



# Penrith Town Council

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.co.uk](mailto:office@penrithtowncouncil.co.uk)

10 May 2019

Dear Councillor

You are summoned to attend the:

## **ANNUAL MEETING OF PENRITH TOWN COUNCIL**

to be held on Monday 20 May 2019, at 6.00 p.m. Room 2, Parish Centre,  
St Andrews Place, CA11 7XX.

### **Membership**

Cllr. Bowen	Pategill Ward	Cllr. Jackson	North Ward
Cllr. Burgin	South Ward	Cllr. Kenyon	North Ward
Cllr. Clark	South Ward	Cllr. Knaggs	West Ward
Cllr. Davies	West Ward	Cllr. Lawson	Carleton Ward
Cllr. Donald	North Ward	Cllr. Shepherd	East Ward
Cllr. Fallows	East Ward	Cllr. Snell	West Ward
Cllr. Hawkins	East Ward	Cllr. Whitby	North Ward

Monday 13 May 2019

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)*

# **AGENDA FOR THE ANNUAL MEETING OF PENRITH TOWN COUNCIL MONDAY 20 MAY 2019**

## **1. ELECTION OF CHAIRMAN**

To elect the Chairman of the Council. The newly-elected Chairman will make a Declaration of Acceptance of Office in the prescribed form and will assume the Chair and Town Mayor role.

## **2. APPOINTMENT OF VICE CHAIRMAN**

To appoint the Vice Chairman. The newly-elected Vice Chairman will make a Declaration of Acceptance of Office in the prescribed form and will assume the Deputy Chair and Deputy Mayor role.

## **3. APOLOGIES**

To receive apologies for absence.

## **4. ACCEPTANCE OF OFFICE**

To note that the Services and Contracts Manager on behalf of the Town Clerk will receive completed Declaration of Acceptance of office forms from each member.

## **5. PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960**

To consider 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.

## **6. MINUTES APPROVAL**

**Page 8**

**a)** To approve the minutes of the meeting held on 28 January 2019 and authorise the Chairman to sign the minutes as a true and accurate record.

**b)** For outgoing Committee Members to consider and approve the year-end minutes of the following committees and authorise the Chairman of the Annual Town Council Meeting to sign the minutes as a true and accurate record:

- |             |  |                |
|-------------|--|----------------|
| <b>i)</b>   | Planning Committee: Monday 4 March 2019                                | <b>Page 42</b> |
| <b>ii)</b>  | Community, Culture and Economic Growth Committee: Monday 11 March 2019 | <b>Page 50</b> |
| <b>iii)</b> | Management Meeting: Monday 15 April 2019                               | <b>Page 55</b> |
| <b>iv)</b>  | Finance Committee Monday 29 April 2019                                 | <b>Page 58</b> |

## **7. INTERESTS**

To note that Members are required to submit their completed Register of Interests within 28 days of election, by 30 May to the Monitoring Officer. Members are advised to submit their registration to the Deputy Town Clerk by 28 May 2019 for checking, copying and submission on their behalf.

## **8. DECLARATION OF INTERESTS**

To receive declarations of interest of any disclosable pecuniary or other registrable interests relating to any items on the agenda for this meeting.

**Note:** Members are reminded to make any declarations at any stage during the meeting if it becomes apparent that this may be required when an item or issue is considered. 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. Members are reminded to regularly review their Register of Interests to ensure their register is up to date.

## **9. DISPENSATIONS**

To receive requests for a dispensation. If a councillor has a pecuniary interest in an item on this agenda and wishes 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.

## **10. POLICIES & PROCEDURES REVIEW**

**Page 63**

63To consider the review of the Council's Policies and Procedures and approve the recommendations within the report to Council for:

### **a) General Dispositions**

**Page 69**

To approve general dispensations for the four-year term of the Council.

### **b) Code of Conduct**

**Page 77**

To approve the revised Council's Code of Conduct.

### **c) Scheme of Delegation**

**On line**

i) To approve the revised Scheme of Delegation including the delegations of authority within the scheme to committees and officers.

ii) To approve the lead Members for Devolution and Member/Officer liaison.

### **d) New Policies**

i) To ratify the Asset Valuation Policy as approved and recommended by the Council's Finance Committee

**Page 88**

ii) To consider and approve the draft Petitions Policy

**Page 89**

## **11. MEETINGS REPORT**

**Page 94**

To fix the dates and times of ordinary meetings of the Council and Committees for the ensuing year, noting they are subject to change.

**Page 98**

## **12. COMMITTEE MEMBERSHIP**

**Page 99**

To appoint members and deputies to serve on the under mentioned Standing Committees:

- a)** Planning
- b)** Finance
- c)** Communities, Culture & Economic Growth

## **13. ELECTION OF COMMITTEE CHAIRMEN**

**Page 99**

To elect Chairmen to serve on the under mentioned Standing Committees:

- a)** Planning
- b)** Finance
- c)** Communities, Culture & Economic Growth

## **14. APPOINTMENTS TO EXTERNAL BODIES**

**Page 100**

To appoint representatives on the under mentioned bodies, noting that Members may already hold existing membership with numerous other local organisations which are listed in their Register of Interests:

- a)** Eden Local Association of Local Councils (2 representatives)
- b)** Omega Proteins
- c)** Friends of Coronation Gardens
- d)** Friends of Eden Valley Public Transport
- e)** Penrith Business Improvement District
- f)** Plastic Clever

## **MATTERS FROM FINANCE COMMITTEE**

### **15. INSURANCE & ASSET REGISTER**

**On line**

Members are recommended to ratify the approved resolutions from the Council's Finance Committee.

Members are therefore requested to:

- a)** Note that the Council's insurance policy had been renewed automatically as the Council enters the second year of a three-year term agreement.
- b)** Ratify the Asset Register as at 31 March 2019 as resolved by the Council's Finance Committee.

## **16. ANNUAL REVIEW OF FEES AND CHARGES** **Page 102**

Members are recommended to ratify the Finance Committees resolution setting out the Fees and Charges for the hire of the Boardroom, Meeting Room and Cornmarket Bandstand for the 2019-20 municipal year.

## **17. FINAL ACCOUNTS 2018/19**

Members are recommended to ratify the approved resolutions from the Council's Finance Committee. Members are therefore requested to:

### **a) Internal Audit Report** **Page 105**

To ratify the internal audit report for the year ended 31 March 2019.

### **b) Governance and Accountability for Small Authorities**

To ratify the formal adoption of the CALC publication 2019 with effect for year-end 2018/19 which represents statutory proper practice and note that each Councillor has received a copy as part of their induction.

### **c) Review of the System of Internal Control and Annual Governance Statement 2018/19**

- i) To note that the Town Council must carry out an annual review of the effectiveness of the system of internal control prior to the completion of the Annual Governance Statement. A full review was carried out in 10 September 2018 by the Finance Committee and approved by Full Council on 24 September 2018; the Committee has since confirmed that the Council's internal controls, including those relating to risk management, have remained effective throughout the remainder of the financial year.
- ii) To ratify the Annual Governance Statement for 2018/19. **Page 107**
- iii) To authorise the Chairman of the Council and the Town Clerk to sign the Statement at Section 1 of the Annual Governance and Accountability Return.

### **d) Bank Reconciliations**

To ratify the Bank Reconciliations for year-end 31 March 2019 **Page 108**

### **e) Finance Outturn Report – Year ended 31 March 2019** **Page 114**

- i) To ratify the Finance Outturn report for the year ended 31 March 2019.
- ii) To confirm the transfers to reserves shown in the Outturn Statement.
- iii) To ratify an exception to Financial Regulations to allow Planning Committee to carry forward unspent budget provision totalling £23,715 from 2018/19 into 2019/20.

