

**MINUTES OF PENZANCE TOWN COUNCIL MEETING** held in The Guildhall, St. John's Hall, Alverton Street, Penzance on Monday 15 March 2010 at 7.00pm

**PRESENT**

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

Councillors D J Axford  
M R Cotton  
C A Dennis  
M Freeman (left at 10.05pm)  
R M Lawrence  
R Lewarne (left at 10.05pm)  
M Lovegrove  
D Nebesnuick  
J Parkin  
K L W Perry (left at 10.05pm)  
P Peters  
P C H Rendle  
C A C White (from 7.30pm to 10.05pm)  
T E Williams (left at 9.30pm)

Also present: Councillor R Harding, Cornwall Council

**87. PRAYERS**

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

**88. PUBLIC SPEAKING**

None.

**89. PRESENTATIONS**

(a) Penzance Fire Service

The Mayor welcomed Andy Barrett, officer in charge of services delivery in West Cornwall for the Cornwall Fire and Rescue Service. Mr Barrett provided an update on recent initiatives being carried out in West Cornwall that included:

- providing safety advice in the home for the more vulnerable residents;
- working with young people via school visits to proactively educate children on the dangers of fires and targeting arson and hoax calls in a bid to reduce the increasing number of these incidents;
- conducting 'farm surveys' in rural areas to help ensure the safety of people living in harder to reach areas.

Councillors raised concerns over the potential loss of local knowledge should the proposed move of services to a Regional Central Control at Taunton go ahead. It was acknowledged that this could be an issue, however, the fire and rescue teams would still be based locally and possess local knowledge.

Mr Barrett informed members that the Service would like to provide regular, quarterly updates to the Town Council and it was hoped that a visit to the Penzance Fire Station could be organised for all Councillors some time after the Easter break.

(b) Environment Agency – Flood Management

Representatives of the Environment Agency's Flood Incident Management Team (Duncan Struggles and Lynsey Wilcox), based at Bodmin, and of Cornwall Council (Arthur Roberts, Emergency Management Officer and Andrew Slater) were in attendance at the meeting to talk about the risks of flash flooding within the Penzance area.

Members were informed that the Penzance parish was ranked amongst the top five areas in Cornwall identified at risk of flash flooding (resulting from very intense rainfall over a very short period of time) and there was currently no flash flood warning system in place. The steep course of many of the local streams and rivers contributed greatly to the problem that put over 600 properties at risk.

In order to be prepared in the event of a flash flood, it was suggested that an emergency plan for the parish should be formulated. The Environment Agency representatives offered to assist with the implementation of an emergency plan and it was estimated that this would take six months and would tie-in with the cohesive multi-agency flood plan being formulated to cover Devon, Cornwall and the Isles of Scilly.

A local community emergency plan would initiate immediate action in times of emergency that would cover the problem until the multi-agency plan took over. It was felt that a local community flood plan would reduce possible loss of life, damage caused by flooding and the stress and panic that occurs during a flood. The plan would identify areas and people most at risk, outline actions to be taken before, during and after a flood, clarify responsibilities and share local knowledge.

After the presentation, questions and comments from Councillors were received:

- Concerns were raised that unnecessary alarm and panic among residents could be caused and no statistics about the probability of flooding occurring had been provided.
- Mention was made that some of the local waterways were choked with debris and rubbish which could exacerbate the problems of flooding and a query was raised about who was responsible for maintaining water courses. The Flood Incident Management Team responded that the EA

did have some powers to carry out work on the main waterways, but some of the responsibility also fell to the landowners.

- It was recognised that changes in farming methods had contributed to the problems and also that there was a shortage of sandbags available during emergencies. Cornwall Council confirmed that a sandbag policy was being implemented but sandbags would be issued primarily to vulnerable people and those not normally included in the 'at risk' groups.
- The problems of insufficient drainage in many areas of Penzance and blocked drains, e.g. the water that streams down Penalverne Drive and into Penlee Park at times of heavy rainfall, was mentioned and it was suggested that this problem should be discussed with the Highways Department.
- It was noted that an area of Heamoor that continually floods had not been marked on the 'at risk' maps provided and Mr Struggles responded that this highlighted the need for local knowledge to be shared through a Community Emergency Plan. There was a definite trend for more flooding events occurring per year over the past five years and, although the plan was aimed predominantly at catastrophic events, it would also identify smaller problem areas.

