



Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR
Tel: 01768 899 773 Email: office@penrithtowncouncil.co.uk

DATE: 17 September 2018

Dear Councillor

You are hereby summoned to attend a meeting of the:

FULL COUNCIL

to be held on:

Monday 24 September 2018, 6.00 pm - 8.00 pm, Rm.2 Parish
Centre, St Andrews Place

Mrs V. Tunnadine

TOWN CLERK

(Please Note: Under the Openness of Local Government Bodies Regulations 2014 this meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media or members of the public)

When it is proposed to consider the following business: -

AGENDA FOR FULL COUNCIL MONDAY 24 SEPTEMBER 2018

6.00pm PRESENTATION – PENRITH & DISTRICT RED SQUIRREL GROUP

Council are requested to:

1. Apologies

Receive apologies from members.

2. Confirmation of Council Minutes

Confirm the minutes of the Special Town Council Meeting held on 19 June 2018 and the Town Council Meeting held on 25 June 2018 and to authorise the Chairman to sign the Minutes of the Meeting as a true record.

3. Declaration of Interests

Receive any declarations of interest of any disclosable pecuniary or other registrable interests relating to any items on the agenda for this meeting. Members are reminded to make any declarations at any stage during the meeting if it becomes apparent that this may be required when a particular item or issue is considered

Note: *If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the clerk in advance of the meeting*

4. Requests for Dispensations

Apply for a dispensation, if councillor has a pecuniary interest in an item on this agenda, who wish to remain, speak and/or vote during consideration of that item, they may apply for a dispensation in writing to the Town Clerk prior to the meeting.

Applications may also be considered at the meeting itself should the nature of the interest become apparent to a Councillor at the time of the meeting.

5. Public Participation

- a. Receive representations from the public. Members of the public, who have requested in writing to speak prior to the meeting, are invited to speak on matters related to the agenda for up to three minutes.
- b. Receive representations from:
 - Town Councillors
 - District Councillors
 - County Councillors
- c. Receive a report from the Mayor.

6. Public Bodies (Admission to Meetings) Act 1960

Consider whether any agenda item should be considered without the presence of the press and public, pursuant to the Public Bodies (Admission to Meetings) Act 1960 Section 2.

7. EDC Masterplan Consultation

- a. Consider the letter from the CEO of Eden District Council which invited members to participate in the Masterplan consultation.
- b. Consider representations from the public made during public participation.
- c. Consider the letter prepared following the special meeting on 19 June 2018 using the resolution contained within the draft minutes to decide if the comments contained within are still relevant.
- d. Consider the Council's response.

8. Update from Meetings

Receive oral reports from meetings and briefings attended by Councillors since the last Full Council meeting. Members are asked to note that if there is agreement that there are matters arising from the information shared, that these items will be scheduled on to the next most appropriate Council agenda.

9. Councillor Membership

- a. Note that Cllr. Connelly resigned from the Council in July 2018 and that the vacancy notice was duly published.
- b. Consider the letter from EDC dated 27 July 2018 in which EDC recommend proposals for 2019 ward allocations because of the DC's approval of the reduction of Councillors from 19 to 15 as part of the Community Governance Review [meeting resolution ref:PTC18/06]
- c. Consider co-option to Council – M. Thorley

10. CALC Membership Fee Proposals

- a. Consider the letter from the CEO of CALC inviting comments from local councils regarding changes to the annual membership fee.
- b. Note that the Town Clerk will attend the CALC AGM in November on behalf of the Council.

MATTERS FROM FINANCE COMMITTEE

11. Finance Committee Policy Review

- a. Note that the Finance Committee reviewed the following policies:
 - Risk Management Policy
 - Financial Risk Management Protocol
 - Procurement Policy
 - Internal Control Procedures
 - Financial Regulations
- b. Agree the recommendation to approve these policies from the Finance Committee.

12. Finance Committee Risk Assessment Review

- a. Note that the Finance Committee reviewed risk assessments for 2018-19 for:
 - Business Continuity
 - Finance
 - Governance
 - IT & Website
 - Allotments
 - War Memorials
 - Cornmarket Bandstand
 - Fairhill Playing Field
 - Fire Risk Assessment
 - Lone Working
 - Recycling Bring Site
 - Office
- b. Approve the recommendations for the risk assessments from the Council's Finance Committee for 2018-19.

13. Finance Committee Review of Internal Audit and Control

- a. Note that the Finance Committee reviewed Internal Control, internal audit and the internal audit plan.
- b. Approve the review from the Finance Committee.

14. Armistice Centenary and Remembrance

Note the report and the recommendations contained within.

15. Devolution

Note the report and the recommendations contained within in.

16. Gambling Act 2005: EDC Draft Licensing Policy

Eden District Council is consulting as it undertakes a review of its statement of policy and the revised policy will be implemented in January 2019. The consultation period runs from 3 July 2018 to 25 September 2018 and the Council has been invited to comment. To view the policy document:

www.eden.gov.uk/business-and-trade/licensing/gambling-act-2005/about-the-gambling-act-2005/

17. Membership of External Bodies

Eden District Council – New Chief Officer

Note that a meeting has been arranged with the District Council's new chief officer, Chairman and Vice Chairman of Penrith Town Council for Monday 8 October at 3.30pm.

18.

Closure of proceedings and note that the next meeting is the Ordinary Council Meeting scheduled for 26 November 2018, at 6.00 pm Room 2 Parish Centre, St Andrews Place.



Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR

Tel: 01768 899 773 Email: office@penrithtowncouncil.co.uk

Minutes of the meeting of the:

SPECIAL FULL COUNCIL

Held on:

Tuesday 19 June 2018, 4.30 pm - 6.25 pm, Boardroom, Unit 1,
Church House, 19-24 Friargate

PRESENT:

Cllr. Baker	Penrith Pategill Ward
Cllr. Bowen	Penrith East Ward
Cllr. Burgin	Penrith South Ward
Cllr. Clark	Penrith South Ward
Cllr. Donald	Penrith North Ward
Cllr. Jackson	Penrith North Ward
Cllr. Kenyon	Penrith North Ward
Cllr. Monk	Penrith West Ward
Cllr. Whipp	Penrith North Ward

Deputy Town Clerk

Economic Development Officer

DRAFT MINUTES FOR FULL COUNCIL

TUESDAY 19 JUNE 2018

The Leader of Eden District Council, Deputy Director of Technical Services and Planning Policy Officer were welcomed to the meeting.

PTC18/23 Apologies

Members received and accepted apologies from Councillors Briggs, Connelly, Lawson and Thompson.

Councillor Donald joined the meeting at 4.33pm.

PTC18/24 Interests and Dispensations

Members confirmed the minutes of the Town Council Meeting held on 26 July 2017 and authorised the Chairman to sign the Minutes of the Meeting as a true record.

PTC18/25 Declaration of Interests

The meeting was requested to receive any declarations of interest of any disclosable pecuniary or other registrable interests relating to any items on the agenda for the meeting. There were no declarations of interest made at this meeting.

PTC18/26 Public Bodies (Admission to Meetings) Act 1960 – Excluded Item

Members considered whether agenda item 4, Penrith Masterplan, should be considered without the presence of the press and public, pursuant to the Public Bodies (Admission to Meetings) Act 1960 Section 2. The Leader of Eden District Council stated that although the document was still confidential had had no problem with Members holding the discussion in the public domain.

RESOLVED that this agenda item considered in the presence of the press and public.

PTC18/27 Penrith Vision Strategic Masterplan

- Councillor Monk joined the meeting at 4.40pm

Members received a presentation on the Penrith Vision Strategic Masterplan from the Leader of Eden District Council. Accompanying him were the Deputy Director Technical Services and Planning Policy Officer who answered any questions Members had.

- The Leader of Eden District Council, Deputy Director Technical Services and Planning Policy Officer left the meeting at 5.30pm.

Members considered the documentation and information provided at the meeting.

