



PENRYN TOWN COUNCIL

NOTICE IS HEREBY GIVEN THAT A MEETING OF PENRYN TOWN COUNCIL PLANNING COMMITTEE WILL BE HELD ON **MONDAY 16 JULY AT 7.00 PM IN THE COUNCIL CHAMBER, PENRYN** for the transaction of the undermentioned business.

Michelle Daray

Town Clerk

AGENDA

1. APOLOGIES

2. DECLARATIONS OF INTEREST

3. MINUTES

To approve and sign as a correct record Minutes numbered 1 to 5 of the meeting of the Planning Committee held on 18 June 2012 [Pages 1-2]

4. TOWN AND COUNTRY PLANNING APPLICATIONS

To consider the Planning Applications submitted for observations [Pages 3-4]

5. DECISION NOTICES

To receive Town and Country Planning Act Decisions of the Local Planning Authority [Page 5]

6. PUBLIC CONVENIENCES

To consider a proposal to enter into discussions with Cornwall Council on adopting public conveniences in Penryn [Pages 6-8]

7. PENRYN STATION ARTWORK

To consider whether to adopt the public artwork to be installed at Penryn Station [Page 9]

8. CORNWALL COUNCIL'S GOVERNANCE REVIEW

To consider a response to Cornwall Council's consultation on its Governance Review [Pages 10-15]

Councillors: E L Wilkes – Vice-Chairman (in the Chair)

Mrs M V Bennett, N S Ferris, Mrs G A Grant, Mrs B Hulme, Mrs C Hutchings, J Langan, Mrs M K May, M J Mullins, D A Prynn, G C Rickard and Mrs S Townsend

22. APOLOGIES

Apologies for absence were received on behalf of Councillors K S Green, G K Mockett, Mrs S Peters and M Snowdon.

23. MINUTES

RESOLVED that Minute Nos. 44 to 50 of the meeting of the Planning Committee held on 21 May 2012 be approved and signed by the Chairman as a correct record.

Proposed by Councillor Mrs M K May and seconded by Councillor D A Prynn

24. TOWN AND COUNTRY PLANNING APPLICATIONS

PA12/04098 – 11 Higher Market Street, Penryn

It was noted that under delegated powers, the Chairman and Vice-Chairman had responded that unfortunately Penryn Town Council was unable to support the application. It was felt that it was an erosion of commercial space within the core town centre, i.e. Lower and Higher Market Street.

PA12/04572 – 24 Lower Market Street, Penryn

RESOLVED that the proposals are fully supported.

Proposed by Councillor Mrs G A Grant and seconded by Councillor N S Ferris

PA12/04577 – 24 Lower Market Street, Penryn

RESOLVED that the proposals are fully supported.

Proposed by Councillor Mrs G A Grant and seconded by Councillor N S Ferris

25. DECISION NOTICES

The list of decision notices was noted.

26. CODE OF CONDUCT

The Town Clerk presented a report on the interim Code of Conduct for Parish and Town Councils which the Town Council was required to adopt by 1 July 2012 in compliance with the Localism Act 2011.

RESOLVED that the interim Code of Conduct for members of Penryn Town Council be adopted in compliance with the Localism Act 2011.

Proposed by Councillor Mrs G A Grant and seconded by J Langan

There being no further relevant business the meeting was declared closed at 7.30 p.m.

Chairman



PENRYN TOWN COUNCIL

PLANNING COMMITTEE

16 JULY 2012

Town and Country Planning Applications

App. No.	Details	Response Deadline	Response
PA12/03983	Mrs Denise Searle 3 Poltair Drive, Penryn TR10 8NY Erection of dwelling (outline application with all matters reserved)	17/07/12	
PA12/05321	Penryn Rugby Football Club Penryn Rugby Club, Kernick Road, Penryn TR10 8NT Single storey training centre building	13/07/12	
PA12/05589	Ms Hannah Matthews Dracaena Cottage, Chapel Lane, Penryn TR10 8LP The demolition of the single-storey, mono-pitched roof extension and its replacement with a two-storey extension. Also the demolition and replacement of the retaining wall to the east side of the plot.	13/07/12	