The Mayor thanked the representatives of the Flood Incident Management Team and of Cornwall Council for their presentation.

**90. APOLOGIES**

Councillors J H Dixon and J Moreland.

Absent without apologies: Councillor H Worth.

**91. DECLARATIONS OF INTEREST**

Councillor Lovegrove declared a personal interest in Minute 98(b) P1 Powerboats in Penzance, as a member of the local organising team.

Councillor Williams declared a personal interest in Minute 97(a) Penzance Harbour Option 'A' approval, as a member of the Route Partnership Sub-Group.

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

It was noted that Councillor Nebesnuick had declared a personal interest in Minute 86 of the Special Town Council Meeting held on 1 March 2010 as a member of the Old Cornwall Society.

Subject to the above amendment, the Town Mayor signed as true and correct records the minutes of the Town Council meeting held on 1 February 2010 and the minutes of the Special Town Council meeting held on 1 March 2010.

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

(a) Renewal of Street Trading consent – Mrs F Osborne

Mrs F Osborne had applied for the renewal of a street trading consent to sell containerised garden plants at Market Place, Penzance and it was

**RESOLVED** – to offer no objection. (Councillors Perry and Rendle abstained from the vote).

(b) Road closure application

Notification of a road closure application for the ‘Penzance Race for Life’ taking place on 2 June 2010 had been received from Cornwall Council and it was

**RESOLVED** – to offer no objection.

**94. TOWN MAYOR’S ANNOUNCEMENTS**

The Mayor reminded members that the Honorary Freedom Ceremony would be taking place on Monday 22 March and if anyone had not returned their reply slip they should do so at the end of the meeting.

The Mayor thanked all those members who had taken part in the St Piran’s Day parade on 5 March.

It was announced that Councillor Dixon was unwell and the Mayor had wished him a speedy recovery on behalf of the Council.

This being the last Town Council meeting of the municipal year, the Mayor expressed thanks to the Deputy Mayor, the Chairmen and Vice-Chairmen of the four standing committees and the officers and staff of the Town Clerk’s Office for all their support over the past year.

Members were reminded that a Community Network Panel meeting would be taking place on the following Thursday evening and all councillors were invited to attend.

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

None.

**96. REPORTS FROM COMMITTEES**

(a) General Purposes Committee – 1 March 2010

Acceptance of the minutes of the General Purposes Committee meeting held on 1 March 2010 was proposed and seconded.

Councillor Rendle wished to point out that, as Chairman of the Committee, he had thanked all those councillors who had attended the committee meetings throughout the year.

It was noted that Councillors Nebesnuick and Ruhmund had abstained from taking part in the vote on the street trading application submitted by Mrs P Schofield, Mr E Schofield and Miss E Schofield.

(b) **Penlee House & Park Committee – 2 March 2010**

Acceptance of the minutes of the Penlee House & Park Committee meeting held on 2 March 2010 was proposed and seconded and it was

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

(c) **Planning Committee – 11 February and 3 March 2010**

Acceptance of the minutes of the Planning Committee meetings held on 11 February and 3 March 2010 was proposed and seconded.

(d) **Finance/Property Committee – 4 March 2010**

Acceptance of the minutes of the Finance/Property Committee meeting held on 4 March 2010 was proposed and seconded.

Subject to the above, it was

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

**97. REPORTS FOR DECISION**

(a) **Penzance Harbour Option ‘A’ approval – Town Council’s response**

The Town Clerk provided a draft response to Cornwall Council’s decision to approve the planning application for Penzance Harbour Option ‘A’ and this was discussed from the floor.

Councillor Nebesnuick expressed concerns that the response did not meet the opinions of all Councillors and he felt that the document should be split into separate paragraphs so that members could vote on the points raised in each paragraph individually.