### **f) REPORT - Annual Governance and Accounts Return 31 March 2019: Accounting Statements** **Page 126**

- i) To ratify the Accounting Statements 2018/19 (Sct2 of the AGAR). **Page 129**
- ii) To authorise the Chairman of the Council to sign the Statements on behalf of the Council prior to their submission by the RFO to the External Auditor.

**18. APPOINTMENT OF INTERNAL AUDITOR** **Page 130**

To note that the Finance Committee have approved the reappointment of Mrs G. Airey as the Council's Internal Auditor for 19/20.

**19. MEMBERSHIP OF PROFESSIONAL BODIES**

To note the Council's continuing subscription to the Cumbria Association of Local Councils, the Society of Local Council Clerks, the National Allotment Society, the Living Wage Foundation and the Information Commissioner's Office.

**20. EDC SIGNATURE PROJECTS FUND** **Page 134**

To ratify the Finance Committees request to approve a budget of £5,000 from the Devolution Reserve to support the delivery of the Fairhill Playing Field Improvement project.

**21. COMMUNITY CARETAKER CONTRACT** **Page 141**

To ratify the Finance Committees resolution to extend the Community Caretaker Contract by a further 12 months.

**22. THE PUBLIC SECTOR BODIES (WEBSITES AND MOBILE APPLICATIONS)(NO.2) ACCESSIBILITY REGULATIONS 2018** **Page 146**

To ratify the Finance Committees resolution to use General Reserves for schemes of works associated with the Council's statutory compliance with The Public Sector Bodies (Websites And Mobile Applications)(No.2) Accessibility Regulations 2018.

**23. NEIGHBOURHOOD PLAN**

To receive an oral progress report.

**24. LOCAL COUNCIL AWARD SCHEME** **Page 153**

- a) To confirm by resolution that the Council is eligible and will register for the Local Council Award Scheme, Quality Gold Award as resolved by Full Council, 28 January 2019 minute reference: **PTC 18/91**.
- b) To approve the statements of evidence for the application and authorise the Chairman to sign the statements on behalf of the Council.

**25. GENERAL POWER OF COMPETENCE** **Page 180**

To confirm by resolution that the Council is eligible and will adopt the General Power of Competence as resolved by Full Council, 28 January 2019 minute reference:  
**PTC18/92.**

## **26. DECLARATION OF A CLIMATE EMERGENCY Page 185**

To consider the motion from Cllr. Lawson: To Declare a 'Climate Emergency' and aim to make Penrith carbon neutral by 2030.

## **27. STATUTORY CONSULTATION - EDEN SPEED LIMIT CONSOLIDATION 2019 Page 190**

To consider amendments to speed limits in Carleton and Pategill wards. As proposed by Cumbria County Council.

## **28. NEXT MEETING**

To note the next meeting is scheduled for 15 July 2019 at 6.00 p.m. Room 2, Parish Centre, St Andrews Place, CA11 7XX.

**PART II PRIVATE SECTION** (exempt reasons under Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, specified by way of paragraph number)

**There are no items in this Part of the Agenda.**

**FOR THE ATTENTION OF ALL MEMBERS OF PENRITH TOWN COUNCIL**



# Penrith Town Council

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## ITEM 6a

**DRAFT** minutes of the meeting of the:

### FULL COUNCIL

Held on:

Monday 28 January 2019, 6.00pm - 8.00pm, Rm.2 Parish Centre, St Andrews Place.

### PRESENT:

Cllr. Baker  
Cllr. Bowen  
Cllr. Burgin  
Cllr. Jackson  
Cllr. Kenyon  
Cllr. Lawson  
Cllr. Whipp

Penrith Pategill Ward  
Penrith East Ward  
Penrith South Ward  
Penrith North Ward  
Penrith North Ward  
Penrith Carleton Ward  
Penrith North Ward

Town Clerk

Responsible Finance Officer



**PENRITH TOWN COUNCIL**  
**DRAFT FULL COUNCIL MINUTES**  
**MONDAY 28 JANUARY 2019**

Members received a presentation from Eden Arts.

**PTC18/81 Apologies for absence**

Members received apologies from Cllr. Clark.

Cllrs. Briggs, Donald, and Thorley were absent.

**PTC18/82 Declaration of interests**

Members were asked to receive any declarations of interest of any disclosable pecuniary or other registrable interests relating to any items on the agenda for the meeting. None identified.

**PTC18/83 Requests for Dispensations**

Members were asked to apply for a dispensation, if a councillor had a pecuniary interest in an item on the agenda and who wished to remain, speak and/or vote during consideration of that item. None identified.

**PTC 18/84 Minutes of the previous meeting**

Members authorised the Chairman to sign the Minutes of the Meetings of Council held on Monday 26 November 2018 and 10 December 2018 as a true record.

**PTC 18/85 Public participation**

a) Members noted that no requests from the members of the public had been received, to speak prior to the meeting.

**b) Receive representations from:**

- **Town Councillors**

Cllr. Baker submitted an unreserved oral apology to the owners of Speedwel, Eamont Bridge, for incorrectly stating that their property was uninhabited since 2015, during a representation he made at Eden District Council's Planning Committee held on 13 December 2018.

- **District Councillors** –Members noted apologies from District Cllr. Taylor.

## **PTC 18/85 Public participation continued**

### **• Cumbria County Councillors (CC)**

CC Cllr. Bell informed Members that the redesign of the parking and pavement area in front of Mansion House was scheduled to be carried out by the end of March 2019, subject to favourable weather conditions.

Cllr Bell informed the meeting that both she and County Cllr Carrick were concerned about improving walking routes into Town especially from Scaws down into Benson Row and Forest Lane.

CC Cllr. Carrick informed the meeting that the Parking and Movement Study for Penrith had not proceeded. CC Members have therefore taken the decision to provide an opportunity to re-scope the study in collaboration with the Town Council and Eden District Council. Cllr. Carrick hoped to include in the new scope of the Parking and Movement Study, the CCC Sustainable Movement Study and actions/policies from the Neighbourhood Plan.

Cllr. Carrick commissioned in 2018 a survey for the Salkeld Road junction and a revised scheme would be consulted locally. The work had already been planned into the annual CCC managed improvements scheme.

CC Cllr. Whipp was pleased to inform the meeting that the Town Council had achieved a grant for Fairhill Recreation Ground via the District Council.

Cllr. Whipp informed Members that CCC administration were exploring ways to devolve activities to the Local Area Committee and the way that Local Area Committees operate was under review and likely to evolve.

Within the Eden Local Area Committee, three working groups had been established for rural matters, children and younger adults and Penrith.

CC Cllr. Whipp, shared the first Penrith Business Improvement District newsletter for the current tenure.

### **c) Mayors Report**

The Mayor attended the Eden District Council (EDC) Chairman's Christmas Carol Service. The Mayor thanked the EDC Chairman for organising the event and was delighted to have been asked to present Lanyards and Caps to North Lakes School Mini Police cadets. The Mayor was pleased to be asked to open a new shop "Another Weigh" and planted a tree with MP Rory Stewart in Castle Park for the Queen's Commonwealth Canopy.

The Mayor expressed congratulations and appreciation to the Fairhill Community Group, local residents and the Council's Services and Contracts Manager for securing a grant from Eden District Council for further site improvements.

## **PTC18/86 Public Bodies (Admission to Meetings) Act 1960**

Members would consider if agenda item 14 should be considered without the presence of the press and public, pursuant to the Public Bodies (Admission to Meetings) Act 1960 Section 2 prior to the matter being considered.

