

**MINUTES OF PENZANCE TOWN COUNCIL MEETING** held in The Guildhall,  
St. John's Hall, Penzance on Monday 1<sup>st</sup> October 2007 at 7.00 pm.

**PRESENT**

Councillor F. Granger (Town Mayor)  
Councillor R. Clark (Deputy Town Mayor)

Councillors D.J. Axford  
M.R. Cotton  
C.A. Dennis  
J.H. Dixon  
M. Freeman  
R.M. Lawrence  
M. Lovegrove  
R.A. Mann  
J.F. Moreland  
D.J. Nebesnuick  
K.L.W. Perry  
P.C.H. Rendle  
J. Ruhmund  
C.A.C. White  
H. Worth

Prior to the commencement of the business of the meeting, the Council received a presentation from Mr. Neil Badcock, as Chairman of Penzance Football Club, with regard to proposals to demolish the present clubhouse premises, part of the funding from which would be utilised, together with grant aid from the Football Association, to provide new facilities at the southern end of the ground.

Mr. R. Carter also addressed the Council with regard to the recent tragic death in Penzance of a young man utilising a sharp object which was readily available in the retail outlet concerned.

47. **PRAYERS**

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

48. **APOLOGIES FOR ABSENCE**

Councillors J. Parkin and T.E. Williams

49. **DECLARATIONS OF INTEREST**

Prior to receiving declarations of interest, the Town Mayor addressed the Council to remind them of issues relating to rules of debate and, in particular, Standing Order No. 29 which states as follows:-

29(d) No speech by a mover of a resolution shall exceed five minutes, and no other speech shall exceed three minutes except by consent of the Council.

29(i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding three minutes.

29(j) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move closure. The Town Mayor sought the co-operation of members on the above to ensure that all members have the opportunity to speak if they so wished and to ensure that business was expedited within a reasonable time-frame.

With regard to declarations of interest, Councillors Dixon, Mann, Ruhmund and White advised that in their capacity as Penwith District Councillors, they had declared an interest at District Council level in Confidential Appendix 'A' of the Finance/Property Committee meeting minutes, in relation to CCTV, in order that they could participate and vote at Town Council level.

Councillors Dixon, Ruhmund and White, in their capacity as former trustees of Golowan Community Arts, advised that they would retire from the meeting if any reference was made to that organisation during discussions of Finance/Property minutes 18(h) - Golowan Festival 2007 - Final Report. Councillor Lawrence declared a personal interest in General Purposes minute 34 - Health Matters.

Councillor Rendle declared a personal interest in General Purposes minute 29 - 'One Cornwall', Consultation on Implementation - in his capacity as a member of Mebyon Kernow and in Finance/Property minute 18(e) - proposals re. Magpies Club as the Chairman of the Town Council's Planning Committee.

Councillor Clark declared a personal interest in General Purposes minute 38 - West Cornwall Economic Delivery Plan, as a member and Economic Development spokesman for Mebyon Kernow and in General Purposes minute 30(k) - Information re. The Penzance Central Initiative as a resident of Penzance Central Ward.

#### 50. **RESOLUTION TO VARY THE ORDER OF BUSINESS**

It was

**RESOLVED:** to vary the order of business to enable the item relating to CCTV from the Finance/Property Committee meeting to be brought forward for discussion.

#### 51. **CLOSED CIRCUIT TELEVISION**

A summary report prepared by the Town Clerk, together with a further update from Penwith District Council, had been distributed prior to the meeting and Councillor Dixon felt that the recent information supplied had now clarified the situation to the point where he would propose that the Town Council should support the cost of the upgrade, especially in view of the fact that without this support, the whole system in Penwith and Kerrier

would be switched off.

There were still some concerns outstanding, especially the lack of data relating to the efficiency of each individual camera and the uncertainty surrounding the status of the contract, once the proposed Unitary Authority comes into being.

