

MINUTES OF PENZANCE TOWN COUNCIL MEETING held in The Guildhall,
St. John's Hall, Penzance on Monday 19th March 2007 at 7.00 pm.

PRESENT

Councillor D.J. Axford (Town Mayor)
Councillor F. Granger (Deputy Town Mayor)

Councillors R. Clark
M.R. Cotton
C.A. Dennis
M. Freeman
J.S. Lambourn
R.A. Mann
J.F. Moreland
J. Parkin
K.L.W. Perry
P.C.H. Rendle
A.J. Richings
J. Ruhrmund
C.A.C. White

ALSO PRESENT

Inspector Chris Strickland (Devon and Cornwall Constabulary) who provided a brief presentation with regard to proposed new manning levels in the Penzance Parish area and details are contained in Appendix "A" to the minutes.

82. **PRAYERS**

The Council's Chaplain, Reverend Julyan Drew, offered prayers.

83. **APOLOGIES FOR ABSENCE**

Councillors S. Bennett and J.H. Dixon

84. **MINUTES OF PREVIOUS MEETING**

The minutes of the following meetings:-

- (a) Full Council - 5th February 2007
- (b) Special Council Meeting - 8th March 2007

having been circulated, it was

RESOLVED: that they should be signed as true and correct records.

With regard to the minutes of the meeting held on the 8th March 2007 concerning the future of the Golowan Festival, the Town Clerk was pleased to advise that the District

Council had now confirmed their grant in the sum of £25,000.00.

85. **TO DEAL WITH BUSINESS EXPRESSLY REQUIRED BY STATUTE
TO BE DONE**

The Town Clerk advised that there were no items to be dealt with under this heading.

86. **TOWN MAYOR'S ANNOUNCEMENTS**

The Town Mayor advised that he had no announcements to make.

87. **QUESTIONS IN ACCORDANCE WITH STANDING ORDER NO. 24**

The Town Clerk advised that no such questions had been received.

88. **REPORTS FROM COMMITTEES**

(a) **General Purposes Committee - 5th March 2007**

(i) **Correspondence from DEFRA re. Launch of Marine Bill White Paper -
15th March 2007 (Minute 70(e))**

Councillor Lambourn advised that he had attended the launch of the above Bill and that he would provide a written report to members in due course.

In short, the Marine Bill would establish one organisation covering all aspects of Marine Life, including Fisheries.

The management of the new measures would be facilitated through the existing staff currently employed in Fisheries Offices of which there was one in Newlyn and it was

RESOLVED: to note the position.

(ii) **Correspondence from Cornwall County Fire Brigade - Consultation re. Service
Plan for 2007/08 (Minute 70(h))**

The Consultation Document had been copied to all members prior to the meeting and the Town Clerk reminded members that the closing date for comments was the 10th April and that such comments should be forwarded to the office in advance of that date and it was

RESOLVED: to note the position.

(iii) **West Cornwall Community Network Conference - Friday 30th March 2007
(Minute 70(n))**

Councillor Richings advised that he would be attending this conference and offered to report back to the Council in due course and it was

RESOLVED: to note the position.

(iv) Local Works - Campaign for the Sustainable Communities Bill (Minute 70(v))

The Town Clerk reminded members that the Council had not supported this Bill in the past but recent correspondence from the Campaign Group indicated that there was now a lot of support at Parliamentary level and a further request for support had now been received.

Councillor Clark requested that the Town Council maintains its stance of opposition to the Bill for a number of reasons, including the powers it provided, to Whitehall and the fact that the Bill gave special consideration to the under 25 age group in the population which was the sector least likely to vote at the polls.

Councillor Ruhrmund felt that although the Bill was far from perfect, it would offer the chance of delivering what is not currently available and that it addresses the issue of funding by taking the control away from regional quangos and giving it to Local Government.

Following consideration of the issues raised, it was

RESOLVED: that the Town Council would maintain its opposition to the Bill.

(v) Correspondence re. Continental Markets (Minute 70(w))

Councillors Mann and White declared a personal interest in this matter as members of Penwith District Council and did not take part in the discussion or resolution thereon.

Correspondence had been received with regard to a proposal to hold regular Continental Markets at the Wharfside car park.

Although the specific application which was received related to the summer months, the markets would generally take place in the 'shoulder' months when pressure on car parking was not as critical.

It was felt that such markets would attract visitors to the town and would not take trade away from local traders. It was suggested that the Town Council formalise a policy with regard to continental and other markets and it was

RESOLVED: that the Town Council supports Continental and Cornish Markets taking place in Penzance.

(vi) Consultation on Amendments to the Model Code of Conduct for Local Authority Members (Minute 77)

The Town Clerk provided a brief summary of the main amendments which generally provided for a relaxation in the regulations relating to a number of aspects of the code.

With regard to the declarations of interest, members queried the use of the term 'close personal association' and felt that this could be clarified to read 'close personal and business association'.

Members also expressed a general feeling of dissatisfaction with the performance of the Standards Committee and felt that this had had a considerable impact on the number of people standing for election to councils and it was

RESOLVED: that the Town Clerk should respond to the Consultation Document, raising the issues of lack of consistency and interpretation at local level and seeking clarification with regard to the acceptance of third party evidence at the time of a complaint being made.

The suggested change of wording in relation to declarations of interest would also be incorporated in the response.

- (vii) DEFRA - Fisheries 2027 - Towards a Contract for the Future of Marine Fisheries (Minute 78)

It was noted that the consultation deadline for this document was the 26th April 2007 and it was

RESOLVED: that the matter would be deferred to a Special Meeting to be held following the Annual Town Meeting on the 16th April.