- Councillor Whipp left the meeting at 5.45pm
- Councillor Burgin left the meeting at 5.55pm
- Councillor Jackson left the meeting at 6.00pm

RESOLVED that the following letter be sent to Eden District Council:

Penrith Town Council welcomes the prospect of a Masterplan for Penrith and the development of a long-term vision for the growth of the town, in terms of its economy, housing supply and transport links. Understanding the interplay between the needs of economic growth, housing supply and transport issues makes this plan very important for Penrith's future. It is with this desire for success in mind that we feel we have to express our concerns with the manner in which the Masterplan has been developed and outline issues we have with a number of aspects of the document:

1. The draft document states that the growth option chosen was approved by the stakeholder group. This was not the case. At the first meeting when an Officer of EDC asked if those present were being asked for a preferred option, Dr Hooper stated that he had told the consultants which option to progress. LUC's website says that they have to provide an evidence based Masterplan to provide a resolute case for EDC. We have the impression that EDC have appointed a Consultant to make a case for its plans.
2. The Eden Local Plan states (PEN2) that a Masterplan should be prepared through genuine public consultation. For such a major plan it is important that any development plan grows from the future needs and wishes of the residents and businesses. We believe that there should have been public consultation after the 'leaking' of the plan in December 2016 rather than, as is the case now, presenting the Town with a single option.

Extensive consultation should also have taken place with businesses, transport providers, schools, healthcare providers, the emergency services and surrounding parishes. We understand this to have been the strategy adopted by Carlisle City Council who have spent 18 months consulting on their Garden Village Scheme and associated Link Road.

The Penrith Neighbourhood Development Plan policies and supporting actions were developed from the public consultation and the comments provided by those who live, work and visit Penrith.

We would support Eden District Council was it to take a step back from the evident rush to publish the Masterplan then revise the Eden Local Plan, and conduct a thorough public consultation which allows those potentially impacted to give their views on all possible alternative sites for development; options for reducing traffic in and around the Town, the commercial area and housing needs. The Housing Needs Survey, currently being undertaken by Eden District Council on behalf of Penrith Town Council, should help inform the latter.

3. We question whether 'behind The Beacon' is the best site for 3 new villages, two the size of Appleby and one the size of Kirkoswald. No solid evidence regarding the unsuitability of other proposed sites has been presented. Indeed, the impression gained is that a desk-top exercise has been conducted in order to appease those who have questioned why other sites have not been proposed. For example, in the Masterplan 2011 to 2025, the area around Newton Rigg (current Masterplan areas 8, 9 and 22) was highlighted as being suitable for residential development but is dismissed in the current Masterplan. Despite the existence of a road connecting directly with Gilwilly and the West of the town, 'poor connectivity' and 'significant visual impact' are cited. Building behind The Beacon encroaches into the Eden Valley and will be visible from many areas including from the North Pennines AONB.

4. We agree that there is a need for more better paid and higher paid jobs but we must support existing businesses and attract manufacturers and service providers to Penrith. Building new houses on the scale suggested needs to be part of a broader strategy to attract inward investment which seems to be beyond the remit of this Masterplan. We are concerned however that there is an imbalance between industrial and residential allocations and would suggest that you review whether sufficient land has been allocated for the envisaged employment opportunities. For example, distribution centres occupy huge sites as do many manufacturers.

The businesses cited as being unable to attract workers are those requiring specialist skills and are in fields where there are few qualified people nationally, not because of the lack of housing. There is a disconnect between the vision of attracting fully automated distribution centres supplied by autonomous trucks and staffed by a few well-paid managers and the building 5500 homes to provide workers for new and existing businesses. However, the proposed phasing does give the Council the ability to manage change. Perhaps a risk assessment is required in order to assess the impact on infrastructure of, for example, only one village being built.

5. The chosen sites are disconnected from Penrith so that distance and topography will mean that very few will walk or cycle into town. People living here will use their cars and will find it easier to access J41 and head for Carlisle. Likewise, those working at the proposed business park at J41 are unlikely to walk or cycle along the A6 so will also use their cars.
6. The Masterplan proposes the provision of retail facilities, primary schools and a secondary school so making the villages largely self-sufficient, i.e. potentially, coupled with lower business rates and the likely growth in shopping online, reducing the need to use the shops and services offered in the Town.
7. There is a perception that the development of the 'villages' is being driven by the desire for a relief road behind the Beacon. Highways England (HE) have already stated that such a road will not be part of the A66 upgrade scheme and that even if such a road was to be built by HE it would be a strategic bypass and so would not provide multiple access points to residential developments. This being the case Cumbria County Council would need persuading to include it in their capital programme.
8. The statement in the Draft Masterplan that the Link Road would provide greater benefits than the southern (Alternative Route) on the basis that it would support the major movement between the A66 and Junction 41 is, at best, misleading.

The Masterplan states that the southern (Alternative) route will only provide a benefit to east-south movements, ignoring the fact that by joining the M6 at Clifton it too would remove east-north movement from the A66 before Penrith. In addition, despite the likely high cost of constructing a large flyover near Hornby Hall and the topography of the proposed route of the Link Road, the suggested 'Alternative Route' has been dismissed because, despite neither being costed, it would be more expensive. Cost has not been an impediment to the choice of the route for Carlisle's southern relief road.

9. We need to encourage the retention of young people in order to provide the manpower to sustain and grow local businesses. The town desperately needs truly affordable housing for all ages (ref: Penrith Neighbourhood Development Plan).

The supplied draft of the Masterplan clearly states no affordable housing is to be provided. While it may be EDC Policy to require of developers 30% affordable housing, the reality is that time and again developers justify reduced quotas of affordable housing on the grounds of viability.

Surely it is time for EDC to introduce a Community Infrastructure Levy so developers are compelled to meet infrastructure costs. We cannot rely for funding from grant schemes that are available today but may be withdrawn in the future.

No Planning Gain is envisaged from employment land. Therefore we question whether developers, when told that they are required to provide 'all other site related costs, provide new infrastructure, greenspaces, and public transport, will argue that the provision of affordable housing is not viable.

The evidence is that EDC cannot rely on Section 106 Agreements to provide affordable housing.

10. The Town Council cannot support a Masterplan that is not evidence based (documented). Further, given the scale of the proposed development it is not acceptable to state that impact assessments will be carried out at a later date.

Impact Assessments must be provided as part of the evidence base as too should detailed mapping of land ownership (e.g. joint ownership, Covenanted land and generational tenancies).

The Town Council wishes to take this opportunity to record its concerns that a Land Agent for a major landowner with a vested interest in the development has been attending the Stakeholder meetings despite not representing the views of all landowners, indeed we know of landowners who have not even been approached about the proposed development.

Whilst we appreciate that the document that we have reviewed is in draft, we would recommend that the photographs of Penrith containing images of adults and children are reviewed to ensure that there is not a potential breach of the General Data Protection Regulations 2018.

Penrith Town Council would urge Eden District Council to carry out a genuine public consultation on all alternative options for relieving congestion at the Kemplay roundabout and J40, including a Kirkby Stephen bypass, a southern slip road and new Junction 39a, and the alternative sites for housing development, i.e. to give the people of Penrith a say in what happens to their Town.

Finally, Town centre improvements are needed now and we cannot wait for the period 2032 to 2050 for these to be implemented. The Town Council looks forward to working with EDC and CCC (PNDP15: emerging Penrith Neighbourhood Plan 2018 - 2032) to define and prioritise these improvements using the Mott McDonald report as a reference.

And:

2. the letter be shared with Members prior to final signature to ensure that all points are incorporated.

- **Councillor Monk left the meeting at 6.20pm**

PTC18/28 Closure & Next Meeting

The meeting was closed at 6.25pm.

Members were reminded that the next meeting was the Ordinary Council Meeting scheduled for 25 June 2018, at 6.00 pm Room 2 Parish Centre, St Andrews Place.



Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR

Tel: 01768 899 773 Email: office@penrithtowncouncil.co.uk

MINUTES FOR THE MEETING OF THE TOWN COUNCIL

MONDAY 25 JUNE 2018

PRESENT:

Cllr. Baker	Penrith Pategill Ward
Cllr. Bowen	Penrith East Ward
Cllr. Briggs	Penrith East Ward
Cllr. Burgin	Penrith South Ward
Cllr. Clark	Penrith South Ward
Cllr. Connelly	Penrith West Ward
Cllr. Donald	Penrith North Ward
Cllr. Jackson	Penrith North Ward
Cllr. Kenyon	Penrith North Ward
Cllr. Lawson	Penrith Carleton Ward
Cllr. Monk	Penrith West Ward
Cllr. Whipp	Penrith North Ward

Town Clerk
Deputy Town Clerk
Services & Contracts Manager

DRAFT MINUTES FOR THE MEETING OF THE TOWN COUNCIL MONDAY 25 JUNE 2018

PTC18/29 Apologies

Members received apologies for absence from Councillors Connelly and Lawson.

PTC18/30 Minutes Approval

Members approved the minutes of the meeting held on 21 May 2018.