App. No.	Details	Response Deadline	Response
PA12/05590	<p>Ms Hannah Matthews Dracaena Cottage, Chapel Lane, Penryn TR10 8LP Conservation area consent for the demolition of the single-storey, mono-pitched roof extension and its replacement with a two-storey extension. Also the demolition and replacement of the retaining wall to the east side of the plot.</p>	13/07/12	
PA12/05987	<p>Miss K Spence 29 Broad Street, Penryn TR10 8JL Felling of one eucalyptus tree</p>	19/07/12	
PA12/04970	<p>Canynge Bicknell Kernick Road, Penryn TR10 9LY Demolition of existing buildings and construction of Use Class A1 retail units (revised application to previous proposal PA11/02090)</p>	20/07/12	



PENRYN TOWN COUNCIL

PLANNING COMMITTEE

16 JULY 2012

Decision Notices

App. No.	Details	Decision	Decision Date	Council's Observation
PA12/03581	Mr Mike Lasbury Plot 6, Bella Vista Gardens, Truro Hill, Penryn TR10 8AN Outline application for erection of dwelling and garage with all matters reserved	Approved	26/06/12	Proposals are fully supported.



PENRYN TOWN COUNCIL

PLANNING COMMITTEE

16 JULY 2012

Public Conveniences

Author: Michelle Davey, Town Clerk

1. Background

At a meeting with the Town Mayor and Town Clerk on Tuesday 26 June 2012, officers from Cornwall Council advised that public conveniences in Penryn would cease to be funded by Cornwall Council and Town and Parish Councils were being offered the opportunity to take on responsibility for public conveniences for which a grant would be provided by Cornwall Council. Officers advised that a decision, at least in principle, was needed by the end of July 2012.

2. Discussion

Cornwall Council had identified Exchequer Quay toilets as being suitable for closure and therefore, no grant was being offered to keep them open. However, if the Town Council decided to keep them open, it might be worth considering keeping the disabled toilet only for general use which would cut the costs to a third. The Council would offer a grant for Permarin toilets for the full cost of maintenance, less half the cleaning costs. In return for the grant the Town Council would be required to provide a broadly similar service, however, it would be possible for the Town Council to reduce the opening hours according to local demand. The public conveniences would be let to the Town Council on a 99-year lease for £1/year and the Town Council would become responsible for repairing and insuring the facilities. Prior to handover, a building surveyor would be brought in to ensure that the facilities were of a good standard and any necessary improvements would be made before the signing of the lease. If the Town Council decided not to take on responsibility, then the public conveniences would both be closed and Cornwall Council would find an alternative use for the properties. The Town Council would have the right to give six months' notice on the lease and could exercise that option should the grant cease in the future.

Officers from Cornwall Council provided a breakdown of the costs associated with the public conveniences in Penryn as follows:

	Permarin Car Park	Exchequer Quay
Water rates	£1415.61	£1877.35
Business rates	£630.00	£765.00
Electricity	£374.85	£466.20
Hand washing and drying equipment	£411.00	£411.00
Maintenance	£2367.00	£2217.00
Cleaning	£2832.00	£3517.00
Total	£8030.46	£9253.55

In terms of the grant from Cornwall Council, they would not be prepared to fund the toilets on Exchequer Quay and would give a grant for the full cost of maintaining Permarin car park toilets, less half the cleaning costs, i.e. £8030.46 – £1416.00 = £6614.46.

There are a number of options open to the Town Council and these are set out below together with the estimated cost to the precept:

Option 1 – Keep both toilets open as current arrangements Cost to the precept £17,284.01 less the grant =	£10,669.55
Option 2 – Keep Exchequer Quay open and close Permarin Car Park Cost to the precept (no grant would be payable)	£9253.55
Option 3 – Keep both toilets open and negotiate with local businesses on Exchequer Quay to provide cleaning in order to keep facility open Cost to the precept £13,767.01 less the grant =	£7152.55
Option 4 – Keep Permarin Car Park open and disabled toilet only at Exchequer Quay Cost to the precept £11,114.98 less the grant =	£4500.52
Option 5 – Keep Permarin Car Park open and close Exchequer Quay Cost to the precept £8030.46 less the grant =	£1416.00
Option 6 – Close both toilets Cost to the precept	£0

Option 1 is clearly the costliest option adding 5.6-5.7% on to the precept. However, as calculated in the budget reports last year, a 5% increase in the precept adds only approximately 15p per week to Band C Council Tax in Penryn, so it is not necessarily an option to rule out.

