

MINUTES OF PENZANCE TOWN COUNCIL MEETING held in The Guildhall, St. John's Hall, Alverton Street, Penzance on Monday 14th July 2008 at 7.00 pm.

PRESENT

Councillors RA Mann (Town Mayor)
R Clark (Deputy Mayor)

Councillors MR Cotton (left at 9:15pm)
CA Dennis
JH Dixon
M Freeman
F Granger
RM Lawrence
M Lovegrove
JF Moreland
D Nebesnuick
KLW Perry
PCH Rendle
J Ruhrmund

ALSO PRESENT: Members of the public who wished to address the Council with regard to General Purposes Minute 17.(a) – Morrab Road Association and Planning Minute 16.(a) – Correspondence re Charles Terence Estates – acquisition of properties to be used for multiple occupancy and planning process.

27. **PRAYERS**

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

Before members of the public spoke, the Clerk made the following announcement to members of the Council:

“Could members please bear in mind that the Town Council is not in a position to discuss specific addresses and that any mention of a particular residence could place the Town Council in a difficult situation. This advice is based on a holding email received, the text of which I quote you verbatim as follows:

“We are going to have to take a legal view on the property address list as the individuals accommodated have rights regarding pigeon-holeing etc. which has to be considered as well as the context of advising members of District and Town Councils.”

The Clerk advised that, although there was no wish to stifle public debate, the Council must err on the side of advice offered until the situation is clarified.”

Six members of the public then addressed the Council with concerns over the operation of homes run by Charles Terence Estates for young singles whose lifestyle makes it very difficult for them to find suitable housing. A number of these homes already existed in

Penzance and there had been concerns and complaints about regular disturbance through noise and excessive activity at night.

The Mayor thanked the speakers for addressing the meeting and confirmed that the Town Council would raise these concerns with the appropriate officers at Penwith District Council.

28. **APOLOGIES FOR ABSENCE**

Councillors J Parkin, CAC White, H Worth.

29. **DECLARATIONS OF INTEREST**

Declarations of interest from the four standing committees were noted, in addition to which the following declarations were made:

Councillor Nebesnuick declared a prejudicial interest in Finance & Property Committee Minute 11.(f) – Heritage Plaque Scheme – shortlist of nominations, as the owner of one of the properties under discussion.

Councillor Nebesnuick declared a personal interest in Planning Committee Minute 16.(h) – Tree Preservation Orders, 1 Wellington Terrace as a neighbour of the property concerned.

30. **MINUTES OF PREVIOUS MEETINGS**

Councillor Rendle pointed that Minute 25.(iii) Post Office – Network Change Programme, was incorrect as Gulval Post Office had not closed as was reported in the Minute.

Subject to the above, the minutes of the meeting held on 2nd June 2008, having been circulated, it was

RESOLVED: that the minutes should be signed as a true and correct record.

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

Street Trading Application – Mrs Elizabeth Anderson

On behalf of the newly formed Mounts Bay Women’s Institute, Mrs Anderson had applied for consent to run a stall selling cakes, preserves and craft items at the bottom of Causewayhead on Saturday 20th September 2008 and it was

RESOLVED: Not to object to the application.

32. **TOWN MAYOR’S ANNOUNCEMENTS**

The Town Mayor thanked everyone involved in the Golowan Festival, including volunteers, Councillors and Council staff, for all the hard work and effort that had ensured the Festival was once again a great success and special thanks went to the Mock Mayor (a Tony Blair impersonator) for his presence and participation throughout Mazey Day.

Councillors were asked to be aware of the current situation in the office and to assist the staff during the absence of the Town Clerk and the Mayor thanked the staff for their efforts.

Finally, the Mayor wished all members a happy summer and reminded them that the Council would reconvene in September.

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

The Clerk advised that no such questions had been received.

34. **REPORTS FROM COMMITTEES**

It was

RESOLVED: to consider all confidential appendices and/or receive such appendices as the final item of business.

(a) **General Purposes Committee – 30th June 2008**

(i) **Morrab Road Association (Minute 17.(a))**

Councillor Freeman addressed the members of the public remaining at the meeting and pointed out that all decisions about this issue had been made by Penwith District Council and not the Town Council but the Council sympathised with the concerns about the impact these residences could have on neighbouring businesses and shared these concerns.

Councillor Clark informed members that, following the presentation at the General Purposes Committee meeting of 30th June, the Clerk had written to Barry Turnbull at PDC, confirming the information that the Town Council wished to receive and this report had been received by the office shortly before the start of the meeting and it was

RESOLVED: that the report should be formally received and that it should be posted on the Town Council website along with the document from the Office of the Deputy Prime Minister that outlined the ‘change of use planning regulations ‘.

