as a contribution to operational and winter maintenance costs, subject to agreement from JPPL that they will undertake requirements as set out by Penzance Town Council in a Memorandum of Understanding (MOU).

Concerns were raised that the grant would be paid out before a MOU was in place, however, it was pointed out that the grant would be paid in two instalments and that the second instalment would only be paid after the MOU was in place.

It was then unanimously

RESOLVED – to award a grant of £48,836 for the current financial year (to be paid in two instalments) as a contribution to operational and winter maintenance costs subject to agreement from Jubilee Pool Penzance Limited that they will undertake requirements as set out by Penzance Town Council in a Memorandum of Understanding (MOU).

(Proposed: Cllr Broadhurst; seconded: Cllr Pengelly.)

(d) **Budget for new staff post – Communications Officer**

Recent changes to the structure of the Support Services Team had highlighted the need to appoint a Communications Officer to deliver a consistent communications and marketing strategy for the Town Council.

The Personnel Committee had reviewed the proposal and recommended to full Council approval of the recruitment and the virement of £5,887 from the Devolution Reserve to meet the cost of an extra member of staff.

It was unanimously

RESOLVED – to approve the recruitment of a Communications Officer and the virement of £5,887 from the Devolution Reserve to meet the cost of an extra member of staff.

(Proposed: Cllr Reed; seconded: Cllr Broadhurst.)

(e) **Change to Town Council Office opening hours**

To minimise the impact of changes to the structure of the Support Services Team, the Personnel Committee had recommended that the opening hours of the reception counter to the public be reduced by one hour a day from 5pm closure to 4pm closure.

Members discussed the request and it was

RESOLVED – to approve an amendment to the Town Council Office Reception opening hours from 9.00am - 5.00pm to 9.00am – 4.00pm each day. Telephone calls to be transferred to an alternative phone in the upstairs office.

(Proposed: Cllr Reed; seconded: Cllr Halliday.) 1 abstention

(f) Establishment of a Social Issues Working Group

At the Town Council meeting of 5 February 2018, it was resolved that a Social Action Fund with a budget of £25,000 should be established in order to support initiatives responding to pressing social issues affecting the Parish.

It had been agreed to form a Working Group that would report back to the Finance and General Purposes Committee (holding responsibility for the fund) and it was unanimously

RESOLVED – that members interested in joining the working group should submit their names to the Town Clerk by Monday 4 June.
(Proposed: Cllr Elliott; seconded: Cllr Bates.)

(g) Mayoral photographs project

The Town Council held in storage a number of framed photographs of past Mayors and Town Councils that had previously been displayed on the walls of the Mayor's Parlour and stairwell in St John's Hall and were removed when the building was refurbished three years ago.

The photographs were too numerous to be displayed in St John's Hall or the Town Council building and the area where they were being stored was only a temporary measure and subject to damp.

The Curator of Penlee House had advised that the photographs could be removed from the frames and stored in individual sleeves inside a solander box ring binder which would enable easy viewing for anyone who wished to see them and it was unanimously

RESOLVED – to approve the archiving of the photographs using the appropriate materials and that the cost of purchasing the materials would be funded from the General Contingency Fund (budget 3997).
(Proposed: Cllr Elliott; seconded: Cllr Jackson.)

(h) Plastic Free Penzance – Golowan Festival 2018

In order to build on the 'plastic free' status of Penzance, the organisers of the Golowan Festival 2018 were looking to provide re-fillable cups during the festival to reduce the amount of single use plastic at the event. In order to help meet the cost involved, the organisers had asked the Town Council for a grant of £350 and it was

RESOLVED – to approve a grant of £350 from general reserves (budget 3800/8) to the Golowan Festival CIC for the purpose of purchasing re-usable cups for the 2018 festival.

It was also suggested that the sponsorship of the Town Council should be noted on the cups, e.g. in the form of the Council's name and/or logo printed on the cups.

(Proposed: Cllr Pengelly; seconded: Cllr Broadhurst.) 1 against

(i) Plastic Free Penzance representative

At the Town Council meeting of 4 December 2017, it was resolved to appoint a Council representative to the Board of Plastic Free Penzance.

Councillor Dixon proposed Councillor How and it was unanimously

RESOLVED – that Councillor How be appointed as the Town Council’s representative to the Board of Plastic Free Penzance.
(Proposed: Cllr Dixon; seconded: Cllr Reed.)

It was further

RESOLVED – that Councillor Reed should be appointed as the deputy representative.
(Proposed: Cllr Cliffe; seconded: Cllr Young.)

(j) Delegated decision to appoint specialist legal advisor

An urgent HR matter had arisen that required the Town Clerk to use her discretion in accordance with Financial Regulations 4.5 to instruct a firm of external legal advisors to represent the Town Council. The Personnel Committee had resolved at an urgent meeting held on 15 May 2018 to recommend to the Town Council approval of the virement from Council Run Exhibition Fund (2995/3) to HR Consultancy Services (3150) to meet the legal costs and it was therefore

RESOLVED – to approve the virement of £4,000 from the earmarked reserve – Council Run Exhibition Fund (2995/3) to HR Consultancy Services (3150).
(Proposed: Cllr Dixon; seconded: Cllr Mann.) 1 against; 1 abstention

(k) Amendment to Personnel Committee Terms of Reference

At the Council meeting on 26 March 2018, some members had raised concerns about Councillors that were not members of the Personnel Committee not being allowed to attend Personnel Committee meetings or receive the reports due to confidentiality.

Advice had been sought from CALC that supported the exclusions, particularly in view of the new General Data Protection Regulations coming into force on 25 May.

[Councillor Halliday left the meeting – 9.10pm]

Members debated the need for confidentiality when dealing with sensitive staff matters and it was

RESOLVED – to approve the amendment to the Personnel Committee Terms of Reference to include:

“There is no public participation at Personnel Committee meetings (this includes Councillors who are not members of the Committee). Non-member Councillors receive copies of the agenda/summons only, not accompanying reports”.

(Proposed: Cllr Young; seconded: Cllr Reed.) 13 for; 3 abstentions

[Councillor Reed left the meeting – 9.13pm]

22. REPORTS FROM OUTSIDE BODIES

Councillor Young provided written reports from:

- 50+ Forum
- Friends of Penlee House
- Memory Café

23. REPORTS FOR INFORMATION

(a) Golowan Festival 2018 progress report

Golowan Festival CIC had provided a report on the progress of the 2018 festival.

(b) Shopwatch

Penzance BID had submitted a report on the ‘Shopwatch’ scheme that had recently been launched with 28 businesses across Penzance taking part and using the security radios. A further scheme, Pubwatch, had been launched at the beginning of May with 4 businesses signed up so far. It was hoped that the taxi companies would also join the scheme.

(c) Penzance Projects update

It was noted that confirmation had been received from Companies House that ‘Penzance Projects’ had been dissolved with effect from 17 April 2018.

24. MATTERS ARISING FOR REPORT ONLY

- Public seating / planter at the bottom of Causewayhead.

The meeting closed at 9.15pm

Town Mayor
9 July 2018