RESOLVED THAT:

The Chairman sign the minutes dated 21 May 2018.

PTC18/31 Interests & Dispensations

Members were asked to disclose in their interests in matters to be discussed and to decide requests for dispensations.

PTC18/32 Public bodies (admission to meetings) act 1960

Members considered whether any items should be considered without the presence of the press and public, pursuant to the Public Bodies (Admission to Meetings) Act 1960 Section 2. None were identified.

PTC18/33 A66 repairs

Members considered a presentation from Highways England to close the A66 from junction 40 to Appleby for seven weekends over September and October 2018.

PTC18/34 Public participation

No members of the public had requested in writing to speak prior to the meeting.

a. County Councillors Bell and Carrick sent their apologies

Eden District Council: Cllr. Clark read out an update from the Leader of the District Council, Cllr. Beaty:

"The District Council has been busy employing a full-time Chief Executive as Dr Robin Hooper resigned in January. Rose Rouse will begin work soon and we will make sure that a meeting between the Chairman of Penrith Council is arranged once she is settled in.

EDC continues to work towards devolution of services to Parishes like Penrith and this has been a learning exercise for all. We hope to continue this process in a swifter manner now that we have been through that learning process. A large number of other Parishes have now offered to sign up to devolution of assets and services and it is the trailblazing of PTC that has helped EDC to develop how this is done.

This will enable to Parishes to be stronger as we move forward as Local government reorganisation is on the cards again and EDC is in discussions as to whether a Unitary Council or Councils for Cumbria would be better. No-one can deny that the current system is not suitable to modern governance.

The Leader has attended meetings with a joint events group and as we move towards the end of our agreement on funding events in Penrith we are looking at using this fund to hold events around the district and not just in Penrith. It was noted that Winter Droving as a signature events as well as the Eden Food and Farming Festival are looking at expanding across the district outside Penrith in future.

The Draft Masterplan for Penrith will be launched soon and a period of consultation will commence over the summer for at least 6 weeks. The Leader and Officers at EDC would like to thank Cllr. Jackson and colleagues for attending the stakeholder meetings along with his officers to help formulate the plan.

The Depot at Old London Road has been refurbished and is now complete, subject to finishing touches and our Contractor AMEY will move into the new building shortly. This will allow the plan for employment units to be developed there in the new year, subject to planning."

Eden District Councillor Holden sent her apologies. ED Cllr. Taylor attended the meeting.

- b.** Town Councillor Baker attended an information sharing meeting at Highways England regarding the dualing of the A66. It is anticipated that the assessment and preferred route options would be defined by the end of 2019. Consultation would follow and be completed by 2022. Final costs would be agreed and approved in 2024 and if approved the dualing would take place over the following 5 to 10 years..
- c.** The Mayor informed the meeting that he had attended May Day and reported that he found the event to be inclusive, well organised event that goes from strength to strength in partnership with the Town Council. Along with Councillor colleagues and officers, the Mayor had been attending the stakeholders' meetings for the EDC Masterplan and devolution discussions

PTC18/35 Finance Committee

- a.** Members were asked to note that the Councils Asset Transfer Support Officer had completed his contract and his support, hard work and guidance had been appreciated and acknowledged.

b. Members noted the following decisions from the Council's Finance Committee.

I. Internal Auditor Appointment

That the Finance Committee had appointed Mrs Airey as the Councils Internal Auditor for 2018-19.

II. Finance Roles

- That Cllr. Whipp would continue as lead Member for Devolution as Cllr. Whipp no longer holds a mayoral role after the Annual Meeting of the Town Council elections.
- That from 2 July 2018 Mr J. Jones would act as the Council's Responsible Finance Officer in accordance with the Local government Act 1972 Section 151.
- That from 2 July 2018 in the absence of Mr J. Jones, Mr I. Parker would act as the Council's Deputy Responsible Finance Officer in accordance with the Local government Act 1972 Section 151.
- That from 2 July 2018 in the absence of Mr Parker, Mrs V. Tunnadine would act as the Council's Deputy Responsible Finance Officer in accordance with the Local government Act 1972 Section 151.
- That as the Chairman of the Council, the Mayor would be required to sign the legal agreements for the transferred assets and that he would also continue to attend the devolution meetings with EDC and be kept informed of progress.

III. Council Plan 2017-22

- That the Council Plan had been reviewed by each Council committee and members noted the progress made.
- That the new work plan for the Finance Committee had been approved.
- That the refreshed Council Plan be approved

- c.** Members were asked to consider and approve the following recommendations from the Council's Finance Committee:

I. Budget Monitoring Report Year End 31 March 2017 Report

To approve the year-end Budget Monitoring report to the 31 March 2018.

RESOLVED THAT:

The report be approved.

PTC18/36 Finance Committee continued

II. Bank Reconciliation

To approve the Bank Reconciliation for year-end 31 March 2018.

RESOLVED THAT:

The reconciliations be approved

III. Internal Audit Report

To approve the internal audit report for year-end 31 March 2018.

RESOLVED THAT:

The Internal Audit report for year-end 31 March 2018 be approved.

d. Annual Governance and Accounts Return 31 March 2018

Members noted that the Town Council must carry out a review of the effectiveness of the system of internal control within the fiscal year prior to the completion of the Annual Governance Statement. The review was carried out in September 2017 by the Finance Committee and approved by Full Council 27 November 2017 after members had considered the findings of the review.

Members considered the Annual Governance and Accounts Return (AGAR) 31 March 2018.

RESOLVED THAT:

- I.** The Annual Governance Statement be approved.
- II.** The Accounting Statements be approved.
- III.** The Chairman on behalf of Penrith Town Council be authorised to sign the accounting Statements.

PTC18/37 Fairhill – Payment due from Eden District Council

The matter was withdrawn.

PTC18/38 Neighbourhood Plan

Members viewed the draft Neighbourhood Plan.

RESOLVED THAT:

The draft Neighbourhood Plan be approved and go out to consultation.

PTC 18/39 Mayoral Roles

Members noted that for this Mayoral year Cllr. Jackson Mayor of Penrith would act as the lead member for projects related to the centenary of the World War 1 Armistice and Cllr. Baker would act as the lead member for projects related to Keep Penrith Clean.

PTC 18/40 Ward Walks

Members agreed the commencement of Councillor ward walks to facilitate electorate engagement in all Penrith wards.

PTC18/41 Next Meeting

Members noted the next meeting was scheduled for 24 September 2018.

CHAIRMAN:

DATE:

ITEM 9 B – COMMUNITY GOVERNANCE REVIEW

Your Reference:
Our Reference: CRG/VL/PenrithTC
Enquiries to: Vivien Little
Direct Dial: (01768) 212180
Email: communitygovernance@eden.gov.uk
Date: 27 July 2018



Town Hall, Penrith, Cumbria CA11 7QF
Tel: 01768 817817

Mrs V Tunnadine
Clerk, Penrith Town Council
Unit 1
Church House
19-24 Friargate
Penrith
CA11 7XR

Dear Mrs Tunnadine

Community Governance Review – Penrith Town Council

At the meeting of Eden District Council's full Council on 12 July 2018, a number of recommendations were made following the second stage of consultation which had taken place between 1 March 2018 and 31 May 2018. Council Members resolved, amongst other matters, that that "...the number of councillors for Penrith Town Council be reduced from nineteen to fifteen."

Eden District Council's legal team will now begin the process of preparing the orders to enable the changes to take place and are aiming to complete the process by 7 September 2018. This which will enable a period of time for any changes made to be fully in place by the time of the Parish Council elections in May 2019.

Under the delegated powers which have been granted to the Deputy Chief Executive in order to make all the necessary orders, he has looked at the issue of the allocation of the 15 seats on Penrith Town Council. Penrith Town Council made no request to adjust its ward boundaries. Therefore the 15 Town Councillors need to be allocated amongst the 6 Town Council wards with the least possible electoral imbalance. Local Government Boundary Commission for England's Guidance in respect of reviews of District Ward Boundaries indicates that electoral numbers should be reviewed if the electoral imbalance in any ward exceeds 30% (on a negative or positive basis). Whilst this guidance is not explicitly applicable to Community Governance Reviews it is considered that the guidance should be used as a benchmark in relation to this matter.

