

**MINUTES OF PENZANCE TOWN COUNCIL MEETING** held in The Guildhall, St. John's Hall, Alverton Street, Penzance on Monday 1 February 2010 at 7.00pm

**PRESENT**

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

Councillors D J Axford  
M R Cotton  
C A Dennis  
J H Dixon  
M Freeman  
R M Lawrence  
R Lewarne (left at 9.10pm)  
J Moreland  
K L W Perry  
P Peters  
P C H Rendle  
C A C White (left at 9.20pm)  
T E Williams

Also present: Councillor R Harding, Cornwall Council

**72. PRAYERS**

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

**73. PUBLIC SPEAKING**

None.

**74. APOLOGIES**

Councillors M Lovegrove, D Nebesnuick, J Parkin.

Absent without apologies: Councillors F Granger, H Worth.

**75. DECLARATIONS OF INTEREST**

Other than the declarations of interest from the four standing committees, the following declarations of interest were received:

Councillor Dixon declared a personal interest in Minute 81(c) St Piran in Penwith, as a member of the organising board.

Councillor Williams declared a personal interest in Minute 81(b) Isles of Scilly Link / Route Partnership as a member of the Cornwall Council political sub-group; Councillors Moreland and Rendle also declared a personal interest in this Minute as members of the Civic Society and Councillors Rendle and Ruhrmund declared a personal interest as members of the Old Cornwall Society.

Councillor Lawrence declared a personal interest in Minute 82(f) NHS Dentistry in Penzance due to his involvement with various medical groups.

**76. TO CONFIRM MINUTES OF PREVIOUS MEETINGS**

The Town Mayor signed as true and correct records the minutes of the Special Town Council meeting held on 8 December 2009 and the minutes of the Town Council meeting held on 10 December 2009.

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

There was no business to be dealt with.

**78. TOWN MAYOR'S ANNOUNCEMENTS**

The Mayor reminded members of the St Piran's Day march that would take place on Friday 5 March 2010.

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

Councillor Rendle raised the following two points which were responded to by the Town Clerk:

- (a) Very few Councillor email addresses appear on the Town Council's website. The Town Clerk informed members that, under the Data Protection Act, personal email contact details could only be included with the permission of the individual Councillor.
- (b) The Minutes of the fifth and sixth cycles of meetings had not yet been uploaded on the website. The Town Clerk reminded members that the responsibility for updating the website fell to the Assistant Finance Officer who had been extremely busy over the previous two months with reviewing and setting the Town Council's budgets. Now that this work had been completed the fifth cycle of meetings had already been posted and the sixth cycle would also appear once they had been ratified by this evening's Town Council meeting.

**80. REPORTS FROM COMMITTEES**

(a) **General Purposes Committee – 18 January 2010**

Acceptance of the minutes of the General Purposes Committee meeting held on 18 January 2010 was proposed and seconded.

(i) Tesco roundabout (Minute 38)

Following a recent accident at the Tesco roundabout, Councillor Lewarne again raised concerns over the safety of the area, especially with regard to pedestrians. The Town Clerk informed members that he had already spoken with Mr Peter Moore of Cornwall Council's Highways Department and had

requested an update on the survey that was being conducted into the road safety aspects of the roundabout and any further information would be brought forward for discussion at the next meeting of the General Purposes Committee.

(ii) Renovation of the railway station and bus station areas (Minute 44(b))

Members were concerned about poor state of this area and the lack of facilities provided and felt that the Town Council should be included in any plans for improvements and refurbishment. Councillor Peters informed the meeting that he had contacted the Station Manager and was awaiting a response with regard to a meeting with the Town Council.

(iii) The proposed closure of the Cornwall Council Offices at St Clare (Minute 44(c))

The Town Clerk had been informed that the St Clare offices were not under immediate threat of closure, although Councillor Lewarne made reference to documents already in the public domain that clearly ear-marked the site for potential development.

(b) **Penlee House & Park Committee – 19 January 2010**

Acceptance of the minutes of the Penlee House & Park Committee meeting held on 19 January 2010 was proposed and seconded and it was

**RESOLVED** – that the confidential appendix ‘A’ would be considered during private session.

(c) **Planning Committee – 20 January 2010**

Acceptance of the minutes of the Planning Committee meeting held on 20 January 2010 was proposed and seconded.