## **PTC18/87 Members' Briefing**

Members received oral reports from meetings and briefings:

- Cllr. Bowen attended the monthly Scaws residents meeting.
- Cllr. Burgin attended the CALC executive meeting.

## **PTC18/88 Matters from Finance Committee**

Member considered the following reports and recommendations from the Council's Finance Committee:

### **a) Draft Budget 2019-20**

The Chairman proposed the budget: **Appendix 1**

Members considered the proposed budget and precept: **Appendix 2**

#### **RESOLVED THAT:**

The draft budget for 2019-20 including staff pay awards for 2019-20 as appended to Council members as a pink confidential report be approved.

### **b) Precept Application**

#### **RESOLVED THAT:**

The Council request Eden District Council to pay the sum of £437,813 to Penrith Town Council as its precept for the year 2019/20.

### **c) Draft Policies**

#### **RESOLVED THAT:**

The following policies be approved as recommended by the Finance Committee:

- I. Reserves Policy.
- II. Investments Policy.

## **PTC18/89 Neighbourhood Plan Update**

Members noted an oral update from Cllr. Baker.

## **PTC18/90 Cumbria County Council Consultation**

Members noted that the Council's committees considered the CCC survey for the Joint Health and Well-being Strategy and the committees' and that there were no comments returned.

### **PTC 18/91 Local Council Award Scheme**

Members considered registering for the Local Council Award Scheme, Quality Gold Award, in May 2019, assuming the Council would be then eligible to apply.

#### **RESOLVED THAT:**

- I. That in May 2019, if the Town Council met the eligibility criteria of 11 out of 15 members being elected or elected un-opposed to Council, and the Council had retained a CiLCA qualified clerk, the Council would confirm its eligibility by resolution and apply for the National Association of Local Councils, Quality Gold Award.
- II. That if the Council had insufficient elected members to qualify, the Council would apply for the Foundation Award.

### **PTC18/92 General Power of Competence**

Members considered applying for the General Power of Competence in May 2019, assuming the Council met the eligibility criteria of 11 out of 15 members being elected or elected un-opposed to Council, and the Council had retained a CiLCA qualified clerk.

#### **RESOLVED THAT:**

That the Town Council apply for the General Power of Competence if after the May 2019 elections, the Council was eligible to do so.

### **PTC18/93 Councillor Vacancy**

Members noted that Cllr. Monk resigned from Penrith West Ward and in accordance with Section 89(3) of the Local Government Act 1972, where the vacancy occurs within six months before the day on which the councillor whose office is vacant would regularly have retired, an election shall not be held under Section 89(1) of the above Act, and the vacancy would be filled at the next ordinary election of councillors on 2 May 2019. Vacancies in the office of councillor would not be filled by co-option prior to the 2 May 2019 election.

The Council submitted their thanks and appreciation to Cllr. Monk.

## **PART TWO**

### **PTC18/94 Asset Management**

Members considered if this item should be considered without the presence of the press and public, pursuant to the Public Bodies (Admission to Meetings) Act 1960 Section 2 prior to the matter being considered.

#### **RESOLVED THAT:**

The matter be considered in the absence of the press and public.

Members received an oral briefing report from officers regarding asset management issues. The briefing was for information only and no resolutions were agreed.

### **PTC18/95 Close of Meeting**

Members noted that due to Purdah the next meeting of the Full Council would take place on Monday 20 May 2019 at 6.00 pm - 8.00 pm, Rm.2 Parish Centre, St Andrews Place. Emerging urgent matters will be dealt with by standing committees up to the date that Purdah commences.

The Annual Town Meeting would take place on Monday 29 April, 6.00 pm - 8.00 pm, Rm.2 Parish Centre, St Andrews Place.

#### **CHAIRMAN:**

#### **DATE:**

## APPENDIX 1

### Budget introduction from the Mayor

I am very pleased to propose the recommendations in the budget report to the Town Council. I would like to thank Councillor Kenyon, the membership of the Finance Committee and Council committees and officers for their contributions to the draft budget.

The proposed budget for 2019/20 consolidates the progress that the Council has made since its inception and lays the foundation for a sustainable financial future.

The budget will give the Council the resources and capacity to deliver a range of services that will benefit our residents and visitors. During the current financial year, we have progressed our Neighbourhood Plan to its consultation stage; the 2019/20 budget provides the funding to see this major exercise to its conclusion. Another initiative in 2018/19 was support for the Town's successful entry into the Britain in Bloom competition; this again is continued in next year's budget. The budget also creates a fund of £50,000 for activities associated with buying, surveying, legal fees, investing and managing land and property

The Town Council has actively pursued the transfer of services from Eden District Council. To date, we have taken over responsibility for Fairhill Park, Town benches, bus shelters, the Musgrave Monument and the Cornmarket Bandstand, and have entered into contracts for their maintenance. The budget includes permanent funding for these services following a reduction in the Council Tax charged by Eden District Council. Additionally, we are commencing a three-year programme to replace and standardise the benches in our care.

The budget papers include a sustainable forward plan which will increase our reserves in order to make the Council resilient in order to mitigate financial risk; this is a responsible approach in view of the new responsibilities that we are taking on.

The proposed budget results in a 2.0% increase in Council Tax, slightly below the current rate of inflation.

A typical household in Penrith, with a property valued in Band B, will see the Town Council's full Council Tax rise from £62.30 to £63.54, **an increase of less than 3p per week.**

The majority of the overall Council Tax raised in Penrith goes to Cumbria County Council, Cumbria Police and Crime Commissioner and Eden District Council. The Town Council's share of the total Council Tax bill is around 4%, yet we can have a far greater impact on the quality of life in Penrith than this would suggest.

We are setting a budget which provides quality services for the Town and enables the Council to plan to develop in the future from a sound financial footing.

**CLLR. SCOTT JACKSON**

**FULL COUNCIL 28 JANUARY 2019**

**PROPOSED BUDGET 2019/20**

**AUTHOR: Jack Jones - RFO**

**SUPPORTING MEMBER: Cllr Scott Jackson - Mayor  
Cllr Ron Kenyon - Chairman of  
Finance Committee**

**ITEM NUMBER: 8a** To consider budget proposals for 2019/20 and an indicative medium-term financial forecast for the period to 2023/24.

**RECOMMENDATIONS**

The Town Council is recommended to:

- I. Approve the Forecast Outturn expenditure 2018/19 of £513,504;
- II. Approve the Proposed Budget 2019/20 expenditure of £460,824, representing a 2.0% increase in Council Tax;
- III. Agree the budgeted transfers to and from financial reserves and the level of those reserves;
- IV. Have regard to the advice of the Responsible Finance Officer in relation to the robustness of estimates and the adequacy of balances;
- V. Note the prospects for future years contained in the indicative Medium-Term Financial Forecast, based on continuing modest annual Council Tax increases; and
- VI. Request Eden District Council to pay the sum of £437,813 to Penrith Town Council as its precept for the year 2019/20.

**1. LAW**

The Town Council, as a "local precepting authority", has power to issue a precept for each financial year on the principal authority, Eden District Council. The precept or budget requirement must state the Town Council's Council Tax requirement as calculated under section 49A LGFA 1992 and such amount is payable by the billing authority.

## **2. LINK TO COUNCIL FUNCTIONS**

<b>SUBJECT</b>	<b>POWER</b>	<b>LEGISLATION</b>
Setting a legal budget.	The Council is required to calculate its annual budget requirement and its resulting precept by 28 February.	Local Government Act 1992, Sections 41 and 50.