Based on 15 Members and the current number of electors of 12,622 the average number of electors per member would be 841.5. It is therefore suggested that the following is the most appropriate allocation. Indeed it has not been possible to find another appropriate allocation:

2 members for Penrith Carleton –with its current electorate of 1,315 this would lead to an electoral imbalance of -21.9%;

www.eden.gov.uk

Matthew Neal Solicitor
Deputy Chief Executive (Monitoring Officer)



3 members for Penrith East – with its current electorate of 2342 this would lead to an electoral imbalance of -7.3%;

1 member for Penrith Pategill – with its current electorate of 1080 this would lead to an electoral imbalance of +28.3%;

4 members for Penrith North – with its current electorate of 3436 this would lead to an electoral imbalance of +2.1%;

2 members for Penrith South – with its current electorate of 2101 this would lead to an electoral imbalance of +24.8%; and

3 members for Penrith West – with its current electorate of 2348 this would lead to an electoral imbalance of -7%.

Please could you confirm the Town Council's approval of this allocation. If you have any queries relating to this, please contact Vivien Little, Member Services Team Leader who will be able to help you in the first instance.

Yours sincerely



Vivien Little

Member Services Team Leader

ITEM 10: CALC MEMBERSHIP SUBSCRIPTION REVIEW



Fire and Rescue Service Headquarters
Carleton Avenue
Penrith
Cumbria, CA10 2FA

01768 812663
office@calc.org.uk

Ms Viv Tunnadine
Clerk
Penrith TC
Unit 1, Church House
19-24 Friargate
PENRITH
CA11 7XR

Dear Colleague,

CALC Membership Subscriptions Review 2018

The CALC AGM in November 2017 was informed that the Executive would review the membership fee structure with a view to presenting a report to the AGM in 2018.

The existing system used by CALC relies on a range of pricing bands based on the electorate number, for example parishes with 1,000 – 2,000 electors pay a fixed amount. This set fee incorporates a proportion of money that is collected by CALC on behalf of the National Association of Local Councils (NALC). The current 2018 NALC fee is set at 6.86p per elector. Local Councils cannot be a member of one and not the other.

It was felt that the existing fee structure was in need of review to assess if it was still appropriate in light of some recent changes, the most significant being the steady rise in the NALC element of the fees. The current banding system also means that, within the same band, some members contribute markedly different amounts towards CALC's own costs once the contribution to NALC has been taken out of their affiliation fees.

The CALC Executive established a working group to consider the issues and identified some principles to underpin the work. These were:

- Fairness
- Ease of understanding and explanation
- Retention of and support for existing high levels of membership of CALC within member councils
- Separate identification of the CALC and NALC elements of future subscription fees (whilst recognising that membership of CALC automatically confers membership of NALC)

President: Bob Mather

Chairman: Cllr Rick Petecki

Chief Officer: Samantha Bagshaw

www.calc.org.uk

- Recognition that there will be 'winners' and 'losers' in any formula change and the need to consider the impact of this on member councils

The working group met and considered 7 different approaches to calculating the subscription fees (having considered the approaches of 19 other county associations). At the June meeting of the Executive, the following approaches were agreed:

- a) that the CALC and NALC portions of the subscription fees are displayed separately on the annual membership invoice to members.
- b) that the CALC portion of the subscription fee should be based on the electorate of each parish. Having considered a few different approaches, it was felt that the fairest way to calculate the CALC portion is to use the cube root of the electorate. This smooths out the steep increases between bands and gives each parish an individual fee based on their own parish elector numbers.

All the approaches that were considered were based on generating the same amount of subscription fee income as for 2018/19.

As a result of the proposed changes to membership subscription fees, the letter your council receives regarding fees for 2019/20 will identify the amount of money being collected on behalf of NALC and the portion that will be kept to support CALC. The total amount payable will be the sum of the two figures.

For your council, the proposed CALC/NALC membership fee for 2019/20 (using the revised method for calculating CALC's portion of the subscriptions fees set out above) will be:

NALC subscription	£858.53
CALC subscription	£359.98
TOTAL	£1,218.51

We propose that any increases agreed at the 2018 AGM (to cover inflation etc) for 2019/20, will be added to the sum above. This new method of calculating subscriptions does not generate any more income than the previous one but it spreads the contributions fairly based on the size of the electorate.

We value your membership of CALC and would like to hear your comments on these proposals – you can email us on office@calc.org.uk. We believe that this is the fairest approach as it means that every parish has a fee calculated on their most recent electorate numbers.

Responses to the proposed changes will be discussed at the next CALC Executive Committee meeting on 20th October and a decision will be taken on proposals for consideration by the AGM on 10th November.

Information for Parish Meetings Only

In the past, you have been charged a fixed amount. The revised fee is now based on your electorate rather than a fixed fee. The question of fees for parish meetings will be considered further at the October Executive Committee meeting, so please let us know your thoughts on the new approach.

Kind regards,



Samantha Bagshaw
Chief Officer

President: Bob Mather

Chairman: Cllr Rick Petecki
www.calc.org.uk

Chief Officer: Samantha Bagshaw

RECOMMENDATION: No comments to submit.

MATTERS FROM FINANCE COMMITTEE

ITEM 11 FINANCE COMMITTEE POLICY REVIEW

EXISTING POLICIES, PROCEDURES & PROTOCOLS			RECOMMENDATION	
TITLE	ADOPTED	REVIEW	AMEND	NOTE
BIODIVERSITY	15/05/2017	2022	NO	
CIVIC PROCEDURES	06/07/15	07/19	NO	
CODE OF CONDUCT	18/05/15	ANNUAL	NO	
NON-COMPLIANCE CODE OF CONDUCT	18/05/15	ANNUAL	NO	
COMMUNICATION POLICY	18/05/15	ANNUAL	NO	
COMMUNICATION PROTOCOL	18/05/15	ANNUAL	NO	
COMMUNITY ENGAGEMENT	06/07/17	2019	NO	
COMPLAINTS PROCEDURE	18/05/15	ANNUAL	NO	
CONSULTATION POLICY	21/05/2018	2022	NO	
CO-OPTION POLICY	18/05/15	ANNUAL	NO	
DELEGATION SCHEME	18/07/17	ANNUAL	NO	
DISPENSATION	27/11/17	2019	NO	
EQUALITY & DIVERSITY	15/05/17	2022	NO	
EQUAL OPPORTUNITIES	18/05/15	2020	NO	
FILMING OF MEETINGS	18/05/15	ANNUAL	NO	
FINANCIAL REGULATIONS	18/05/15	ANNUAL	YES	NOTE 4
FREEDOM OF INFORMATION	18/05/15	ANNUAL	NO	
GIFTS & HOSPITALITY	18/05/15	ANNUAL	NO	
HEALTH & SAFETY POLICY	16/05/16	2019	NO	
INTERNAL CONTROL	16/05/16	ANNUAL	YES	NOTE 3
MEDIA POLICY	18/05/15	ANNUAL	NO	
PARTNERSHIP PROTOCOL	15/05/17	2022	NO	
PLANNING PROTOCOL	13/07/15	2021	NO	
PROCUREMENT POLICY	16/05/16	2018	YES	NOTE 2
PUBLIC PARTICIPATION	18/05/15	ANNUAL	NO	
PUBLICATION SCHEME	18/05/15	ANNUAL	NO	
RISK MANAGEMENT	18/05/15	ANNUAL	YES	NOTE 1
STANDING ORDERS	18/05/15	ANNUAL	NO	
TRAINING	15/05/17	ANNUAL	NO	
VALUE FOR MONEY	15/05/17	2021	NO	
DATA POLICIES, PROCEDURES & PROTOCOLS				
RECORD MANAGEMENT & RETENTION	21/05/2018	ANNUAL		
SOCIAL MEDIA & ELECTRONIC COMMUNICATION	21/05/2018	ANNUAL		
INFORMATION PROTECTION	21/05/2018	ANNUAL		
INFORMATION SECURITY	21/05/2018	ANNUAL		
REMOVABLE MEDIA	21/05/2018	ANNUAL		
DATA PROTECTION	21/05/2018	ANNUAL		
PRIVACY	21/05/2018	ANNUAL		
SUBJECT ACCESS REQUESTS	21/05/2018	ANNUAL		
PASSWORD	21/05/2018	ANNUAL		

OVERVIEW

Members are asked to note that these policies are reviewed annually with the Council's risk assessments, in September, by the Council's Finance Committee, and form part of the Council's compliance with the Audit and Financial Regulations.

The Council appointed a Responsible Finance Officer (RFO) who commenced in post in July 2018. The RFO acts as the Council's Statutory Responsible Finance Officer under Section 2 of the Local Government and Housing Act 1989, and the Responsible Financial Officer for the purposes of Section 151 of the Local Government Act 1972, and Sections 26 and 114 of the Local Government Finance Act 1988, and section 23 of the 2003 Local Government Act.