- (viii) Draft Lescudjack Management Plan (Minute 80)

The Town Clerk advised members that the draft Management Plan had now been accepted and that the Town Council had input through its representative member, Councillor Jan Ruhmund, and it was

RESOLVED: that the position be noted.

- (ix) Proposed Revision to Standing Orders - Committee Membership (Minute 81)

The Town Clerk referred to the composition of committees which currently stood at a membership of 9 members plus Mayor and Deputy ex-officio.

As members were aware, this sometimes led to members being unable to serve on their second choice committees and given that the committees for the council, when it stood at 15 members in total, operated perfectly satisfactorily with less numbers, it was suggested that, in future, committees have a membership of no more than 13 members and no less than 9 including ex-officio members. It was

RESOLVED: to make this amendment to Standing Order no. 53.

Subject to the above, it was

RESOLVED: to adopt the report.

(b) **Penlee House and Park Committee - 6th March 2007**

It was

RESOLVED: that the Confidential Appendices to the Penlee House and Park Committee would be dealt with 'in committee' directly following acceptance of the Finance/Property Committee report.

(i) Acquisition of Painting (Minute 36(c))

The Town Clerk advised that following the refusal on the part of the NACF to provide funding in respect of the proposed acquisition of the 'Quarry Team' which was being auctioned on the 20th March, the Director at Penlee House had requested that the Town Council, from its Acquisition Fund, provide a further £3,000.00 to assist with the shortfall and it was

RESOLVED: that £3,000.00 should be released from the Acquisition Fund.

(ii) Street Entertainers' Competition (Minute 37(h))

The Town Clerk advised that he had met with the organisers of the Totnes Street Entertainers Competition but, unfortunately, had been unable to agree to the use of Penlee Park for the competition because it involved the sale of alcohol and access for heavy vehicles to the top field would also be difficult.

Other suitable locations in Penzance were suggested and the organisers were now in discussion with Penwith District Council and it was

RESOLVED: to note the position.

Subject to the above, it was

RESOLVED: to adopt the report.

(c) **Planning Committee - 15th February 2007**

(i) Molwin Homes Application (Minute 69(e))

Councillor J. Ruhmund, in commenting on the planning application, made it clear that her comments were based on the information currently available and did not commit her to taking the same position when the matter was discussed at the District Planning Committee.

Because of the considerable number of drawings and material provided by the applicant, the Town Clerk suggested that representatives of Molwin Homes should be invited to a Special Town Council Meeting to be held ahead of the next Planning Meeting on the 29th March to which the Sustainable Development Manager of the District Council would be invited and it was

RESOLVED: that the Town Clerk should proceed with such invitations.

Subject to the above, it was

RESOLVED: to adopt the report.

(d) **Planning Committee - 7th March 2007**

- (i) Penwith Local Development Framework - Core Strategy - Issues and Options (Minute 74(d))

Councillor Lambourn advised that he was preparing a proposed response to the document which would be distributed to all members for discussion at the Special Town Council Meeting to be held on the 29th March and it was

RESOLVED: to note the position.

- (ii) Correspondence from Penwith District Council, Health and Safety Section re. Abbey Warehouse Building (Minute 74(f))

The Town Clerk advised members that officers of the District Council had not been able to attend the meeting but had confirmed that they had been in touch with owners of the building who had promised to carry out remedial works to ensure that the building was secure and it was

RESOLVED: that officers from the District Council should be invited to attend a future meeting to discuss the ongoing care of this important site ahead of any development works taking place.

Subject to the above, it was

RESOLVED: to adopt the report.

(e) **Finance/Property Committee - 8th March 2007**

- (i) Resolution to Exclude the Press and Public

Due to the confidential nature of the next item to be discussed, it was

RESOLVED: to exclude the press and public from the next part of the meeting.

- (ii) Staffing Matters - Penlee Park and Town Clerk's Office

See Confidential Appendix "B".

Subject to the above, it was

RESOLVED: to adopt the report.

(iii) Resolution to Re-Admit the Press and Public

It was

RESOLVED: to re-admit the press and public to the meeting.

89. SKATEBOARD PARK - WHERRYTOWN

The Town Clerk referred to the Skateboard Park at Wherrytown and reminded members that the condition of the park was monitored and the equipment insured and maintained by the Town Council.

The half-pipe is currently fenced off and out of use and is in need of urgent repair and the organisation known as 'Kerbs', that had been formed to run, fundraise and oversee the installation of equipment, now existed in name only but former members had been assisting the Town Clerk's Office in looking at the most efficient and longest lasting method of resurfacing the half-pipe.

As reported to committee previously, to repair the current surface with similar material (metal sheets), would cost in the region of £1,800.00 and this would have a fairly short life-span due to the exposed seaside position of the equipment.

The proposed replacement surface, 'Skatelite', had a much longer life-span and would cost approximately £5,000.00 for materials and £2,000.00 to install .

The Town Clerk went on to advise that a grant of £5,200.00 had been secured from the West Cornwall Community Safety Partnership and former members of 'Kerbs' were also hoping to raise some funds.

The Town Clerk had requested a report on the condition of the framework underneath the surface and the request for the release of the original £1,800.00 earmarked for resurfacing in the existing material to link with the grant to provide the new 'Skatelite' surface.

Other safety issues relating to the stairs and balcony would be dealt with 'in house' and it was

RESOLVED: that £1,800.00 be released from the new year Maintenance of Buildings budget to assist with resurfacing costs.

8.55 pm

Town Mayor
4th June 2007