## **3. LINKS TO COUNCIL PRIORITIES**

The annual budget should provide resources to deliver the Council's priorities for the financial year ahead.

## **4. REPORT DETAILS**

### **4.1 INTRODUCTION**

Draft estimates for 2019/20 were considered by the Budget Task and Finish Group on 3 December 2018, prior to their referral to Planning and CCEG Committees.

Changes made during that process were included in the detailed estimates considered by Finance Committee on 14 January 2019 and forwarded to this meeting for approval.

This report presents the resulting Proposed Budget for 2019/20 (Appendix A), which can be financed by a modest increase in Council Tax.

Based on the assumptions described in the report, an indicative medium-term financial forecast (Appendix B) suggests that the Council will be able to set sustainable budgets for subsequent years with similar modest tax increases.



#### 4.2 **PROPOSED BUDGET 2019/20 - APPENDIX A**

The statement at **Appendix A** shows the following detailed information for the Council's Committees and services:

- a)** The Actual Outturn for 2017/18, for reference only as many headings are not directly comparable with subsequent years.
- b)** The Amended 2018/19 Budget, which represents the Approved Budget as supplemented by the approved carry forward of £66,000 of unspent 2017/18 budgets.
- c)** The Forecast Outturn for the current year, which largely replicates the Amended Budget.

Members will appreciate that there is some uncertainty over whether the budgeted expenditure will be achieved, particularly budgets such as the Neighbourhood Plan and Grants, however Officers believe that it is appropriate to retain the full amended budget.

Both CCEG and Planning Committees have requested that any outturn underspendings are allowed to be carried forward into 2019/20.

The Budget Task and Finish Group has advised that these requests should be reconsidered later in this financial year.

Other than monies earmarked for Castle Park, at present, no definite underspending of either Committee's budget has been identified.

Members will recall that approval to carry forward unspent provisions is not automatic as it would require an exception to Financial Regulations, which state that outturn underspendings should be retained in general reserves.

Total outturn expenditure for 2018/19 of £513,504 is forecast to increase by £21,707 from the Amended Budget, for the following reasons:

	£	£
Expenditure per Amended Budget 2018/19		491,797
Castle Park Development Group budget slipped to 2019/20 (prior to re-allocation).	(30,000)	
Salaries: <ul style="list-style-type: none"> <li>• 2018 pay award budgeted in contingencies</li> <li>• Recalculation of NI and superannuation to actual levels.</li> </ul>	3,727 1,781	
Additional IT/Data Protection expenditure to meet GDPR requirements.	2,720	
Reduction of Repairs and Renewals budget to part-year provision.	(4,000)	
Creation of an Acquisitions Reserve.	50,000	
Reduction of Contingency budget to part-year provision.	(2,796)	
Other minor variations (net)	275	
		21,707
<b>Forecast Outturn Expenditure 2018/19</b>		<b>513,504</b>

- d)** The Proposed Budget for 2019/20, allows for a continuation (standstill) budget that identifies and provides for the current committed level of service to be maintained. This involves the current year's budget being adjusted to remove any one-off items (principally the brought forward underspendings from 2017/18) and to include the estimated costs of contractually committed changes to expenditure or income; inflationary increases have only been allowed where necessary. The agreed budget process requires growth items (service development proposals) to be identified separately from the base budget. Three growth proposals have been made; as these can be accommodated within the proposed budget, they have been included within the summary budget.

The proposed precept for 2019/20 is £437,813; the increase of £20,074 from the 2018/19 figure can be explained as follows:

	£	£
<b>2018/19 Precept</b>		<b>417,739</b>
Planning Committee: removal of £11,000 brought forward from 2017/18 and £10,000 reduction to reflect less involvement with the Neighbourhood Plan	(21,000)	
Events Grants: Planned reduction of £14,000 in net budget, offset by £7,000 transferred from Inward Investment	(7,000)	
Greening: Removal of £15,000 brought forward from 2017/18 and £500 planned reduction, offset by £3,000 transferred from Inward Investment	(12,500)	
Re-allocation of Inward Investment budget	(10,000)	
Planned increase in Grants budget	4,500	
Salaries: <ul style="list-style-type: none"> <li>• 2018 and 2019 pay awards</li> <li>• Incremental advances</li> </ul>	7,529 4,958	
Removal of one-off Armistice Centenary Fund budget	(10,000)	
Provision for May 2019 Elections	5,420	
Reduction in IT/Data Protection expenditure following GDPR implementation	(1,000)	
2019/20 Growth Items	6,800	
Adjustment to contribution from General Reserve, mainly reflecting the use in 2018/19 to meet 2017/18 carried forward budgets	50,969	
Other minor variations (net)	1,398	
		20,074
<b>Proposed Precept 2019/20</b>		<b>437,813</b>

**e)** The position on the Council's three reserves over the two financial years.

**f)** The resulting Council Tax based on the budgets for the two financial years, taking account of the notified Council Taxbase for 2019/20.

#### **4.3 MEDIUM TERM FINANCIAL FORECAST - APPENDIX B**

**Appendix B** shows an indicative forecast of income and expenditure for the years 2019/20 to 2023/24, based on the figures in the 2019/20 Proposed Budget. These are adjusted for planned variations, with inflation being allowed for as a global figure. The forecast includes a small allowance for growth items in the later years; aspirations beyond this allowance would have to be funded by a Council Tax increase or by the reduction or redirection of budgets.

#### **4.4 DETAILED BUDGETS**

The following commentary provides details of the individual estimates within the Proposed Budget and the Medium-Term Financial Forecast.

##### **a) INCOME**

Eden DC have confirmed that the Council Taxbase for 2019/20 has been set at 5,358.79. This represents a welcome increase of 2.8% over the current year's Taxbase of 5,214.83. EDC have also notified the Council Tax Reduction Scheme grant of £7,940 for 2019/20, a small reduction of £118.

The precept income of £437,813 for 2019/20 is based on a 2.0% increase in Council Tax and the notified Council Taxbase. This will be sufficient to provide for the recommencement of a phased contribution to the General Reserve. The Forecast projects income which will allow sustainable budgets, based on the assumptions described later in this report.

##### **b) PLANNING COMMITTEE**

The 2018/19 Forecast Outturn of £41,000 maintains the Amended Budget provision (which included £11,000 brought forward from 2017/18), on the assumption that the Neighbourhood Plan will progress early in 2019. The 2019/20 budget is reduced to £20,000 for ongoing costs related to the Plan, after which a £10,000 residual budget is assumed for future years.

##### **c) CCEG COMMITTEE**

The Committee's 2018/19 Budget benefited from a total of £45,000 unspent provision from 2017/18; this has been retained in the year's Forecast Outturn then removed from the 2019/20 Proposed Budget.

## **Sports & Recreation/Town Projects**

The one-off full budget of £30,000 funding towards the Castle Park Development Group has been slipped to 2019/20 and re-allocated to Town Projects. This deferral was proposed by the Budget Task & Finish Group, following which CCEG Committee suggested retitling the Sport and Recreation budget as Regeneration.

Officers believe that a more appropriate title would be Town Projects, as the Town Council does not have a statutory role in regeneration.

The background to the budget is that Members considered a request dated 03 November 2016 to support the Castle Park Development Group's Heritage Lottery Fund Application by match funding Eden District Council's contribution of £167,000. Council resolved (minute CCEG/16/62 Castle Park Development Group):

- i. "That match funding of £15,000 be earmarked for 2017/18 and retained by the Council in the Council's reserves until the outcome of the HLF bid is known.*
- ii. That match funding of £15,000 be earmarked for 2018/19 and retained by the Council in the Council's reserves until the outcome of the HLF bid is known.*
- iii. That if the HLF bid is not successful the retained reserves of £30,000 be awarded to Castle Park."*

The Town Council is awaiting further communication from Eden District Council as to what its plans are for progressing the Castle Park Vision Plan. The Town Council is also in the process of developing its own projects for the Town. All projects and expenditure will need to be approved by the CCEG Committee prior to commencing.

