

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING held in The Guildhall,
St John's Hall, Penzance on Tuesday 20 October 2009 at 7.00pm

PRESENT

Councillor R A Mann (Town Mayor)
Councillor J Ruhrmund (Deputy Mayor)

Councillors J H Dixon
M Freeman
R M Lawrence
J Moreland
T E Williams

45. APOLOGIES FOR ABSENCE

Councillors M R Cotton, F Granger, R Lewarne, M Lovegrove, D Nebesnuick,
J Parkin, P C H Rendle, C A C White.

Absent without apologies: Councillors D J Axford, C A Dennis, K L W Perry,
H Worth.

46. DECLARATIONS OF INTEREST

No declarations of interest were received

47. COMMUNITY NETWORK PANELS – CALL FOR EVIDENCE

The Town Council had received notification that the first round of Community Network Panel meetings had been cancelled pending a review into the formal aspects of localism and alternative mechanisms for engaging with Town and Parish Councils. To assist with this process, the Town Council had been asked to submit their views on this issue and, in particular, to provide a response to the three following questions:

Question 1: What are you looking for in your relationship with Cornwall Council, both Councillors and officers?

Response:

Penzance Town Council is looking for an open and timely dialogue with both Cornwall Councillors and officers that will directly result in the Town Council having a substantial influence on decisions and events that affect the Parish of Penzance.

The Town Council would also like to see proportional representation on the Community Network Panel, i.e. since Penzance has a larger population than the other Parishes within the Community Network, the Town Council should

have a greater proportion of representatives on the Panel than the smaller Parishes.

The Town and Parish Forum meetings run by the former Penwith District Council had been very effective and beneficial and the Town Council would wish to support a similar Forum where consensus decisions could be reached on issues materially affecting all parties.

Question 2: What is the best way for Cornwall Council, both members and officers, to engage with your Council:

- *at a Town/Parish level?*
- *at a Community Network level*
- *at a Countywide level?*

Response:

Members agreed that engagement at all three of the above suggested levels should be activated to ensure that the residents of Penzance have an opportunity to use the Town Council to engage with Cornwall Council.

It was felt that evidence of engagement and consultation with the Town Council so far had been lacking (the issue of the Route Partnership being held up as a prime example) and members were dubious as to the seriousness of Cornwall Council's intent to engage with the Town Council. Cornwall Council should be reminded that 'localism' had been a core element of the unitary bid and that a duty to fully engage with Town and Parish Councils existed under this banner.

On the issue of working with other agencies such as health and police, again, the Town Council refers to the Town and Parish Forum model of meetings where, if necessary, health and police officials could be called to the meeting to provide advice and information.

Penzance Town Council is already working with other towns within the western area and beyond through membership of the Larger Councils Committee of the Cornwall Association of Local Councils and it was felt that this body could be engaged with issues of a strategic nature or those which particularly affect larger towns.

Question 3: Do you think that Community Network Panels should operate as formal Joint Committees of Cornwall Council or would you prefer each Community Network to develop the working methods that best suit the individual network area, but within broad parameters set by the review?

Response:

Firstly, clarification was requested on the status of the Community Network Panel, what powers would be afforded to such a body and how Cornwall Council envisages ensuring that localism works. The Town Council wishes to actively assist in facilitating this process and ensuring its effectiveness.

Given the positive experience of working with a Town and Parish Forum, Penzance Town Council would wish to see that format of meetings continued and not for Cornwall Council to implement a formal joint committee which would be bound by the rules of Cornwall Council's constitution and, therefore, become dominated by the business of Cornwall Council. This approach would enable Cornwall Council to make informed decisions in a more timely manner and provide evidence of a meaningful consultation process.

Meetings of the Community Network Panel (or Town and Parish Forum) should be held regularly every six weeks.

Following the discussions on the above, it was

RESOLVED – to approve the responses.

It was further

RESOLVED – that a meeting with Lance Kennedy (Cabinet Member for Stronger Communities) and Sally Newby (Community Network Manager) should be held at the earliest opportunity to resolve any issues and receive further information about the inter-action, responsibilities and brief of the Network Panel.

48. LOCAL PROTOCOL ON PLANNING APPLICATIONS

The Town Council had been asked by the Planning and Regeneration department of Cornwall Council to provide input on the planning application consultation process and how the Town Council would like to receive officer comments. A chart had been provided, outlining the proposed process, however, this seemed to indicate a timeframe for issues to be discussed and commented upon which would not be viable when put into practice.

Following detailed discussion by those present, it was

RESOLVED – to submit the following responses:

- The Town Council wishes to have the ability to “call-in” an application to be considered at committee via their Local Cornwall Councillors.
- In order for the Town Council to have a more informed debate on each application, it would be useful if Cornwall Council officers could give an indication of their recommendation following a site visit and not beforehand, as is proposed. This would save a great deal of correspondence since negotiation would need only then take place if the Town Council felt it could not support the officer's recommendation or if that officer subsequently changed his/her view on an application.

- An indication of the levels of support or objection on each individual planning application would also greatly assist the Town Council in forming its opinion.
- Cornwall Council must understand that, given a view is formulated by the Town Council's Planning Committee, the Town Clerk is not in a position to alter a decision unless the item is referred to the committee.
- Although, it may be possible to extend a limited degree of officer delegation and consultation with a smaller number of the Planning Committee, it would not be workable to insist that this is the case in all matters, particularly given the contentious nature of certain applications.
- It would be useful to the Town Council if Cornwall Council would provide information on its current protocols for dealing with Town and Parish Council comments.
- The Town Council is also seeking clarification on the ability of individual members of the Council to attend and speak at site visits and formal planning meetings and, in particular, whether that member can express not only the views of the Town Council but also views as a ward member as provided to them by their electorate. In this instance, it is recognised that the Councillor must make it very clear on whose behalf he/she is speaking.

The meeting closed at 8.35 p.m.

Town Mayor
16 November 2009