However, it was pointed out that a limit to the liability of Town Councils would be built into the new contract and that the Town Councils would have a place at the table with regard to the new tender process and would have to agree the contract with the existing Authorities which, in turn, would have to be agreed with the incoming Authority.

It was also noted that the new CCTV system would be able to provide data on an individual camera basis.

Thanks were placed on record to Allan Hampshire and Tamsin Lees at Penwith District Council who had been very helpful in providing as much information as possible and it was, therefore, proposed that the Town Council supports the CCTV upgrade and this would be achieved by a separate line entry over and above the 2008/2009 precept and not by reductions in expenditure or the use of income from other committees.

The proposal was, therefore,

‘Penzance Town Council, having fully considered information received from Kerrier and Penwith District Councils, and from further information elicited by way of meetings, the most recent of which had been held on the 24<sup>th</sup> September, the content of which had been confirmed in a letter from the Head of Housing, Health and Community Safety, will commit financial support to the upgrade of the current CCTV system to a maximum annual cost over six years of £12,250.00.’

The following conditions apply to this proposal:-

The Town Council commits to this sum on the understanding that a formal contract would be drawn up between the Town and District Councils dealing with the partnership/financial arrangements, together with a clause limiting the liability in any circumstances to the sums stated above, ie. £12,250.00 per annum.

Very importantly, the contract will fully consider the effect of Local Government Re-organisation and ensure that the Town Council’s position and the future of CCTV is dealt with for the period of the contract.

The contract will be drafted with full consultation, involvement and agreement of the Town Councils concerned.

The proposal relating to additional income is noted and the Town Councils would receive any benefit from additional income in accordance with savings over and above the operational cost of £224,643.00.

The Town Council welcomed involvement in the tendering process and noted that it will be formally involved throughout the preparation of the tender specification and with the selection of the contractor to provide new equipment.

Finally, the Town Council notes that the new system will allow for more frequent and better information which will provide an insight into the effectiveness of the system which could provide the facility to enable number plate recognition.

A recorded vote was requested, the results of which are as follows:-

For the Proposal

Councillors F. Granger  
R. Clark  
D.J. Axford  
J.H. Dixon  
M. Lovegrove  
R.M. Lawrence  
R.A. Mann  
J.F. Moreland  
K.L.W. Perry  
J. Ruhmund  
C.A.C. White  
H. Worth

Against the Proposal

Councillors C.A. Dennis  
D. Nebesnuick  
P.C.H. Rendle

Councillor M. Freeman abstained from the voting and it was

**RESOLVED:** therefore, as outlined above.

Councillor C.A.C. White retired from the meeting directly after the CCTV item above.

52. **MINUTES OF PREVIOUS MEETINGS**

The minutes of the following meetings:-

Appointment Panel Meeting - 12<sup>th</sup> July 2007  
Full Town Council - 16<sup>th</sup> July 2007  
Special Town Council - 13<sup>th</sup> August 2007  
Special Town Council - 10<sup>th</sup> September 2007

Having been circulated prior to the meeting, it was

**RESOLVED:** that the minutes should be signed as true and correct records.

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

(a) Street Trading Application

Ms. R. Hambling and Mr. O. Kingdon, in the sale of continental and speciality bread and cakes made with organic stone-ground flour at a stall in Market Jew Street on Fridays, 9.00 am to 5.00 pm and it was

**RESOLVED:** to object to the application on the grounds of conflict with existing traders, eg. Browns in Bread Street.

54. **TOWN MAYOR'S ANNOUNCEMENTS**

(a) The Town Mayor reminded members that Paul Feast would take place on Sunday 7<sup>th</sup> October and he hoped as many members as possible would be in attendance;

(b) The Trafalgar Day Service would be held at Madron on Sunday 21<sup>st</sup> October and, again, the Town Mayor hoped that the service would be well supported.

55. **QUESTIONS IN ACCORDANCE WITH STANDING ORDER NUMBER 24**

Councillor Freeman referred to the presentation by Mr. Carter relating to the sale of knives and other sharp objects in local retail premises and requested that the Town Council investigates the law in relation to the sale of such items and, further, whether there were rules or advice pertaining to their safe display at retail outlets.