Councillors regretted the lack of clarity surrounding this issue and the lack of information that had been provided by PDC to the Town Council and District Ward Councillors present at the meeting advised that they too had not been told of the nature and location of the properties and it was

RESOLVED: that a special meeting be held within the next two weeks to which Allan Hampshire (Head of Housing & Environmental Services), Barry Turnbull (Senior Environmental Health Officer), Gila Trevena (Affordable Housing Officer), a senior planning officer and a representative of the local police force should be invited.

(ii) Correspondence re planned waste incinerator in St Dennis (Minute 17.(d))

The Clerk reported that further information had been received from the office of Matthew Taylor MP stating that size, practical and operational criteria and availability for purchase had been taken into account in the initial search for a suitable site for the waste incinerator and that Rostowrack Farm in St Dennis was chosen as it is near a railway station which offers “future opportunity” to transport waste by rail and “reasonable proximity” to the A30 which the lorries will use to deliver the waste from across Cornwall.

It was pointed out that one of the concerns raised by Mr Taylor was the amount of lorries that would be travelling throughout the county to reach the incinerator but such journeys were already being undertaken to reach existing sites and it was

RESOLVED: that the position be noted.

(iii) Town Council Elections 2009 (Minute 17.(f))

Councillor Clark raised a query about whether a decision had already been made to hold the elections in 2013 and not 2009 and, although the Town Clerk’s Office had not yet been informed of this decision, it appeared from a ‘One Cornwall’ press release that this decision had been taken and it was

RESOLVED: that the position be noted.

(iv) Attendance at meetings (Minute 17.(h))

Councillor Rendle addressed councillors with concerns about poor attendance at meetings and the untimely notification of apologies to the office that sometimes left committee meetings inquorate and that this could have a detrimental effect on the working of the Council. It was noted that sometimes personal and family circumstances did not allow members to telephone the office in advance of a meeting and also that national policy stated a member is only required to attend one meeting in six months in order to retain their place on the Council.

Councillor Rendle then put forward the following proposal:

“That the Minutes of meetings should show, as well as those attending and giving apologies, those who were absent without apologies”

and it was

RESOLVED: to accept the proposal.

(v) Street cleaning and locking of public conveniences (Minute 17.(m))

The Clerk advised members that a response had been received from the Open Spaces Manager at Penwith District Council who recognised that there was an ongoing problem with trade waste and cigarette ends etc. outside shops/businesses

and that letters had been sent out to the businesses concerned. He pointed out that there had been staff cutbacks and reductions in resources but he would welcome the opportunity to meet town councillors on a regular basis to review specific sites and to take steps to rectify these problems and Councillor Freeman offered to attend these meetings.

It was mentioned that a document is available that categorises streets into levels of cleanliness and it was felt that PDC, whilst reacting positively to any complaints made, should be more proactive with regard to the maintenance of the streets and it was suggested that the local press could publish the 24 hour helpline number to raise the awareness of residents that this service exists.

It was also mentioned that the public toilets at Wherrytown were not cleaned adequately or often enough and it was

RESOLVED: that a meeting be set up between Brian Hosken, Councillor Freeman and any other Councillor who may be interested in attending.

- (vi) Information re BT's proposal to re-align payphone provision to meet consumer demand (Minute 17.(p))

It was

RESOLVED: that a letter be sent to BT objecting to the removal of the payphones at Tregavarah and Sheffield.

- (vii) CCTV System – invitation to Interest Group Meeting (Minute 17.(q))

Members were referred to the note at the end of the General Purposes minutes where concerns were raised that it appeared the Town Council had been omitted from consultation over the tendering process and it was pointed out that several attempts on the part of the Town Clerk to obtain clarification about this process and to organise a meeting, separate from the general interest group, had not received a satisfactory response. The Town Clerk had been informed that the tender process was being managed by an 'upgrade working group' but the members of this group were unknown and it was

RESOLVED: that a letter should be sent to PDC requesting further clarification of the tendering process and the nature of the upgrade in relation to the original specifications and notification of the members of the 'upgrade working group' and also that the other Town Councils involved in the scheme should be contacted for their views on the process.

- (viii) Removal of upper gastrointestinal cancer surgery from Cornwall (Minute 21.(a))

A document prepared by the Primary Care Trust providing clinical evidence for the proposed removal of upper gastrointestinal cancer surgery from Cornwall was distributed to all members and it was pointed out that the priority concern should be for Cornish patients to have access to the best possible medical care. The

psychological and financial effect of patients having to travel long distances for medical care and being removed from the proximity of family and friends needed to be borne in mind and, to address these issues, further funding was urgently needed, however, clinical standards should not be traded against convenience and it was

RESOLVED: that the relocation proposals be supported but that the issue of financial assistance for people making longer journeys should be pursued and that the establishment of a centre of clinical excellence in Cornwall should also be actively encouraged.