## **Arts & Entertainment**

The Events Grants budget is reduced from £60,000 to £30,000 for 2019/20 onwards; the reduction reflects the removal of the £20,000 brought forward and a planned decrease of £17,000, however a transfer of £7,000 from Inward Investment will top-up the budget. In addition, the Proposed Budget shows the termination of the £23,000 devolved grants income from Eden DC.

## **Environment**

The Committee has requested that the two budget headings of Penrith in Bloom and Britain in Bloom be combined and described as "Greening". For convenience, this change has been made in the descriptions in the 2018/19 Amended Budget onwards.

The combined budget is reduced to its "normal" level of £18,000 for 2019/20 onwards, by the removal of £10,000 brought forward and £5,000 one-off budgets, however a further £3,000 has been transferred from Inward Investment. The Community Gardeners/Greening 2019/20 budget is similarly reduced by a non-recurring amount of £500.

## **Tourism**

In 2019/20, the £10,000 budget for Inward Investment has been re-allocated to Events Grants £7,000 and Greening £3,000.

## **Grants**

Last year's Medium-Term Financial Forecast proposed a £4,500 increase in the Grants budget in 2019/20; this has been included in the Proposed Budget and maintained in subsequent years.

## **Corporate Communications**

Following a request from Members, the majority of the Corporate Communications budget has been moved from the Finance Committee to the CCEG Committee budget, on the basis that the Community Engagement Officer reports to that Committee. This change, affecting all detailed headings other than Signage, has been made for the statements in both Appendix A and B.

The Website Proposed Budget for 2019/20 includes £250 which had inadvertently been omitted, while the 2018/19 Forecast Outturn for Community Engagement has been increased by £450 to cover expenditure on the Newsletter. Otherwise the only variations are due to inflation.

## **d) FINANCE COMMITTEE**

### **Staffing**

The 2018/19 Forecast Outturn for Salaries is based on September 2018 actual expenditure, projected to the year end.

The 2019/20 Proposed Budget includes the known 2.0% pay award and staff incremental advances.

Increments are included for subsequent years, while pay awards are provided as a global sum.

### **Accommodation**

Existing accommodation arrangements are assumed to continue into the future; the Budget will need to be adjusted for any changes to these arrangements when they can be quantified.

### **Civic Functions**

The £10,000 budget for the Armistice Centenary Fund is removed in the Proposed Budget; the only other change is a small increase in the Civic Regalia budget.

### **Cost of Democracy**

Expenditure of £5,420 is provided for the 2019 and 2023 Elections; this assumes that all seats are contested, with premises costs shared with Eden DC.

## **IT**

In the 2019/20 Budget, an allowance of £1,000 has been transferred from the GDPR budget to meet the costs of compliance with that legislation.

### **Devolved Services**

The Forecast Outturn for 2018/19 provides for the latest estimated costs and grant income for assets already transferred from Eden DC and those which could reasonably be transferred in the remainder of the financial year. Previous plans allowed for Toilets to be transferred in 2018/19; the latest position is that Council has resolved not to transfer the toilets yet has agreed to maintain a dialogue with Eden District Council to consider future toilet provision. As a result, the medium-term forecast now provides for a possible transfer in 2020/21, the earliest practical start date.

Expenditure on all assets is continued into future years, with grant tapering out on a phased basis.

- **Allotments**

The allotments are managed by the Penrith Allotment Association and the Council receives a rental income of £450 per annum. A break-even budget is assumed on the basis that the Town Council may incur some expenditure; this assumption is projected forward into subsequent years.

- **War Memorial**

An extra £300 is included in 2018/19 for planting and a further £300 in 2019/20 for flower beds.

- **Benches**

The 2018/19 Forecast expenditure reflects the late transfer of the benches to the Town Council; for 2019/20 onwards the full expected annual cost is shown.

- **Bandstand**

The 2018/19 Forecast Outturn has benefited from an additional £1,524 grant from Eden DC, which will continue on a tapering basis into 2019/20 onwards.

- **Fairhill Park**

The 2018/19 Approved Budget provided for £13,000 expenditure and £9,750 grant income; these estimates have been revised to £4,184 and £13,218 respectively in the Forecast Outturn. For 2019/20, estimated expenditure is £3,570 and income £9,910.

- **Coronation Garden**

Previously the expenditure on the Garden has been estimated as £1,100; this has been revised to £2,000 in each year, however it is now probable that it will not transfer until 2019/20.

- **Fairhill UU Planting Maintenance**

The provisional estimate of maintenance work is £1,310 from 2019/20 onwards. The Council has received £4,000 income from United Utilities, which it is assumed will be used in four annual instalments of £1,000 to offset the expenditure.



- **Fairhill Site Improvements**

The Council has received £4,500 income following the sale of land to United Utilities; it is assumed that this will be spent on improvements in 2019/20.

- **Signage**

Most of the Corporate Communications budgets have been transferred to CCEG Committee, leaving the signage budget of £750 in Finance Committee, within the Devolved Services heading.

- **Community Caretaker**

The 2018/19 Forecast Outturn introduces the £4,000 part-year costs of the new contract; this is increased to £8,200 from 2019/20 onwards.

- **Contribution to Devolution Reserve**

The 2018/19 Approved Budget set a target of £45,594 for Devolved Services, being the reduction in Special Expenses charged by Eden DC. This target has been increased by £750 to £46,344 as a result of the Signage budget being added to the Devolved Services heading. In the early years to 2022/23, it is forecast that the total cost of services will be lower than £46,344 and that the difference is contributed to the Devolution Reserve. After 2022/23, the reducing grants from Eden DC mean that the total costs will exceed the £46,344 target and so no contribution will be made to the Reserve.

### **Data protection (GDPR)**

The 2018/19 costs of GDPR compliance are forecast as £3,500, compared to the £2,000 budget. For 2019/20 onwards, ongoing costs of £1,000 have been consolidated into the IT budget.

### **Other Overheads**

Most budgets have been repeated with inflation where appropriate. The Printing, Postage and Stationery budget has been increased by £500 in each year to reflect usage. The 2018/19 Outturn for Legal Fees is expected to be £500 higher than budget due to extra work relating to Allotments.

Finally, the 2019/20 Subscriptions budget has been revised to £2,000 to allow for increases in LGA, CALC and the application costs associated with the Local Council Award Scheme Gold award.

## **Repairs & Renewals**

There has been minimal expenditure on repairs and renewals in the year to date, so the outturn is shown as £1,000; the budget reverts to its full £5,000 for 2019/20 onwards.

### **e) PROPOSED GROWTH ITEMS**

Three growth proposals have been made during the budget process, as follows. Additionally, the medium-term forecast allows for modest additional growth for 2020/21 onwards:

	2019/20 £	2020/21 £	2021/22 £	2022/23 £	2023/24 £
Youth Forum Event: Venue hire, publicity, refreshments, etc	500	-	-	-	-
CILCA Training: Services & Contract Manager	1,300	-	-	-	-
Benches: Replacement programme	5,000	5,000	5,000	-	-
Allowance for future growth	-	3,000	3,000	6,000	5,000
Total	6,800	8,000	8,000	6,000	5,000

### **f) CONTINGENCY**

The contingency provision is reduced to £2,000 for the remainder of 2018/19, then reverts to £5,000 for subsequent years.