56. **REPORTS FROM COMMITTEES**

(a) **General Purposes Committee - 17<sup>th</sup> September 2007**

(i) 'One Cornwall' - Consultation on Implementation (Minute 29)

Members had been furnished with a copy of a letter sent from John Healey, MP, Minister for Local Government to Andrew George, MP, which cast doubt on the conclusions which could be drawn from polls carried out within five districts of Cornwall where the majority of those voting were against the move to a Unitary Authority.

In respect of the meeting convened by Cornwall County Council on the 26<sup>th</sup> September at the SureStart building in Penzance, those attending felt that the meeting had provided minimal opportunity for consultation and debate and there was still no information forthcoming with regard to the handing down of powers to Town and Parish Councils. However, it had been announced at the meeting that a questionnaire would be sent to all councils seeking views on what action they would like to see from the move to a Unitary Authority and the Town Clerk reminded members that a meeting had been requested with Mr. Stephen Ford, the Town and Parish Liaison Officer of the County Council in order that the council could put forward its views and move towards working with the Unitary Authority, should the judicial review fail.

(ii) Information re. The Penzance Central Initiative (Minute 30(k))

Councillor Rendle declared a personal interest in this item as a member for Penzance Central Ward and expressed his disappointment that the information concerning the initiative had not been provided directly to the Town Council and it was

**RESOLVED:** to note the position.

(iii) Licensing (Minute 32)

Councillor Dennis requested an update in respect of the meeting that took place on the 21<sup>st</sup> September which had been attended by the Town Mayor and Councillor White. The Town Mayor advised that Councillor White had asked for the meeting to be convened, and would provide a full report in due course, but he felt that the meeting had been constructive and that the Licensing Authority and the police would endeavour to work more closely in respect of licensing issues and it was

**RESOLVED:** to note the position.

(iv) Regeneration Consultation Group - Report of Meeting held on 15<sup>th</sup> August 2007 (Minute 35(a))

With regard to issues raised concerning the Isles of Scilly Route Partnership, the Town Clerk advised members that a response had been received from Mr. Tim Woods of Cornwall County Council that day but, as the response was rather lengthy, it was agreed that the paper would be copied to members for discussion at the next General Purposes Committee meeting.

In noting the concerns of members with regard to the lack of consultation/information in respect of the Isles of Scilly Route Partnership, Councillor Dixon, in his capacity as a District Councillor, agreed to take this matter up at District Council level and it was

**RESOLVED:** to note the position.

Councillor Mann declared a personal interest in this item due to his involvement as a Penwith District Councillor.

(v) Penzance Regeneration Management Group Meeting - 6<sup>th</sup> September 2007 (Minute 35(c))

Councillor Freeman made reference to the report concerning the proposed development at the Abbey Basin and drew attention to the fact that the slip-road had been under water on a number of occasions recently during high tides and it was

**RESOLVED:** to note the position.

(vi) West Cornwall Economic Delivery Plan (Minute 38)

Councillor Clark expressed concern with regard to the formulation and content of this

document and the fact that the Town Council was not an official consultee. Penwith was the 25<sup>th</sup> most deprived area in the country and the Economic Delivery Plan did not include any proposals or goals to alleviate this situation.

It was, therefore, proposed that the Town Council should protest in the strongest terms to Penwith District Council about the lack of planning for the Penwith area and that an economic agenda should be set to address the long-term deprivation of citizens in Penwith and it was

**RESOLVED:** that this objection should be made directly to Penwith District Council.

Subject to the above, it was

**RESOLVED:** to adopt the report.

(b) **Penlee House and Park Committee - 18<sup>th</sup> September 2007**

It was

**RESOLVED:** to adopt the report, including items contained within the confidential appendices to the meeting.

(c) **Planning Committee - 6<sup>th</sup> September 2007**

(i) **New and Amended Planning Applications (Minute 28)**

In respect of application number 07/P/0928 and 07/H/0104 - change of use and conversion of warehouse to offices and kitchen, construction of attached restaurant, bar, café and associated access works (amended design 05/P/0736 and 05/H/0082) - Abbey Warehouse, Penzance.