Option 2 is not an attractive option as it would save very little money at the expense of closing one of the facilities.

Option 3 would save around £3.5k, but might prove to be difficult to achieve, and the Town Council could find itself in the position of having to take on the cleaning costs at a later date without the provision in the budget should the arrangement fail.

Option 4 would halve the cost to the taxpayer and keep a provision at both locations.

Option 5 is a very cheap option, but Councillors will need to consider this option very carefully as to whether the toilets are needed on Exchequer Quay, particularly given the installation of the new pontoons and aspirations to make improvements on Commercial Road.

Option 6 is not an attractive option as it would leave the town with no public toilet provision at all.

Whichever option is chosen, it should also be noted that if a decision is taken to keep a public convenience provision in the town, then there are further savings that might be made by careful management of costs and possible reduced opening hours. There would also be a greater degree of flexibility than at present, with opening times being able to respond to seasonal demands and local events.

3. Recommendation

That Cornwall Council be advised that Penryn Town Council would be willing to enter into discussions on adopting the public conveniences at Permarin Car Park and the disabled toilet in the public conveniences on Exchequer Quay on a 99-year lease at £1 per year, with an option to give six months' notice to terminate the agreement.

4. Appendices

None.



PENRYN TOWN COUNCIL

PLANNING COMMITTEE

16 JULY 2012

Penryn Station Artwork

Author: Michelle Davey, Town Clerk

1. Background

A presentation was given to Penryn Town Council on 2 July 2012 on the artwork that had been designed by University College Falmouth in collaboration with school pupils in Penryn for installation on the wall outside Penryn Station. At that meeting, it was agreed that an item be added to the Planning Committee's agenda for 16 July 2012 to decide whether to adopt the artwork.

2. Discussion

Council has been provided with a visualisation of what the artwork will look like *in situ* and a sample of the artwork which is to be constructed in weathering steel. This medium was used to construct the Angel of the North and was chosen as it does not deteriorate and requires no maintenance. The artwork will be fixed to the wall with stainless steel bolts and will be 35 metres long. The artwork depicts a timeline of the history of Penryn. Large scale copies of the artwork will be available at the meeting. Cornwall Council has funded the artwork, but is not prepared to take ownership of it and therefore the Town Council has been requested to adopt the artwork as part of the town's assets. It is not anticipated that there will be any regular maintenance required as Network Rail will remain responsible for the wall on which it is mounted.

3. Recommendation

That Penryn Town Council adopts the artwork which has been designed for installation on the wall outside Penryn Station as part of the town's assets.

4. Appendices

None.



PENRYN TOWN COUNCIL

PLANNING COMMITTEE

16 JULY 2012

Cornwall Council's Governance Review

Author: Michelle Davey, Town Clerk

1. Background

Recent changes in the law mean that Councils can change their governance arrangements and local authorities have the opportunity to review how they make decisions and the procedures that they follow. Cornwall Council has decided to take this opportunity to assess the effectiveness of its current arrangements and to explore how it can ensure that the decisions it takes are informed by public opinion, reflect and respond to the needs of local people and are transparent and accountable.

The new legislation allows local authorities to maintain the current executive model of governance, to opt to change to a committee system, to move to a mayor cabinet model, or to adopt an alternative arrangement. An explanation of these different governance models is provided in Appendix 1, along with some common perceived advantages and disadvantages of each model.

2. Discussion

At a meeting of the Falmouth and Penryn Community Network Panel held on 5 July 2012, Town and Parish Councillors were asked for their views on Cornwall Council's governance arrangements. The suggested responses to the consultation, attached as Appendix 2, has been based on the views expressed at that meeting.