### **g) INFLATION**

Anticipated price inflation has been included in the detailed budgets for 2019/20. For 2020/21 onwards, the Forecast allows for pay and price inflation at a rate of 2.25% pa.

#### 4.5 **RESERVES**

The Proposed Budget and Medium-Term Forecast develop the existing plans for building up reserves, as follows:

##### **Acquisitions Reserve**

Council on 26 November 2018 approved a scheme of delegation for land and property, which included the allocation of “up to £50,000 for a Capital Programme to support the activities associated with buying, surveying, legal fees, investing and managing land and property”. In order to facilitate this decision, an amount of £50,000 has been transferred to create a new Acquisitions Reserve in the 2018/19 Forecast Outturn.

Members should note that the Reserve’s balance is shown as £50,000 throughout the years of the Medium-Term Forecast. This will clearly not be the case as the intention is to spend the funds, however their use cannot be built into the budget until a spending programme is formulated.

##### **General Reserve**

The Amended Budget for 2018/19 provided for £66,000 to be used from the General Reserve to fund the carry forward of unspent budgets from 2017/18; this figure has been revised to £87,667 in the Forecast Outturn. The main reasons for the increase are the £50,000 contribution to the Acquisitions Reserve, offset by the deferral of the £30,000 budget previously allocated to the Castle Park Development Group.

The Council has had a target of increasing the General Reserve to a balance equivalent to 50% of its forecast net expenditure by 2022/23. In preparing the Proposed Budget, it became apparent that the transfer of £50,000 to the Acquisitions Reserve, and the consequent reduction in the General Reserve, would require unpalatable increases in Council Tax to achieve this timescale. The reserve’s target has therefore been revised to reach 50% of net expenditure in 2023/24. This slower accumulation of the General Reserve is acceptable as in the early years the Devolution Reserve is expected to be buoyant.

For 2018/19, there was a “holiday” from the required contribution to achieve this; the Proposed Budget and Medium-Term Forecast reinstate the transfer to the Reserve, on a phased basis calculated from a reasonable annual increase in Council Tax. The alternative “straight line” phasing of contributions towards the target would have required unreasonable Council Tax increases over the period of the Forecast.

The target for 31 March 2024 of £230,785 can be met, as shown in Appendix B.

## **Devolution Reserve**

As noted above, the Reserve will be built up from contributions from the Devolved Services budget heading until the total cost of those services reaches £46,344. Appendix B shows that the final contribution will be in 2022/23, when the Reserve will have a balance of £152,791. Again, this is a relatively artificial figure as there are likely to be demands on the funds before 2023. Given the uncertainties and risks involved in taking over responsibility for devolved assets, at this stage no decision should be made on the use of the reserve, which could be to meet unexpected expenditure, improve assets or mitigate rises in Council Tax.

### **4.6 COUNCIL TAX**

The current year's Band D Council Tax is £80.10 per property. The Proposed Budget for 2019/20, including the notified Council Taxbase, would result in the Tax increasing by £1.60 to £81.70, a rise of 2.0%. This means that a household in a Band D property paying full Council Tax will see a rise of 3p per week. It is considered that this is an acceptable increase, particularly as inflation (measured by CPI) is currently 2.3%.

Central government retains the ability to limit Council Tax increases proposed by local Councils; this can be imposed by requiring a referendum to be held to ascertain the taxpayers' opinion. For 2018/19, the Government deferred the setting of referendum principles for town and parish councils for three years, subject to them exercising "restraint". Its latest consultation on local government finance confirms this conditional deferral, referencing the national average increase of 4.9% in 2018/19, compared to 6.3% in the previous year.

Looking ahead, the Medium-Term Forecast at Appendix B shows that the General Reserve target of £230,785 at 31 March 2024 can be met by a 2.0% increase in Council Tax in each of the years 2019/20 to 2023/24.

Although the Forecast assumes only a small allowance for new budget growth, based on continuing modest increases in Council Tax, it indicates that sustainable budgets are possible over the medium-term without substantial budget reductions being required.

## **5. ROBUSTNESS OF ESTIMATES AND ADEQUACY OF RESERVES**

Legislation requires major precepting and billing authorities to “have regard” to the advice of their chief finance officer relating to the robustness of estimates and the adequacy of financial reserves when setting its budget requirement. Although this duty is not extended to local councils, it represents good practice which should be followed, and it has been incorporated in the draft Reserves Policy.

The RFO’s advice is that the Council’s estimates contained in the Proposed 2019/20 Budget are sufficiently robust to enable the Council to set its budget for the year. In particular:

- The estimates provide for existing committed levels of service, based on known expenditure and trends, and for agreed growth items;
- Inflationary pay scale increases and incremental advances effective from 1 April 2019 are known and have been incorporated in the estimates;
- Appropriate allowance has been made for potential future non-pay inflation;
- Contingency provisions have been made for unforeseen expenditure;
- Operational risks are identified, assessed and managed, with appropriate insurance cover obtained where required;
- A prudent approach has been taken to the generation of income; and
- In financial terms, the Council has matured since its creation and has a good record of sound budget and financial management.

Councillors’ attention is specifically drawn to the following risk factors:

- Although the proposed budget allows for the certain effects of the 2019 pay award; additional demands made on staff which cannot be accommodated within their contractual working week will have to be met from existing budgets as officer support.
- The risk of transferring assets from Eden DC is mitigated by the availability of devolution grants and the availability of budgeted monies earmarked for the Devolution Reserve.
- In the event of any of these assumptions proving to be inadequate, there is a general contingency budget of £5,000, which would be used before resorting to a withdrawal of funds from reserves.

Finally, the Treasurer advises that the Council's budgeted reserves, being consistent with the Reserves Policy, are adequate for the 2019/20 financial year and as the basis for subsequent years.

Although the proposed budget results in a lower General Reserve than its opening level and the medium-term prospects lengthen by one year the planned period taken to reach its target level, this is more than compensated in 2019/20 by the balances in the Devolution and Acquisitions Reserves.

The overall picture is therefore one of a sound financial position.

## **6. FINANCIAL IMPLICATIONS**

This report deals solely with financial issues.

## **7. RISK MANAGEMENT**

<b>RISK</b>	<b>CONSEQUENCE</b>	<b>CONTROLS REQUIRED</b>
The Council sets an invalid or inadequate budget.	An inability to raise a valid precept or insufficient resources to deliver the Council's objectives.	A robust budget process.

## **8. APPENDICES ATTACHED TO THIS REPORT**

- 2019/20 Proposed Budget
- Medium-Term Financial Forecast 2019/20 to 2023/24

## **9. BACKGROUND PAPERS**

- 2019/20 Budget Working Paper file
- Local Government Finance Settlement Consultation 2019/20

## APPROVED BUDGET 2019/20

## APPENDIX A

ACTUAL 2017/18	AMENDED BUDGET 2018/19		BUDGET HEADING	FORECAST 2018/19		APPROVED BUDGET 2019/20	
£	£	£		£	£	£	£
			<b>INCOME</b>				
			<b>Precept:</b>				
372,145		417,739	Council Tax		417,739		437,813
7,031		8,058	<b>EDC - CTRS Grant</b>		8,058		7,940
			<b>Other Income:</b>				
0		0	Investment Interest		30		30
0		0	Miscellaneous Income		10		10
<b>379,176</b>		<b>425,797</b>	<b>TOTAL INCOME</b>		<b>425,837</b>		<b>445,793</b>
			<b>EXPENDITURE</b>				
			<b>PLANNING COMMITTEE:</b>				
6,335		8,000	Officer Support		8,000		0
7,420		9,500	Planning Consultancy		9,500		0
859		23,500	Consultation		23,500		0
0		0	Block Allocation		0		20,000
<b>14,614</b>		<b>41,000</b>	<b>Planning Committee Total</b>		<b>41,000</b>		<b>20,000</b>
			<b>CCEG COMMITTEE:</b>				
			<b>Sports &amp; Recreation:</b>				
5,000		30,000	Castle Park Development Group		0		0
0		0	<b>Town Projects</b>		0		30,000
			<b>Arts &amp; Entertainment:</b>				
5,785	5,000		Officer Support	5,000		5,000	
34,500	60,000		Events Grants	60,000		30,000	
(24,000)	(23,000)		Devolved Events EDC Grant Income	(23,000)		0	
<b>16,285</b>		<b>42,000</b>			<b>42,000</b>		<b>35,000</b>