Councillors Dixon and Ruhrmund declared a personal interest as members of the Planning Committee at Penwith District Council.

The District Council had advised that the amended plans had been required to facilitate disabled access and it was

**RESOLVED:** to support the application.

Subject to the above, it was

**RESOLVED:** to adopt the report.

(d) **Planning Committee - 19<sup>th</sup> September 2007**

(i) **Outstanding Matters from the Meeting (Minute 31(d))**

The Town Clerk advised members that three items had been received following the preparation of the agenda for the Planning Committee meeting and had been listed to be

dealt with by full Council as follows:-

(a) Amendment to Existing Traffic-Calming Measures - Treneere Estate

This provided for alterations to the current traffic-calming measures from road tables to road humps which would accommodate changes in bus service routes and it was

**RESOLVED:** not to object to the alterations.

(b) Twinning Signage on the Approaches to Penzance

It had been proposed that twinning signage should be updated to include reference to Nevada City and Bendigo City and it was

**RESOLVED:** that the Town Clerk should write to Cornwall County Council regarding this signage and it was also suggested that consideration could be given to the roundabouts being renamed using the names of the twinned towns.

Subject to the above, it was

**RESOLVED:** to adopt the report.

(d) Finance/Property Committee - 20<sup>th</sup> September 2007

(i) Town Guide - 2008 (Minute 18(d))

Councillor Moreland expressed concern with regard to the notice-board located at the Railway Station which was currently in a poor state of repair and which showed very little useful information for visitors of the town and it was

**RESOLVED:** that the Town Clerk should investigate the possibility of using the notice-board for advertising space.

(ii) Proposals re. Magpies Club (Minute 18(e))

Councillor Ruhmund declared a personal interest as a member of the Planning Committee at Penwith District Council.

With regard to information received from the Chairman of the Football Club prior to the commencement of the meeting, members felt that the clubhouse should be redeveloped prior to or in tandem with the development of residential buildings on the site of the current clubhouse and it was

**RESOLVED:** to note the position.

(iii) Town Council Involvement in Proposed Winter Solstice Events (Minute 18(l))

Councillor Nebesnuick felt that the wording of the resolution should be amended to

indicate that the Council would provide administrative assistance only but the Chairman, in conjunction with other members of those present at the meeting, advised that he felt that the wording was correct and that the resolution should stand.

Since the Finance/Property Committee meeting, it was understood that the Penzance Central Initiative had rejected the application for grant aid but the grounds for refusal were not known and it was

**RESOLVED:** that the Town Clerk should endeavour to establish the reason for refusal.

(iv) Major Awards (Minute 20(b))

St. Mary's Haven - Day Centre

Councillor Cotton advised members of the serious situation facing the elderly in the Parish following the introduction of the Fair Access to Care Services in 2006 and he advised that both St. Mary's Haven and Pengarth had been severely affected.

The changes to the service had resulted in the loss of four full-time positions at Pengarth and some elderly people were now in a situation where they were unable to leave their homes and take advantage of the services on offer at the Day Centres.

Councillor Dixon advised that the situation was not entirely a local problem as funds had been cut by Central Government to all Local Authorities and it was

**RESOLVED:** that a letter should be sent to Cornwall County Council as outlined in the Finance Committee minutes.

(v) Resolution to Exclude the Press and Public

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

**RESOLVED:** to exclude the press and public from the remainder of the meeting.

(vi) Golowan 2007 - Final Report

See Confidential Appendix 'A'.

Councillors Dixon and Ruhmund declared a prejudicial interest, as former trustees of the Golowan Community Arts Group, and retired from the meeting for item (ii) of the confidential minute.

9.56 pm

Town Mayor  
19<sup>th</sup> November 2007