Councillor Lawrence wished his objection to the resolution to be recorded.

(ix) Visit to Abbey Warehouse and latest information on THI Scheme (Minute 22.(a))

A copy of the THI Progress Report from April 2008 had been copied out to all members and Councillor Ruhrmund informed the meeting that the THI wanted to ensure that all stakeholders were consulted and all evidence incorporated in the reports of the THI.

Councillor Moreland queried the status of the streetscape/public realm works and it was

RESOLVED: that Penny Stokes, the Conservation Officer, be asked to provide the Town Council with an update on THI developments to date.

(x) Promenade Penzance and Sea Change Fund (Minute 22.(c))

Councillor Clark requested that the Town Council support the plans for the promenade and also asked for affirmation of support for the proposals for the harbour area that had been presented to the Council earlier in the year by the Harbour Users Association.

It was recognised that a detailed regeneration plan for the promenade would be needed and that the lack of a cohesive plan covering all aspects of the waterfront area had always been a problem that was caused in part by the lack of resources at Penwith District Council and it was

RESOLVED: that the Council would support the promenade bid by PDC and also confirm support for the Harbour Users Association proposals and ask that PDC do likewise.

Subject to the above, it was

RESOLVED: to adopt the report.

Councillor Dixon at this point commented that the General Purposes agenda and minutes were very long and asked that ways in which this could be shortened be reviewed.

(b) **Penlee House and Park Committee – 1st July 2008**

It was

RESOLVED: to adopt the report including the Confidential Appendix.

(c) **Planning Committee – 12th June 2008**

(i) **Arboricultural Training (Minute 10.(a))**

Councillor Rendle had attended the arboricultural training evening on 8th July and would copy out the accompanying documentation to all members and it was

RESOLVED: to note the position.

(ii) **New and Amended Planning Applications (Minute 12.)**

Councillor Rendle informed members that a decision on planning application 08-0826-P – conversion of shop to form offices and shop use on ground floor and construction of stair tower at ‘Meeks’, 13 & 14 Market Place by BBCB Ltd was still outstanding and it was

RESOLVED: that this decision be left to the Chairman and Vice-Chairman of the Planning Committee to make.

Subject to the above, it was

RESOLVED: to adopt the report.

(d) **Planning Committee – 2nd July 2008**

(i) **Correspondence re Charles Terence Estates – acquisition of properties to be used for multiple occupancy and planning process (Minute 16.(a))**

Councillor Rendle referred to the document “Changes of Use of Buildings and Land – The Town & Country Planning (Use Classes) Order 1987”, amended in 2005 and made mention of the fact that the situation concerning the single household concept may have altered in the intervening years and it was

RESOLVED: to note the position.

(ii) **Signage at entrance to Market Jew Street (Minute 16.(b))**

An electronic bollard at the entrance to Market Jew Street that could be controlled by taxis and local buses was suggested as a possible solution to the problem of prohibited traffic driving down the street and it was

RESOLVED: that the suggestion be conveyed to Cornwall County Council.

(iii) **Penwith District Council – Arboricultural Evening (Minute 16.(c))**

Councillor Perry informed members that he had attended the arboricultural evening and found it very useful and informative and it was

RESOLVED: to note the position.

(iv) **Painting of finger-posts at Gulval (Minute 16.(d))**

Concerns were raised over claims from Cornwall County Council that funding was not available for the painting of the finger-posts in Gulval although the highways department was very active with street markings in other areas and it was

RESOLVED: that a letter should be sent to Cornwall County Council objecting strongly to this position and asking for the situation to be reconsidered.

(v) **New and Amended Planning Applications (Minute 19.)**

With reference to application nos. 08-0794-P and 08-0795-AD – Costa Coffee Ltd, 2 Wharfside Shopping Centre, it was

RESOLVED: not to object to the application.

Subject to the above, it was

RESOLVED: to adopt the report.

(e) **Finance/Property Committee – 3rd July 2008**

It was

RESOLVED: to adopt the report including the Appendices.

Prior to consideration of the annual return and accounts, Councillor Lawrence, on behalf of the Stannery Parliament, presented the Mayor with a copy of the ‘pardon’ of 1508 that had been produced to mark the 500th anniversary of this event.

35. **Annual Return and Accounts 2006/2007 and 2007/2008**

(a) Amended accounts for the year 2006/2007 were submitted for approval and it was

RESOLVED: that the accounts should be approved and signed.

(b) Copies of the annual return and accounts for the year 2007/2008 having been circulated prior to the meeting it was

RESOLVED: that the accounts should be approved and signed. (See Appendix ‘A’)

Town Council

14th July 2008

9:41pm

Town Mayor
29th September 2008