ACTUAL 2017/18	AMENDED BUDGET 2018/19		BUDGET HEADING	FORECAST 2018/19		APPROVED BUDGET 2019/20	
£	£	£		£	£	£	£
8,328	33,000	34,000	<b>Environment:</b> Greening	33,000	34,000	21,000	21,500
163	1,000		Community gardeners/greening	1,000		500	
8,491							
12,987		10,000	<b>Tourism:</b> Inward Investment		10,000		0
31,250		27,500	<b>Grants</b>		27,500		32,000
			<b>Corporate Communications:</b>				
2,974	750	3,750	Advertising	750	4,200	770	4,610
876	750		Website	750		1,020	
0	1,250		Community Engagement	1,700		1,780	
0	1,000		Press Support	1,000		1,040	
3,850							
<b>77,863</b>		<b>147,250</b>	<b>CCEG Committee Total</b>		<b>117,700</b>		<b>123,110</b>
			<b>FINANCE COMMITTEE:</b>				
			<b>Staffing:</b>				
95,826	148,394	188,367	Salaries	150,900	193,200	156,010	201,020
8,549	8,904		National Insurance	13,960		14,450	
18,772	29,069		Superannuation	26,340		27,260	
1,422	2,000		Training & Expenses	2,000		3,300	
124,569			Sub-Total				
			<b>Accommodation:</b>				
7,076	7,500	10,410	Rent	7,500	10,510	7,700	10,650
198	1,800		Heat, Light & Water	1,800		1,850	
300	600		Service Charges	800		650	
0	210		Room Hire	210		220	
0	300		Insurances	300		330	
0	0		Letting Income	(100)		(100)	
7,574			Sub-Total				



ACTUAL 2017/18	AMENDED BUDGET 2018/19		BUDGET HEADING	FORECAST 2018/19		APPROVED BUDGET 2019/20	
£	£	£		£	£	£	£
			<b>Civic Functions:</b>				
1,746	1,500		Civic Functions	1,500		1,550	
74	1,000		Mayoral Expenses	500		1,000	
115	500		Deputy Mayor's Expenses	500		500	
318	300		Civic Regalia	300		400	
0	10,000		Armistice Centenary Project Fund	10,000		0	
2,253		13,300	Sub-Total		12,800		3,450
			<b>Cost of Democracy:</b>				
187	300		Annual Meeting	300		300	
0	0		Elections	0		5,420	
54	200		Members' Expenses	200		200	
1,304	500		Notice/Honours Board	300		500	
1,545		1,000	Sub-Total		800		6,420
15,413		14,280	<b>IT</b>		15,500		15,280
			<b>Devolved Services:</b>				
(1,400)	(1,400)		Bring Site	(1,400)		(1,400)	
2,387	450		Allotments	0		0	
(100)	25		War Memorial	325		650	
0	375		Benches	(344)		870	
0	195		Bus Shelters	(677)		(310)	
0	558		Bandstand	(966)		(170)	
0	202		Monument	110		290	
0	3,250		Fairhill Park	(9,034)		(6,340)	
0	0		Toilets	0		0	
0	0		Play Areas	0		1,100	
0	0		Coronation Garden	900		1,175	
0	0		Fairhill United Utilities Planting Maintenance	0		310	
0	0		Fairhill Site Improvements	(4,500)		4,500	
1,486	750		Signage	750		750	
0	0		Community Caretaker	4,000		8,200	
3,280	0		General	0		0	
0	41,939		Contribution to Devolution Reserve	57,180		36,719	
5,653		46,344	Sub-Total		46,344		46,344
1,595		2,000	<b>Data Protection (GDPR)</b>		3,500		0

ACTUAL 2017/18	AMENDED BUDGET 2018/19		BUDGET HEADING	FORECAST 2018/19		APPROVED BUDGET 2019/20	
£	£	£		£	£	£	£
			<b>Other Overheads:</b>				
2,216	1,800		Printing, Postage & Stationery	2,300		2,300	
1,043	1,500		Audit Fees	1,500		1,600	
1,606	2,300		Insurance	2,300		2,300	
(320)	0		Bank Charges & Interest	100		100	
6,588	7,700		Accountancy Fees	7,700		7,800	
0	3,000		Legal Fees	3,500		3,200	
0	250		Licences	250		250	
1,557	1,500		Subscriptions	1,500		2,000	
12,690		18,050	Sub-Total		19,150		19,550
36,912		5,000	<b>Repairs &amp; Renewals</b>		1,000		10,000
<b>208,204</b>		<b>298,751</b>	<b>Finance Committee Total</b>		<b>302,804</b>		<b>312,714</b>
0		<b>4,796</b>	<b>Contingency</b>		<b>2,000</b>		<b>5,000</b>
0		<b>0</b>	<b>Proposed Growth Items</b>		<b>0</b>		<b>0</b>
0		<b>0</b>	<b>Transfer to Acquisitions Reserve</b>		<b>50,000</b>		<b>0</b>
<b>300,681</b>		<b>491,797</b>	<b>TOTAL EXPENDITURE</b>		<b>513,504</b>		<b>460,824</b>
<b>78,495</b>		<b>(66,000)</b>	<b>INCREASE/(DECREASE) IN GENERAL RESERVE</b>		<b>(87,667)</b>		<b>(15,031)</b>

ACTUAL 2017/18	AMENDED BUDGET 2018/19	RESERVES:	FORECAST OUTTURN 2018/19	APPROVED BUDGET 2019/20
113,246	191,741	<b>General Reserve:</b>  Balance brought forward 1 April	191,741	104,074
78,495	(66,000)	Increase/(decrease) in year	(87,667)	(15,031)
<b>191,741</b>	<b>125,741</b>	<b>Balance carried forward 31 March</b>	<b>104,074</b>	<b>89,043</b>
0	0	<b>Devolution Reserve:</b> Balance brought forward 1 April	0	57,180
0	41,939	Contribution from Annual Budget	57,180	36,719
<b>0</b>	<b>41,939</b>	<b>Balance carried forward 31 March</b>	<b>57,180</b>	<b>93,899</b>
0	0	<b>Acquisitions Reserve:</b> Balance brought forward 1 April	0	50,000
0	0	Increase/(decrease) in year	50,000	0
<b>0</b>	<b>0</b>	<b>Balance carried forward 31 March</b>	<b>50,000</b>	<b>50,000</b>
<b>191,741</b>	<b>167,680</b>	<b>TOTAL RESERVES AT 31 MARCH</b>	<b>211,254</b>	<b>232,942</b>