It was noted that Councillors Axford and Rendle had been omitted from the list of attendees and this would be amended.

(i) Allotment working group (Minute 60)

Councillor White requested that she be included in the working group due to her connections with PHA and the Treneere area where potential for a new allotment site existed.

(d) **Finance/Property Committee – 21 January 2010**

Acceptance of the minutes of the Finance/Property Committee meeting held on 21 January 2010 was proposed and seconded.

(i) **Cornwall Council funding cuts – Golowan (Minute 46)**

Members were concerned at the loss of the position of Pool Manager at the Jubilee Pool as this represented yet another lost employment opportunity for Penzance and it was

**RESOLVED** – that a letter of objection over the decision not to fill this position locally be sent to Cornwall Council and that the Cornwall Councillors for the Penzance area should also be asked to follow this up.

Subject to the above, it was

**RESOLVED** – that the minutes of the above committee meetings be approved and adopted.

**81. REPORTS FOR DECISION**

(a) **Re-development of Newlyn Harbour**

Concerns had been expressed to the Town Clerk over the potential loss of funding for the re-development of Newlyn Harbour and the urgency that was now required in implementing the Harbour Revision Order. The Town Clerk had already written to Mr Colin Morris of the Department for Transport and Mr Morris had responded that the Department was aware of the need to implement the HRO as soon as possible but pointed out that the Town Council's request for a representative on the Board of Harbour Commissioners would delay this process as changes would need to be made to the HRO's constitution.

The new Commission would be recruited with public advertisements appearing over the next few weeks (with a view to the new Harbour Commission being in place on 1 April 2010) and the criteria for acceptance would include knowledge, experience or ability in local government and administration and if Town Councillors wished to apply for a place as individuals, their experience in these areas would be taken into account.

However, it was pointed out that if a Town Councillor did take a place on the Commission, he/she would not have the mandate to represent the Town Council and would be precluded from taking part in any discussions or votes on this subject at Town Council meetings. Councillor Moreland suggested that the implementation of the HRO should go forward in its current proposed format and that the Town Council could request a 'silent' non-voting place at the table at a later date.

(b) **Isles of Scilly Link / Route Partnership**

Councillor Peters had attended a recent meeting of the Cornwall Council Cabinet and had put forward a question on behalf of the Town Council asking why the Town Council had not yet been shown, or had the opportunity to discuss, the report into the viability of Option C. Councillor Peters' report on

the meeting had been distributed to all Councillors and Councillor Freeman offered a vote of thanks from the Council to Councillor Peters for his report.

Following the Cabinet meeting, Officers of the Route Partnership had requested a meeting with the Town Council and the Cornwall Councillors for the Penzance area and this had now been arranged for 7pm on Monday 8 February 2010. Members felt that sight of the full report into Option C including the estimated expenditure figures should be made available before the meeting and they were informed that the report from the Cabinet meeting held on 16 September 2009 was available to download from the Cornwall Council website. Members also wished to stress that the meeting on 8 February should be an open discussion between the parties with the Town Council being given the opportunity to have a meaningful input to the negotiations and plans.

The Mayor, Deputy Mayor and Town Clerk had attended a meeting organised by Andrew George MP earlier in the day and it was

**RESOLVED** – that further discussions on the Route Partnership would be conducted in private session at the end of the meeting. (See Confidential Appendix 'A').

(c) **St Piran in Penwith**

A request had been received from the organisers of the St Piran's Day activities in Penzance for further funding, following the loss of funding from the previous Penwith District Council. The Town Clerk reminded members that the Town Council already made an annual grant of £500 towards the cost of organising the parade and evening entertainment and it was

**RESOLVED** – that a further grant of £100 and use of the administrative services of the Town Clerk's Office should be made, but it should be stressed that this was a 'one off' decision and should not be viewed as an annually recurring donation.

Councillor Lewarne suggested that the organisers could contact the Community Network Manager of Cornwall Council with regard to any funding that could be made available from the Cornwall Councillors' grant allowance.