The RFO ensures that the Council meets all statutory requirements in respect of its financial arrangements, and that effective preparations are made to meet changes and his duties include:

- a. Ensuring that all statutory requirements are met.
 - b. Compliance with the Council's Financial Regulations.
 - c. Advising the Council on the adequacy of and changes to its Financial Regulations including all internal controls and procedures to manage financial risk.
 - d. Ensuring that at least once a year a financial risk assessment is undertaken and submitted to the Finance Committee and Full Council.
 - e. Maintaining strong financial management underpinned by effective financial controls and secure systems and keeping proper financial records and accounts, reporting to the Finance Committee and Full Council as required.
 - f. Monitor the implemented policies and operational activities of the Council to ensure they are achieving the agreed targets and, where appropriate, suggest adjustments or modifications.
- 1.

1 RISK MANAGEMENT

Risk Management is an essential feature of the Town Council's corporate governance arrangements. Having a risk management policy allows the Council to:

- Identify risks in the context of corporate objectives
- Assess risks to determine and develop actions and controls to manage risks
- Communicate with all stakeholders its process for identifying and managing risk.

The amendments to the previous risk management policy are that the Council has increased the number of risk assessments because of the increased responsibility for new assets.

The policy has been reviewed for accuracy, typing and grammatical errors.

2 PROCUREMENT POLICY

The Procurement Policy sets out the thresholds for the method by which goods and services are to be obtained.

The EU Procurement Thresholds were changed as of the 01 January 2018 and are subject to change every two years. They apply to high value procurements which will rarely, if ever, be made by the Town Council:

Public Works Contracts	£4,551,413
Public Service Contracts	£181,302
Public Supply Contracts	£181,302

For clarification all contract awards of £25,000 in value and above win accordance with The Public Contracts Regulations 2015 must be advertised openly on the Contracts Finder portal. The Council are more likely to procure contracts of this value and above and therefore should seek to register with Contracts Finder.

3 FINANCIAL RISK MANAGEMENT PROTOCOL

The Financial Risk Management Protocol outlines the regulatory background for the management of financial arrangements and risk.

The Review Schedule within the protocol has been amended to include the approved revised payments for approval process as approved at Finance Committee, Minute FIN.COM. 18/27

4 INTERNAL CONTROL OF FINANCE

The Council's RFO is responsible for financial administration of the Council. The Internal Control of Finance procedures have been reviewed and updated. The procedures are appended as follows:

PENRITH TOWN COUNCIL INTERNAL CONTROL

BANK ACCOUNT SIGNATORIES

- 1.** Signatories to each of the Council's bank accounts must be resolved at the Annual Town Council meeting and duly minuted.
- 2.** Wherever possible the signatories must be all the members of the Council's Finance Committee to promote business continuity and to spread the risk of fraud.
- 3.** The signatory application process must be overseen by the RFO and comply with the bank's individuals' protocols.
- 4.** All Councillors will provide personal details required by the bank's application process and two references.
- 5.** All Councillors will provide personal details required by the external accounts.
- 6.** The external accountants will be authorised as bank account signatories for the purpose of electronic bank transfers and management of the bank account.
- 7.** The RFO will ensure all applications are completed fully and copies kept for reference.

PAYMENTS

- 8.** All invoices that are not disputed will be made within 30 days of the invoice date.
- 9.** The Town Clerk/Services & Contracts Officer and in their absence the Deputy Town Clerk, will collate and number all invoices and check each invoice for accuracy. When satisfied that the invoices are correct due for payment, relevant details are recorded on a schedule, which is then sent to the external accountants with copy invoices and supporting documentation.
- 10.** The Town Clerk/Services & Contracts Officer will submit details of new suppliers to the external accountants so that they can be set up on the electronic banking system.
- 11.** The external accountants will check the invoices and the schedule, pay the suppliers and record the details in the Council's accounting system.
- 12.** In conjunction with the external accountants, the RFO will compile a report of payments made each month, extracted from the accounting system, for submission to the Finance Committee for approval. The schedule will be sent to all Councillors, together with an electronic copy of each invoice.

- 13.** The Finance Committee will formally consider and approve the report of invoice payments made, recording their approval in the meeting's minutes.
- 14.** On a weekly basis, the Services and Contracts Manager, as part of the weekly payment run, will update a schedule when the corporate debit card has been used that week. The purchase receipt will be filed, and the updated record sent to the external accountants for processing. The debit card transactions will further be verified to the bank statement.
- 15.** The master schedule showing each debit card transaction will be made available to Members of the Finance Committee as required or to complement the Payments Approval process.

AUTHORISATION

- 16.** Wherever possible, payments are made by electronic bank transfer, processed by the external accountants.

Where a cheque must be raised, the cheque is signed by two Councillors and the cheque stub countersigned.

RECORD KEEPING

- 17.** All financial records and the accounting system are secured at the external accountants' office.
- 18.** Bank account Standing Orders and Direct Debits may be set up for regular payments. An annual minute resolution is required with a mandate signed by two Councillor signatories.
- 19.** The external accountants will provide financial information as required by the RFO, including that needed to make and record monthly payments and quarterly budgetary control reports to the Finance Committee.
- 20.** Approval of the reports will be recorded in the minutes and taken forward to the Full Council.
- 21.** The external accounts will produce regular bank reconciliations, not less than monthly, which will be provided to the RFO.
- 22.** At each meeting of the Finance Committee, the most recent monthly bank reconciliation, supported by the appropriate bank statement, will be reviewed by two members of the Committee, neither of whom is the Chairman of the Council, who must countersign both documents. The review will be recorded in the Committee's minutes.

ACCOUNTABILITY & TRANSPARENCY

- 23.** All Councillors have their own copy of Local Council Governance and Accountability for Smaller Authorities – A Practitioners Guide March 2018, which represents statutory proper practice in these areas. The Guide is issued by the Joint Panel on Accounting Guidance (JPAG), and jointly published by the Society of Local Council Clerks, the National Association of Local Councils and the Association of Drainage Authorities.
- 24.** The Town Council will ensure that there is a sound system of internal control and effective arrangements for the management of risk and will:
- i. Undertake an effective internal audit
 - ii. Review the effectiveness of the system of internal control annually
 - iii. Prepare an Annual Governance and Accounts Return (AGAR), to be approved at a Full Council meeting by 30 June following the end of the financial year.
- 25.** The RFO will make provision for electors to exercise their statutory rights to inspect the accounts and the underlying records and to make objections to the external auditor, including the following:
- The RFO must publish the unaudited AGAR (and this must include publication on a freely accessible website) together with a statement that the Annual Return as published may be subject to change.
 - The RFO will set the inspection period, which must be a period of 30 consecutive working days, including the first ten working days in July, and publish the availability of the Accounts for inspection.
 - Electors' objections to the external auditor must be made during, not after, the inspection period.
- 26.** Recommendations from the internal auditor or external auditor will be considered initially by the Council's Finance Committee, which will make recommendations to Full Council.
- 27.** The Council will comply with all requirements of the Local Government Transparency Code, including the publication of all payments on its website.
- 28.** All members of the Finance Committee are offered training in Local Council Finance.



Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR
Tel: 01768 899 773 Email: office@penrithtowncouncil.co.uk

FULL COUNCIL 24 SEPTEMBER 2018

REPORT FROM FINANCE COMMITTEE 10 September 2018

**AUTHOR: IAN PARKER SERVICES & CONTRACTS
MANAGER**

**ITEMS: 12 and 13
MATTERS FROM FINANCE COMMITTEE**

RECOMMENDATIONS

Council is asked to approve, for final ratification, the recommendations from the Council's Finance Committee who carried out a review of the Council's risk assessments, internal controls, internal audit arrangements and internal audit plan:

- I. That members approve the risk assessments recommendations – Appendix A
- II. The review of internal control and internal audit arrangements – Appendix B
- III. The Internal Audit Plan – Appendix C

1 LAW

- 1.1 The Accounts and Audit Regulations 2015 require smaller authorities, each financial year, to conduct a review of the effectiveness of the system of internal control and prepare an annual governance statement in accordance with proper practices in relation to accounts.

1.2 Risk management is part of the review and when completing The Annual Governance Statement for the external auditor, the Council is confirming the following assertion:

"Assertion 5: Risk Management

We carried out an assessment of the risks facing this smaller authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required."