3. Recommendation

That Penryn Town Council responds to Cornwall Council's consultation on its Governance Review as set out in the consultation response form attached as Appendix 2 to the report.

4. Appendices

1. Governance Models Briefing Note.
2. Governance Review Response Form.



Briefing note

Governance models

Different governance models:

<p>The Committee system</p>
<p>Under the Committee system decisions are taken by committees made up of groups of councillors from all political parties. The Council appoints the committees, and sets out their Terms of Reference.</p> <p>Committees receive briefings and commission reviews to develop council policy. They are concerned with matters that must be dealt with at member level and not with the day today administration of the Council, which is the responsibility of the officers. They can be permanent ‘standing committees’, or temporary ‘task and finish committees’.</p> <p>Advantages and disadvantages of the committee system:</p> <ul style="list-style-type: none"> ○ There is a risk of decisions being made in silos as cross-cutting issues can be difficult to identify and address ○ This system can require a greater amount of council officer time to provide briefings and support than has generally been experienced under most executive systems ○ The Committee system can allow more councillors to be directly involved in the making and influencing decisions
<p>Cabinet or Executive system</p>
<p>Leader and Cabinet (or Executive) A Leader is elected by the Council</p> <p>Elected Mayor and Cabinet (or Executive) A Mayor is elected by local residents</p> <p>The Cabinet or Executive make recommendations on key strategic issues, and is responsible for implementing the agreed policies of the Council and taking key decisions that have been delegated to them.</p> <p>The Executive Councillors are appointed either by the full council (i.e. all of the authority’s councillors) or by the Leader of the Council. Cornwall Council operates a strong Leader model and therefore the Leader appoints the Cabinet. At least two and up to nine councillors can be appointed to the Executive. Each Councillor has a portfolio or responsibility for a particular council service, such as health and wellbeing or economic development and regeneration.</p> <p>In order to ensure that the Executive can be held to account for the decisions it makes, local authorities appoint Overview and Scrutiny Committees. These are made up of</p>

Councillors that do not attend the Cabinet (i.e. backbenchers) and local representatives such as people from the business sector or other public sector organisations. Their role is to scrutinise the decisions that the Cabinet is about to or has already taken, to support policy development and to challenge the Cabinet. The Overview and Scrutiny Committees (OSC) often reflect the portfolios assigned to Cabinet Members.

Advantages and disadvantages of the Cabinet or Executive system:

- The political balance on scrutiny committees can favour the majority party.
- There are a relatively small number of actual decision makers (i.e. members of the Cabinet) which is intended to increase efficiency, transparency and accountability.
- Councillors not on the Cabinet can feel disengaged with the decision making process.

An alternative arrangement

The new legislation presents an opportunity for local authorities to develop a model of governance that sits outside the Executive or Committee system. This is called a 'hybrid model'

An alternative arrangement could mean that area based committees or the current Community Network Areas are given additional responsibilities in order to better meet the needs of their communities, and deliver services more efficiently and effectively.

An alternative arrangement could also look at how the Council's decision making structures can empower local members to take decisions and shape the delivery of services in their areas and how local people can actively engage in the decision making process.

What is the difference between a Leader and Elected Mayor?

Cornwall Council currently operates a Leader and Cabinet model. The table below explains the similarities and differences between a Leader and Cabinet model and an Elected Mayor and Cabinet model:

Leader and Cabinet	Elected Mayor and Cabinet
The Leader is an elected councillor chosen by the other elected councillors	The Elected Mayor is elected by local residents
The Leader is elected by the Council for a period of up to four years and can be removed if they no longer have the support of the majority other Councillors	The Elected Mayor holds office for four years and cannot be removed by the Council
There is no additional cost associated with the election of a Leader which would take place at a meeting of the Council	The Elected Mayor is elected every four years by local residents in an election. This would be in addition to the local elections, which would continue to take place.