(d) **Budget following review**

Councillor Cotton, as Chairman of the Finance and Property Committee, provided a brief report into the budget review that resulted in a 5.727% increase on the precept. He thanked the Chairmen and Vice-Chairmen of the four standing Committees for their input into the review and the Mayor and the Town Clerk expressed particular thanks to Paul Birch, the Assistant Finance Officer, for all his hard work in processing the calculations and providing the relevant documentation.

It was then

**RESOLVED** – to accept the precept proposal.

(e) **Correspondence via email**

The Town Clerk commented on the large amount of paperwork that was generated in the Town Clerk's Office and suggested that it would be more economical and environment-friendly if some documents could be emailed to those Councillors who had access to the internet. Councillors were asked to inform the Town Clerk's Office if they were happy to receive documents electronically.

**82. REPORTS FOR INFORMATION**

(a) **Penzance, St Just, Nevada City and Bendigo Twinning Association**

Councillor Freeman made mention of a charity concert being organised by the Cornish Federation of Male Voice Choirs to support those of Cornish descent affected by the bush fires of February 2009 in Victoria, Australia. The concert would be held on Saturday 20 February 2010 in Newquay.

(b) **'Have a Heart for Haiti' musical fund-raising event**

For information only.

(c) **Licensing of alcohol, regulated entertainment and late night refreshment**

Members raised concerns that the Town Council is not included as consultee on licensing applications under the Licensing Act of 2003 and felt that a lot of local knowledge was not being maximised, especially following the re-organisation of local government and the removal of the District Council. The Town Clerk reminded members that they could represent a business or local resident if they were expressly asked to do so but it was felt that the whole Council should be included at the consultation stage.

Councillor Williams also expressed the need for guidance on the definition of the term 'vicinity' as it applies to businesses or people within the 'vicinity' of licensed premises.

Following further discussions, it was

**RESOLVED** –

- (i) to write to Central Government in support of a NALC initiative to lobby for a change to the legislation that excludes Town and Parish Councils from consultation on licensing applications and stressing that Town Councillors have a wealth of local knowledge that would assist in decisions to be made on licensing applications;
- (ii) that guidance on the definition of the term 'vicinity' should be sought from Cornwall Council and that concerns over the poor signage on the

Cornwall Council website should be expressed as this made it very difficult to locate licensing applications on the website. Assurance should also be sought that the contact details of persons objecting to a licensing application would not be made available on the website;

- (iii) that a licensing officer from Penzance Police Station should be invited to attend a future Council meeting.

(d) **'Blast 2010'**

'Blast 2010' was a BBC initiative aimed at 13-19 year olds to enable them to become involved in all aspects of broadcasting, both radio and television, and the BBC Blast 2010 roadshow would be visiting Penzance from 22 to 24 July 2010.

(e) **Penzance Town Guide**

The Town Clerk reported that work had begun on the next edition of the Town Guide and this would be available for distribution later in the year. It was also reported that the Guide would now be displayed at Tourist Information Centres which had not been the case in the past due to a dispute over some of the advertisers in the Guide not being members of 'Visit Cornwall'.

(f) **NHS Dentistry in Penzance – response from Cornwall & Isles of Scilly NHS Primary Care Trust**

In response to a query raised by the Town Council, the NHS Primary Care Trust had written to inform the Council that a procurement process to provide NHS dentistry for 12,000 Units of Dental Activity in the Penzance area was underway and it was hoped that a new dental practice would be opened in early Summer 2010.

(g) **Notification of presentation by the Flood Incident Management Department of the Environment Agency**

The Flood Incident Management Department would give a presentation to the Town Council at the next meeting on 15 March 2010.

(h) **Planning training in Helston**

The Town Clerk of Helston had arranged planning training for Helston Councillors on Tuesday 9 March 2010 and some spaces would be available for other Town Councillors. If any Penzance Councillor wished to attend details could be obtained from the Town Clerk's Office and the attendance fee of £30 would be met by the Town Council.

**83. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** – to exclude the press and public from the meeting to discuss matters of a confidential and sensitive nature in accordance with Section 12(A) of the Local Government Act 1972 as amended.

(a) **Penlee House & Park Committee, 19 January 2010 – Confidential Appendix ‘A’**

The content of Confidential Appendix ‘A’ was considered and noted and further information can be read under Confidential Appendix ‘B’ to these Minutes.

The meeting closed at 9.27pm

Town Mayor  
15 March 2010