To warrant a positive response to this assertion, the Council needs to have the following arrangements in place:

- Identifying and assessing risks. The Council needs to identify, assess and record risks associated with actions and decisions it has taken or considered taking during the year that could have financial or reputational consequences.
- Addressing risks. Having identified, assessed and recorded the risks, the Council needs to address them by ensuring that appropriate measures are in place to mitigate and manage risk which will include the use of internal controls and insurance cover.

1.2 The responsibility for internal control lies with Penrith Town Council.

1.3 The Accounts and Audit (England) Regulations 2015 Part 2 section 3

"Internal control

Responsibility for internal control

Reg 3. A relevant authority must ensure that it has a sound system of internal control which—

- (a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;*
- (b) ensures that the financial and operational management of the authority is effective; and*
- (c) includes effective arrangements for the management of risk."*

1.4 There is a requirement under The Accounts and Audit (England) Regulations 2015 Part 2 section 6 that the Council undertakes and approves a review of the effectiveness of its internal control arrangements:

"Review of internal control system

Reg 6.

(1) A relevant authority must, each financial year—

*(a) conduct a review of the effectiveness of the system of internal control required by regulation 3; and
(b) prepare an annual governance statement;”*

1.5 Proper practice is provided by The Governance and Accountability for Smaller Authorities in England, A Practitioners’ Guide to Proper Practices to be applied in the preparation of statutory annual accounts and governance statements March 2018.

1.6 The guide is issued by the Joint Practitioners Advisory Group JPAG, and jointly published by the Society of Local Council Clerks, the National Association of Local Councils and the Association of Drainage Authorities.

2. BACKGROUND

- 2.1 Local Councils are responsible for putting in place proper arrangements for the governance of their affairs and the stewardship of the resources under their control. These arrangements should enable the Council to carry out its activities effectively whilst managing risk.
- 2.2 Risk assessment is a systematic general examination of working conditions, workplace activities and environmental factors that will enable the Town Council to identify all potential inherent risks.
- 2.3 The Town Council, based on a recorded assessment, will take all practical and necessary steps to reduce or eliminate the risks, insofar as is practically possible.
- 2.4 The risk assessment documents have been produced to enable Penrith Town Council to assess the risks that it faces and satisfy itself that it has taken adequate steps to minimise them.
- 2.5 The management of risk is included in each report presented to Council/Committees to assist Councillors in their decision making.
- 2.6 The risks are assessed annually unless there are material changes to the law or circumstances that require an immediate review.
- 2.7 As services grow and policies are adopted this schedule will expand. Its purpose is designed to give Councillors confidence that the management of risk is pragmatic and proactive.
- 2.8 The Town Council is required to maintain an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and review its effectiveness.

- 2.9 A system of internal control has been designed to manage risk to a reasonable level. Whilst it cannot eliminate the risk of failure to achieve policies, aims and objectives; it can provide reasonable assurance of effectiveness.
- 2.10 Regular reviews of internal control provide assurances on their effectiveness and where appropriate a management action plan can be used to address any identified weaknesses.
- 2.11 The review process includes:
- a) Obtaining assurances to the extent that control systems have operated effectively throughout the year;
 - b) Reviewing Internal and External Audit Inspection reports;
 - c) Review of any issues arising from the last review of internal control.

3. FINANCIAL IMPLICATIONS

There are none, unless Members decide to increase the level of fidelity insurance then the premium cost will increase, subject to the revised value agreed.

BACKGROUND PAPERS:

September 2018 – FINANCE COMMITTEE REPOR

APPENDIX A

RISK ASSESSMENT RECOMMENDATIONS

AREA		ACTION REQUIRED
1.	Business Continuity	<ul style="list-style-type: none"> a. Accountancy contract to be retendered in November 2019. b. IT contract to be reviewed in November 2020.
2.	Finance	<ul style="list-style-type: none"> a. Maintain Asset Register as assets are transferred. b. Update insurance cover as assets are transferred. c. Ensure Asset Register is compliant by recording all assets worth £500 or more in value. d. Ensure that all asset purchases more than £100 in value are recorded on the insurance inventory. e. Develop an Investment Policy. f. Develop a Reserves Policy.
3.	Governance	Copies of legal documents to be stored Burnett's Solicitors.
4.	IT & Website	<ul style="list-style-type: none"> a. Undertake review of Display Screen Equipment and Work Station set up. b. Ensure that the server back up tapes are changed daily and stored securely in the fire proof cabinet. c. Continued monitoring of website content to ensure credibility and control of the website.
5.	Allotments	<ul style="list-style-type: none"> a. Install new signage with essential user information. b. New signage at all water outlet points to advise that it is 'Not Drinking Water'. c. Review the rules relating to bonfires on the allotment sites.
6.	War Memorial	Undertake structural survey every five years. Next survey due in 2022.

AREA	ACTION REQUIRED
7. Cornmarket Bandstand	<ul style="list-style-type: none"> a. Ensure all electric cupboards are securely locked as part of monthly inspection. b. Obtain method statement and risk assessment from Penrith Lions prior to installation of Christmas Tree. c. Undertake inspection visits of the Christmas Tree following adverse weather including high winds, snow. d. Obtain Method Statement and risk assessment for the installation of the Christmas Lights. e. All third party use of the area to be via Bandstand Hire Policy and application process. f. Monitor street traders to ensure operating within agreed area.
8. Fairhill Playing Field	<ul style="list-style-type: none"> a. Installation of field gate off Inglewood Road to prevent pedestrians entering highway. b. Installation of gates off Salkeld Road to prevent pedestrians entering the highway. c. Tree assessment to be undertaken for medium risk trees, due in December 2019, and low risk trees in December 2020. d. Inspect integrity of football goal posts monthly.
9. Fire	<ul style="list-style-type: none"> a. Undertake Portable Application Testing (PAT) of all office related electrical appliances. b. Service the fire extinguishers on an annual basis. Next service in April 2019.
10. Lone Working	Add Lone Working procedure on to the annual Staff Sub Committee.
11. Recycling Bring Site	<ul style="list-style-type: none"> a. Personal protective equipment (PPE) for staff visiting bring site. b. Instruct Community Caretaker not to undertake own cleaning duties when recycling vehicles are emptying or moving recycling bins.

AREA		ACTION REQUIRED
12.	Office	<ul style="list-style-type: none"> a. Undertake review of Display Screen Equipment and Work Station set up. b. Undertake Portable Application Testing (PAT) of all office related electrical appliances. c. Service the fire extinguishers on an annual basis. Next service in April 2019.

APPENDIX B

INTERNAL CONTROL RECOMMENDATIONS

The review showed that no changes were required and the RFO had reviewed the Internal Control of Finance procedure which was approved by the Finance Committee.

APPENDIX C INTERNAL AUDIT PLAN

ACTIVITY	AUDIT
Previous Internal Audit Report	Do the minutes record that Council has considered the Internal Audit Report for the previous year and the matters arising addressed?
Proper book keeping	Is the cashbook maintained and up to date?
	Is the cashbook arithmetically correct?
	Is the cashbook regularly balanced?
Standing Orders and Financial Regulations	Has the Council formally adopted Standing Orders and Financial Regulations?
	Has a Responsible Financial Officer been appointed?
	Have items or services above the de minimis amount been competitively purchased?
	Are payments in the cashbook supported by invoices and have they been authorised and minuted?
	Has VAT on payments been identified, recorded and reclaimed?
	Is Section 137 expenditure separately recorded and within statutory limits?
Risk Management Arrangements	Does a scan of the minutes identify any unusual activity?

INTERNAL AUDIT PLAN

ACTIVITY	AUDIT
Risk Management Arrangements (cont.)	Do the minutes record the Council carrying out an annual risk assessment?
	Is insurance cover appropriate and adequate?
	Are internal financial controls documented and regularly reviewed?
Budgetary Controls	Has the Council prepared an annual budget in support of its precept?
	Is actual expenditure against the budget regularly reported to Council?
	Are there any significant unexplained variances from budget?
Income Controls	Is income properly recorded and promptly banked?
	Does the precept recorded in the cashbook agree to the District Council's notification?
	Are security controls over cash adequate and effective?
Petty Cash Procedures	Is all petty cash spent recorded and supported by VAT invoices/receipts?
	Is petty cash expenditure reported to Council?
	Is petty cash reimbursement carried out regularly?
Payroll Controls	Do salaries paid agree with those approved by Council?
	Are other payments to the Clerk reasonable and approved by Council?