Each year the Leader and Cabinet present a budget and major policies to the Council. They can be approved by a simple majority. Any changes proposed by the Council also require a simple majority of the Council	Each year the Elected Mayor presents a budget and major policies to the Council. They can be approved by a simple majority but any changes proposed by the Council must have the support of at least two thirds of the Council
The Leader is one of the elected Councillors	The Mayor is in addition to the elected councillors
	The role of a Mayor and Chief Executive Officer of the Council can merge. This means that a Mayor will have much more administrative power than a Council Leader.

What will we do with the information you have provided?

A Panel of Elected Members has been set up to lead the review of Cornwall Council’s governance arrangements. The Panel will complete a detailed analysis of the available options for the Council’s future decision making structures with a view to reporting its findings and making recommendations for the future to the Council in October 2012.

The information that you have provided today will be assessed by this Panel and used to inform its recommendations to the Council.

Further information

If you would like further information about the governance review please contact a member of the policy support team.

Email: policy@cornwall.gov.uk

Phone: 01872 322278

Alternatively, please write to:

The Policy Team
 Chief Executive’s Department
 Room 239
 New County Hall
 Truro
 TR1 3AY



Response form

July 2012

Name:

Organisation: Penryn Town Council

In your view, what aspects of Cornwall Council's decision making processes work well and what not so well? What are your reasons for saying this?

On the whole the Cabinet/Leader model is working well in Cornwall, with Cornwall Councillors having more time to deal with Divisional issues as a result of having less meetings to attend. However, the Council might consider reverting to the Policy Development and Scrutiny Committees of the previous Cornwall County Council so that more Members may get involved in the development of policy at an earlier stage and to relieve some of the pressure on the Cabinet Members.

In your experience, would you say that Cornwall Council has open and transparent decision making processes? What are your reasons for saying this?

The decision-making process is open and transparent in terms of access to Council meetings and papers and the Town Council welcomes the relatively recent introduction of webcasting of the more high profile meetings. However, papers are often produced late or tabled at meetings and this does seem to be more often than not the highly contentious or important decisions. This bad practice should be more strongly discouraged and needs to be led from the top down. In addition, consultations tend to take place far too late in the process and there is a feeling as a result that many are simply 'box-ticking exercises' rather than genuine consultation. Town and Parish Councils should be consulted on their views prior to policy development, rather than being presented with Cornwall Council's proposals and asked to comment on them.

Do you consider that the Community Network Panels are an effective forum for driving improvements in local areas and what, in your view, can be done to improve them?

The Community Network Panels are a very useful forum for Town and Parish Councillors to meet with various officers at Cornwall Council to discuss issues, however, the original intention of devolving local decision-making to the Panels appears to have been lost in the transition to a unitary Council. The issues discussed at Panel meetings also tend to often be those that Cornwall Council wishes to gather views on rather than issues that the Town and Parish Councils wish to raise. The Community Network Panels could be a medium for genuine local decision making, with not only devolved powers, but also the budgets to carry them out. However, it is important to learn from the mistakes of the past and ensure that the Network Panels

do not become the Area Committees of Cornwall County Council with the only decisions taken being highways issues.

From your perspective, how can Cornwall Council improve its decision making processes?

- 1. Earlier and meaningful consultation.**
- 2. Devolved decision-making powers and budgets to Community Network Panels.**
- 3. Earlier involvement for the Scrutiny Committees on policy development.**

If you have a preferred option for Cornwall Council's future governance arrangements, please indicate below and note the reasons for this:

(Please refer to the Governance models briefing note)

a. The Leader and Cabinet Model

What are the key factors or issues the Council should be looking to address when reviewing its governance arrangements?

Whilst the Leader and Cabinet model may be currently working in Cornwall, consideration should be given to those Divisions represented by Cabinet Members and whether they are receiving the same level of service as other Divisions whose Members may be able to spend more time locally. It should also be borne in mind that decisions taken centrally do not always apply evenly across the county and some issues would be better decided locally by Community Network Panels.

Additional comments

None.

Please return the completed form to policy@cornwall.gov.uk or post it to: The Policy Team, Chief Executive's Department, New County Hall, Truro, TR1 3AY.