It was therefore

**RESOLVED** – to submit the response, as follows:

“The majority of Town Councillors wish to express their disappointment at the decision of Cornwall Council on 8 March 2010 to be minded to approve the Listed Building Consents.

In maintaining its full support to retain and improve the link, the Town Council has consistently opposed any option which would have an impact on the historic harbour walls and encourage heavy goods traffic to the area.

The Town Council has never had an opportunity to be fully engaged with the process and following the demise of Penwith District Council, found itself even further removed from any form of meaningful dialogue with the Route Partnership outside of its role as a Statutory Consultee. This only allowed comment on aspects of the available schemes and not on the proposals as a whole.

We are, however, encouraged by Cornwall Council's offer to engage with us on delivery of the harbour/ferry link development and wider development issues in the area and would wish to do so. We would welcome the opportunity to have a meaningful and productive programme of engagement as full partners, in full public view, to achieve the best possible scheme that would ensure the maximum benefit for both the businesses and residents of Penzance is delivered."

Each paragraph was voted on separately and the result of the vote was as follows:

Paragraph 1: 10 for; 1 against

Paragraph 2: 11 for; Councillors Lovegrove and Rendle abstained

Paragraph 3: 13 for

Paragraph 4: Unanimous

Councillor Lewarne proposed that a letter should be sent to the Secretary of State and to English Heritage objecting to the manner in which the planning application was handled by the Strategic Planning Committee that contravened the procedures and advice as set out in Planning Policy Guidance 15. Councillor Nebesnick felt that it would not be appropriate to support the proposal without prior knowledge of the content of PPG 15 and it was

**RESOLVED** – to write to the Secretary of State and English Heritage as outlined above. Result of the vote taken was 10 for; 2 against. Councillors Nebesnick and Rendle abstained from the vote.

(b) Town Council's response to letter in local press

A letter from the Chairman of the Chamber of Commerce had appeared in the local press calling for the resignation of all those Town Councillors who had voted not to support Option 'A' of the Harbour Development proposals. However, it was generally felt that such a letter did not warrant a response from the Town Council but that Councillors could respond as individuals, if they so wished.

The time having reached 10.00pm, it was

**RESOLVED** – to suspend standing orders in order to allow the remainder of the business of the meeting to be dealt with.

(c) Future of upper gastrointestinal cancer surgery in Cornwall

Members were reminded that a decision had been made in 2008 to move the provision of upper GI cancer services out of Cornwall and this had been supported by the Town Council with a resolution that was passed at the Town Council meeting of 14 July 2008.

The decision was now under review by the Secretary of State for Health and Councillor Fonk had called upon the Town Council for support in retaining the services in Cornwall.

As a criteria of the Town Council's original resolution that a centre for clinical excellence should be established in Cornwall had not been met, it was

**RESOLVED** – to support Councillor Fonk's efforts to retain upper GI cancer services in Cornwall.

(d) Request for presentation on proposed St Erth park & ride scheme

Cornwall Council had provided an overview and plan of the proposed park and ride scheme to operate from St Erth and had requested an opportunity to present the proposed scheme to the Town Council.

As it was felt that the proposed scheme did not have a direct impact on Penzance it was

**RESOLVED** – to decline the offer of a presentation. Councillor Ruhrmund voted against the resolution.

**98. REPORTS FOR INFORMATION**

(a) Empty properties in Penzance

Copy correspondence from Cornwall Council concerning the problem of empty properties and outlining measures to tackle this problem had been circulated prior to the meeting and members were asked to notify Cornwall Council of any properties within the parish that fell into this category.

(b) P1 Powerboats in Penzance

The Town Clerk confirmed that plans to hold a P1 Powerboats race weekend in Penzance at the end of May were now well underway.

**99. 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, 2 March 2010 – Confidential Appendix 'A'

The content of Confidential Appendix 'A' was considered and noted.

- (b) Finance & Property Committee, 4 March 2010 – Confidential Appendix 'A'

The content of Confidential Appendix 'A' concerning changes to the charging structure for Penlee Car Park was considered and noted. Councillor Nebesnuick requested that the time in the evening from which parking is free of charge be clarified.

The meeting closed at 10.18pm

Town Mayor  
7 June 2010