INTERNAL AUDIT PLAN

ACTIVITY	AUDIT
Payroll Controls (cont.)	Has PAYE/NIC and LGPS been properly operated by the Council as an employer?
Assets Controls	Does the Council keep an Assets Register of all material assets owned?
	Is the Register up to date?
	Do asset insurance valuations agree with those in the Register?
Bank Reconciliation	Is there a bank reconciliation for each bank account?
	Is the bank reconciliation carried out regularly on the receipt of statements?
	Are there any unexplained balancing entries in any reconciliation?
Year-End Procedures	Are year-end accounts prepared on the correct accounting basis?
	Do accounts agree with the cashbook?
	Is there an audit trail from underlying financial records to the accounts?
	Where appropriate, have debtors and creditors been properly recorded?
Open Government Transparency Code	Is the Council complying with the Code and publishing public data in the public domain?



Penrith Town Council

FULL COUNCIL 24 SEPTEMBER 2018

ARMISTICE CENTENARY AND REMEMBRANCE

AUTHOR: Ian Parker – Services and Contracts Manager

LEAD COUNCILLOR: CLLR JACKSON

ITEM NUMBER: 14

RECOMMENDATIONS

The Council is asked to:

- I.** Note the planned series of events in Penrith to mark the Armistice Day;
- II.** Note that Eden District Council passed over the responsibility for the Remembrance Day Service to the Town Council as a civic function;
- III.** Determine its preferences for the supply and installation of memorial benches and or Tommie's as set out in paragraph 3.24.
- IV.** Under Section 137 LGA 1972 [to incur expenditure not otherwise authorised on anything which in the council's opinion is in the interests of the area or part of it or all or some of the inhabitants] agree to assume responsibility for the civic arrangements for the Remembrance Day

1. LAW: LINK TO COUNCIL

Subject	Power	Legislation
War Memorials	Power to maintain, repair, protect war memorials	War Memorials Act 1923

2. LINKS TO COUNCIL PRIORITIES

This report addresses the Community Engagement strategic priority and meets the aim to encourage and facilitate community engagement; and valuing the community's contributions.

3. BACKGROUND

Introduction

- 3.1** Remembrance Sunday is the 11 November 2018, which this year also marks 100 years since the Armistice was declared that ended the fighting in World War 1.
- 3.2** The nation will be commemorating the Armistice through a range of local and national events; and plans are in place in Penrith to contribute to the commemorations on the day of remembrance. This report sets out the proposals so far, however Members are advised that some of the plans are still in the development stage.

Remembrance Parade & Memorial Service

- 3.3** A Remembrance Parade is an annual event within Penrith. The responsibility for the organisation of the parade has been a function taken on by Eden District Council, who have approved for the organisation of the parade to transfer to the Town Council as a town function.
- 3.4** The Royal British Legion (RBL) always organised the parade on behalf of the District Council which has been confirmed by EDC.
- 3.5** A meeting was held with the RBL to ascertain the requirements and activities for the Town Council. RBL advised PTC that the organisation should have been carried out by Eden District Council. Several years ago a District Councillor (who was also a member of the RBL) worked with the RBL to organise the parade and, following him leaving the District Council, the RBL continued to organise the event.
- 3.6** As the individual from the Royal British Legion who had previously organised the parade is retiring at the end of 2018, RBL advised the Town Council that as the lead authority for the event, it would be an appropriate time for PTC to take over organisation of the parade as well.

- 3.7** Officers of the Council have been liaising with interested parties namely the Penrith branch of the Royal British Legion (RBL) and St Andrews Church in order to begin to understand the roles and responsibilities of the Council.
- 3.8** As this year marks the 100 years since the Armistice was declared that ended World War I, the Remembrance Day parade (usually held in the afternoon) will take place in the morning to coincide with 11.11.11. From 2019, it is expected that the parade will revert to an afternoon.
- 3.9** The Town Council will be responsible for coordinating the parade which will congregate at the rear of the Town Hall, at 10.40am on Sunday 11 November 2018 and proceeds along Middlegate to St Andrews Church.
- 3.10** The parade is organised in partnership with the RBL. The Council will be responsible for overseeing the parade and inviting local dignitaries, and organisations. The parade progresses without a road closure and is marshalled by Cumbria Police who have confirmed their attendance on the day.
- 3.11** Once the parade has reached St Andrews Church, there will be a short address by Reverend David Sargent at the War Memorial outside St Andrews before everyone moves inside for a full Service of Remembrance. The service is organised and delivered by the Reverend David Sargent.
- 3.12** Traditionally, each year following the church service, the RBL move to Castle Park to enable the Armed Services to lay wreaths and poppies within Castle Park, at the Memorial Gate.

War Memorial St Andrews Churchyard

- 3.13** The Town Council owns and maintains the War Memorial which is in the St Andrews Churchyard. Ahead of Remembrance Day the Council will undertake advance inspections of the monument to ensure that it is in suitable condition. Where any remedial work or cleaning is required this will be undertaken in advance of the 11 November. The flower bed surrounding the war memorial will be re-planted.

Battles Over – WWI Beacons of Light

- 3.14** On the 11 November 2018 to mark the 100-year Armistice a series of national events are being planned across the Country. So far, the Town Council has outlined an interest to participate in the Battles Over – WWI Beacons of Light, as approved at Council 26 June 2018, Minute PTC17/31.

- 3.15** At 7.00pm on the 11 November 2018 and after darkness has fallen a series of Beacons are to be lit across the United Kingdom. It is proposed that Penrith Beacon is lit to participate in this project.
- 3.16** Cllr Kenyon is liaising with the landowner and seeking their permission. At this stage no further work has been undertaken until the permission to access the Beacon has been approved.
- 3.17** Subject to receiving permission the proposal is to project a light upward from the beacon as opposed to the lighting of gas brazier. It is considered that a projected light will have greater impact and be visible to more residents of the Parish.

Eden Valley Artistic Network (EVAN) – Path of Light

- 3.18** The Eden Valley Artistic Network (EVAN) is a group of local artists, who have been successful in delivering community events in Penrith.
- 3.19** To mark the Armistice, EVAN are presenting proposals to the Council to plan a 'path of light' from Penrith Beacon to the town centre, to both commemorate the Armistice and to display peace and hope.
- 3.20** Once the path of light has reached the Town Centre, EVAN are proposing to organise an artistic performance in the Great Dockray area.
- 3.21** EVAN are currently developing their ideas and will present them to the Town Council in the coming weeks.

Town Council Mayors Fund

- 3.22** Finance Committee, 11 June 2018, Minute FIN.COM.18/16 resolved that a Mayors Fund of £10,000 be created to support projects for the centenary of WW1, to be spent under delegated authority.
- 3.23** It was considered that the Council may wish to install within the Parish some form of lasting memorial to mark the 100-year commemoration from the end of WW1.
- 3.24** Members have been consulted with options including the installation of 'Tommie's', which are silhouette sculptures of soldiers and memorial benches. As it currently stands there are no finalised plans outlining what will be installed within the Parish. Members are asked if they can confirm their preferences.

Penrith Remembers

- 3.25** Penrith Remembers 1914-18 working group is a constituted group that works with local people and organisations to research and record the impact of the First World War on Penrith and the surrounding area.
- 3.26** Penrith Remembers have undertaken a series of local projects ranging from the presentation of a published book, displays and exhibitions, talks, and have undertaken large amounts of research on those who deceased in WW1 and the affect of the war on the local area.
- 3.27** The Council has recently held a meeting with the Penrith Remembers Group to coordinate and work in partnership for the delivery of the Armistice Day commemorations.
- 3.28** The proposal to install benches and or sculptures as outlined in paragraph 3.24 would include the proposal to include a memorial plaque on benches or sculptures incorporating the Penrith Remembers logo. Penrith Remembers have authorised and granted permission for Council to use the Penrith Remembers logo at a one-off cost of £200.

Programme

- 3.29** The programme for the Sunday 11 November will be:

Activity	Time
Parade	10.40am
Memorial Service	11.00am
Wreaths Castle Park Memorial Gate	12.30pm
Beacons of Light	7.00pm
EVAN Path of Light	7.10pm
EVAN Town Centre Performance	TBC

4. FINANCE IMPLICATIONS

- 4.1** Officer hours to arrange the parade which are not yet known.
- 4.2** Finance Committee, 11 June 2018, Minute FIN.COM.18/16 resolved that a Mayors Fund of £10,000 be created to support projects for the centenary of WW1, to be spent under delegated authority.
- 4.3** The cost to use the Penrith Remembers logo will be £200, and this will be met from Mayors Fund.
- 4.4** The supply and installation of benches and or Tommie sculptures will be met from the Mayors Fund.
- 4.5** Permission for use of the Beacon to host the Beacons of Light project is still to be agreed. There may be a hire fee for use of the Beacon. The cost if any will be met from the Mayors Fund.
- 4.6** The delivery of the EVAN Path of Light and Town Centre Performance will be met from EVAN themselves and local grants.

5. RISK ASSESSMENT

Risk	Consequence	Controls Required
Reputational	Should such a high-profile event be poorly managed this will cause reputational damage to the Council	Event plan, planning meetings and communication with all interested parties.
Staff Capacity	The Town Council has limited staff capacity to manage too many separate events	Event plan, roles delegated and agreed. Regular planning and progress meetings.
Finance	The combined programme of events may exceed the Mayors Fund.	Obtain quotations for all aspects of the Programme. In the event of going over budget liaise with Members prior to the order of any goods or services.

Officer contact Details

Ian Parker Services and Contracts Manager

Email: scmanager@penrithtowncouncil.co.uk

Tel: 01768 899773



Penrith Town Council

FULL COUNCIL 24 SEPTEMBER 2018

DEVOLUTION OF SERVICES AND ASSETS

AUTHOR: Ian Parker – Services and Contracts Manager

LEAD COUNCILLOR: CLLR WHIPP

ITEM NUMBER: 15

RECOMMENDATIONS

The Council is asked to:

- I. Note the current position with regards to the transfer of Tranche 1 Assets
- II. Note the current position with regards to the progress of the transfer of Tranche 2 Assets.

1. LAW: LINK TO COUNCIL

Subject	Power	Legislation
Coronation Gardens	To provide recreational facilities	Local Government Act 1972
Play Areas	To provide recreational facilities	Local Government Act 1972
Bus Shelters	Power to provide and maintain bus shelters	Local Government Act 1953, Section 4
Seats	Power to provide roadside seats	Parish Council's Act 1957, Section 1

2. LINKS TO COUNCIL PRIORITIES

At its meeting on 27 November 2017 the Council agreed its updated Devolution Plan for 2017-22. All the assets and services within this report were included within that report.

3. BACKGROUND

3.1 As and when, proposals for the transfer of individual assets and services are agreed by Eden District Council and Town Council Officers they are brought to the respective councils for formal consideration. Both Eden District Council and the Town Council at respective meetings in March 2017 agreed to the transfer of a range of assets referred to as Tranche 1. These included:

- Musgrave Monument
- Cornmarket Bandstand
- Bus Shelters
- Benches and Seats
- War Memorials
- Fairhill Playing Field (agreed May 2017)

3.2 So far, the following assets from the Tranche 1 list have successfully transferred:

- Cornmarket Bandstand
- War Memorials
- Fairhill Playing Field

3.3 The remaining assets agreed to transfer as part of Tranche 1 are in the process of being finalised. The required due diligence has been undertaken, and the legal agreements have been prepared. It is anticipated that the Musgrave Monument, Benches and Seats and Bus Shelters shall be officially transferred to the Council by the end of September 2018.

3.4 Members at Council on 26 February 2018, resolved to ask Eden District Council for the transfer of further assets which are referred to as Tranche 2. These assets include:

- Coronation Gardens
- Six Play Areas (Carleton, Castletown, Milton St, Pategill, Scaws, Wetheriggs)
- The associated recreation areas in which the play areas are located (except for Castletown)

3.5 Members also resolved that the transfers must take place by the 30 September 2018, to ensure that at least 3 and a half years of grant is payable to the Council. Members further resolved not to take over the toilets.

3.6 The furtherance of the transfer of Tranche 2 assets has stalled over the summer, when it became known that Eden District Council encountered an issue with its own contractor that needed addressing prior to any further work on the devolution of tranche 2 could progress.

3.7 The Services and Contracts Manager and the lead Member for Devolution recently held a meeting with representatives of Eden District Council to discuss the transfer of Tranche 2 assets yet to date there is no positive progress to report. Members though are minded to note that Eden District Council have agreed to present a written proposal to the Town Council outlining its approach to the devolution of Tranche 2 assets. Once the proposal is received a further report will be presented to Council.

3.8 The Council has submitted an Expression of Interest with Cumbria County Council for the transfer of land behind Penrith Hospital known as Thacka Glen. Cumbria County Council, Eden Local Committee gave their support to the transfer in April 2018. The request has received support from the Cumbria County Council Property Senior Management Team, and a decision is awaited from the Cumbria County Council Full Cabinet. A decision is expected in early October 2018, at which point the due diligence and the transfer process will commence.

4. FINANCE IMPLICATIONS

4.1 All Tranche 1 grant payments have been received by the Council.

5. RISK ASSESSMENT

5.1 There are no risks associated with this report.

ITEM 16: EDC POLICY REVIEW - LICENSING POLICY STATEMENT

Your Reference:

Our Reference:

Enquiries to: Sarah Griffiths

Direct Dial: 01768 212148

Email: admin.licensing@eden.gov.uk

Date: 3 July 2018

All Council Members

All Town/Parish Council and Meeting Clerks

Dear Sir/Madam

Gambling Act 2005 Review of Statement of Policy

The Gambling Act 2005 gives responsibility to Licensing Authorities to undertake a number of licensing and regulatory functions in relation to premises used for gambling. Under the Act, all Authorities are required to prepare and publish a Licensing Policy Statement every three years setting out the principles the Authority proposes to apply in exercising its functions under the Act. The policy, which was originally prepared jointly with each of the other Licensing Authorities in Cumbria, was first published in 2007 and was subsequently reviewed and published in 2010, 2013 and 2016. That policy must now be reviewed and a revised statement published in January 2019.

We are undertaking a 12-week consultation so that you or your organisation may comment on the contents of a revised draft policy which has been amended to reflect changes to guidance and legislation since the last policy review and which is available on the Council's website at www.eden.gov.uk/business-and-trade/licensing/gambling-act-2005/about-the-gambling-act-2005/ Copies are also available on request from the licensing office.

All representations will receive due consideration prior to the final draft being placed before full Council for adoption from 31 January 2019. If you wish to comment on any aspect of the draft policy, it would be appreciated if you would please use a 'Consultation Response Form' available on our website. Responses to the consultation must be received in writing by no later than **25 September 2018** and may be made by email to admin.licensing@eden.gov.uk

If you require any further clarification please do not hesitate to contact the licensing office.

Yours faithfully



Sarah Griffiths

Licensing and Enforcement Officer

RECOMMENDATION: No comments to submit.

ITEM 17 B



Mrs Viv Tunnadine
Town Clerk
Penrith Town Council
Church House
19-24 Friargate
Penrith, Cumbria
CA11 7XR

30th July 2018

Dear Viv,

Re: Penrith Town Council representation on Penrith BID Board

At our June board meeting, the directors of Penrith Business Improvement District discussed the possibility of improving our communication links and particularly the belief that it would be beneficial if we had Penrith Town Council representation on the BID board.

I would be grateful if you would please consider the possibility of Carol Grey attending the Penrith BID board meetings in an advisory capacity. With Carol's depth and breadth of experience and up to date knowledge of PTC developments, it is hoped she would be able to make meetings more informed and productive.

The board meetings are held on a monthly basis, taking place on the third Wednesday of the month, starting at 5.30pm and are held at Ullswater House.

Your consideration of this matter would be most appreciated. Please do not hesitate to contact me if you require any further information.

Yours sincerely

Philippa Ball

BID Administrator / Manager
Tel: 01768 555100 / 07811 616888

Registered Office: Ullswater House, Duke Street, Penrith, Cumbria CA11 7LY
Tel: 01768 555100 Email: admin@penrithbid.co.uk www.penrithbid.co.uk

RECOMMENDATION: That the Economic Development Officer attends the meetings of Penrith BiD and in her absence the Services and Contracts Manager.

For the attention of:

Cllr. Baker	Penrith Pategill Ward
Cllr. Bowen	Penrith East Ward
Cllr. Briggs	Penrith East Ward
Cllr. Burgin	Penrith South Ward
Cllr. Clark	Penrith South Ward
Cllr. Donald	Penrith North Ward
Cllr. Jackson	Penrith North Ward
Cllr. Kenyon	Penrith North Ward
Cllr. Lawson	Penrith Carleton Ward
Cllr. Monk	Penrith West Ward
Cllr. Whipp	Penrith North Ward