<b>ACTUAL 17/18</b>	<b>AMENDED BUDGET 2018/19</b>	<b>COUNCIL TAX</b>	<b>FORECAST OUTTURN 2018/19</b>	<b>PROPOSED BUDGET 2019/20</b>
<b>£372,145</b>	<b>£417,739</b>	<b>Precept</b>	<b>£417,739</b>	<b>£437,813</b>
<b>5,123.00</b>	<b>5,214.83</b>	<b>Taxbase (Band D properties)</b>	<b>5,214.83</b>	<b>5,358.79</b>
<b>£72.64</b>	<b>£80.10</b>	<b>Council Tax</b>	<b>£80.10</b>	<b>£81.70</b>
<b>59.44%</b>	<b>10.27%</b>	<b>Increase (%)</b>	<b>10.27%</b>	<b>2.00%</b>

**PROPOSED MEDIUM TERM FINANCIAL FORECAST APPENDIX B  
2019/20 TO 2023/24**

<b>BUDGET HEADING</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Precept:</b>					
Council Tax	437,813	452,065	466,735	481,792	497,242
<b>EDC - CTRS Grant</b>	7,940	7,800	7,650	7,450	7,200
<b>Other Income:</b>					
Investment Interest	30	30	30	30	30
Miscellaneous Income	10	10	10	10	10
<b>TOTAL INCOME</b>	<b>445,793</b>	<b>459,905</b>	<b>474,425</b>	<b>489,282</b>	<b>504,482</b>
<b>EXPENDITURE</b>					
<b>PLANNING COMMITTEE:</b>					
Officer Support	0	0	0	0	0
Planning Consultancy	0	0	0	0	0
Consultation	0	0	0	0	0
Block Allocation	20,000	10,000	10,000	10,000	10,000
<b>Planning Committee Total</b>	<b>20,000</b>	<b>10,000</b>	<b>10,000</b>	<b>10,000</b>	<b>10,000</b>
<b>CCEG COMMITTEE:</b>					
<b>Sports &amp; Recreation:</b>					
Castle Park Development Group	0	0	0	0	0
<b>Town Projects</b>	30,000	0	0	0	0
<b>Arts &amp; Entertainment:</b>					
Officer Support	5,000	5,000	5,000	5,000	5,000
Events Grants	30,000	30,000	30,000	30,000	30,000
Devolved Events EDC Grant Income	0	0	0	0	0
	35,000	35,000	35,000	35,000	35,000
<b>Environment:</b>					
Greening	21,000	21,000	21,000	21,000	21,000
Community Gardeners/Greening	500	500	500	500	500
	21,500	21,500	21,500	21,500	21,500

<b>BUDGET HEADING</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
<b>Tourism:</b>					
Inward Investment	0	0	0	0	0
<b>Grants</b>	32,000	32,000	32,000	32,000	32,000
<b>Corporate Communications:</b>					
Advertising	770	770	770	770	770
Website	1,020	1,020	1,020	1,020	1,020
Community Engagement	1,280	1,280	1,280	1,280	1,280
Press Support	1,040	1,040	1,040	1,040	1,040
	4,110	4,110	4,110	4,110	4,110
<b>CCEG Committee Total</b>	<b>122,610</b>	<b>92,610</b>	<b>92,610</b>	<b>92,610</b>	<b>92,610</b>
<b>FINANCE COMMITTEE:</b>					
<b>Staffing:</b>					
Salaries	156,010	158,720	160,190	161,170	161,170
National Insurance	14,450	14,700	14,840	14,950	14,950
Superannuation	27,260	27,640	27,820	27,990	27,990
Training & Expenses	2,000	2,000	2,000	2,000	2,000
	199,720	203,060	204,850	206,110	206,110
<b>Accommodation:</b>					
Rent	7,700	7,700	7,700	7,700	7,700
Heat, Light & Water	1,850	1,850	1,850	1,850	1,850
Service Charges	650	650	650	650	650
Room Hire	220	220	220	220	220
Insurances	330	330	330	330	330
Letting Income	(100)	(100)	(100)	(100)	(100)
	10,650	10,650	10,650	10,650	10,650
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Civic Functions:</b>					
Civic Functions	1,550	1,550	1,550	1,550	1,550
Mayoral Expenses	1,000	1,000	1,000	1,000	1,000
Deputy Mayor's Expenses	500	500	500	500	500
Civic Regalia	400	400	400	400	400
Armistice Centenary Project Fund	0	0	0	0	0
	3,450	3,450	3,450	3,450	3,450
<b>Cost of Democracy:</b>					
Annual Meeting	300	300	300	300	300
Elections	5,420	0	0	0	5,420
Members' Expenses	200	200	200	200	200
Notice/Honours Board	500	500	500	500	500
	6,420	1,000	1,000	1,000	6,420
<b>IT</b>	<b>15,280</b>	<b>15,280</b>	<b>15,280</b>	<b>15,280</b>	<b>15,280</b>

<b>BUDGET HEADING</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
<b>Devolved Services:</b>					
Bring Site	(1,400)	(1,400)	(1,400)	(1,400)	(1,400)
Allotments	0	0	0	0	0
War Memorial	650	675	700	700	700
Benches	870	1,080	1,290	1,500	1,500
Bus Shelters	(310)	50	420	780	780
Bandstand	(170)	630	1,430	2,230	2,230
Monument	290	460	630	810	810
Fairhill Park	(6,340)	(3,040)	270	3,570	3,570
Toilets	0	0	9,100	18,200	27,300
Play Areas	1,100	2,200	3,300	4,400	4,400
Coronation Garden	1,175	1,450	1,725	2,000	2,000
Fairhill United Utilities Planting Maintenance	310	310	310	310	1,310
Fairhill Site Improvements	4,500	0	0	0	0
Signage	750	750	750	750	750
Community Caretaker	8,200	8,200	8,200	8,200	8,200
Contribution to Devolution Reserve	36,719	34,979	19,619	4,294	0
	46,344	46,344	46,344	46,344	52,150
<b>Data Protection (GDPR)</b>	0	0	0	0	0
<b>Other Overheads:</b>					
Printing, Postage & Stationery	2,300	2,300	2,300	2,300	2,300
Audit Fees	1,600	1,600	1,600	1,600	1,600
Insurance	2,300	2,300	2,300	2,300	2,300
Bank Charges & Interest	100	100	100	100	100
Accountancy Fees	7,800	7,800	7,800	7,800	7,800
Legal Fees	3,200	3,200	3,200	3,200	3,200
Licences	250	250	250	250	250
Subscriptions	2,000	2,000	2,000	2,000	2,000
	19,550	19,550	19,550	19,550	19,550
<b>Repairs &amp; Renewals</b>	5,000	5,000	5,000	5,000	5,000
<b>Finance Committee Total</b>	<b>306,414</b>	<b>304,334</b>	<b>306,124</b>	<b>307,384</b>	<b>318,610</b>
<b>Uplift 2019/20 price base for inflation</b>	<b>0</b>	<b>9,090</b>	<b>18,270</b>	<b>27,510</b>	<b>37,590</b>
<b>Contingency</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>
<b>Allowance for Growth Items</b>	<b>6,800</b>	<b>8,000</b>	<b>8,000</b>	<b>6,000</b>	<b>5,000</b>
<b>Transfer to Acquisitions Reserve</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURE</b>	<b>460,824</b>	<b>429,034</b>	<b>440,004</b>	<b>448,504</b>	<b>468,810</b>
<b>INCREASE/(DECR) IN GENERAL RESERVE</b>	<b>(15,031)</b>	<b>30,871</b>	<b>34,421</b>	<b>40,778</b>	<b>35,672</b>

<b>RESERVES:</b>					
	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
<b>General Reserve:</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Balance brought forward 1 April	104,074	89,043	119,914	154,335	195,113
Increase/(decrease) in year	(15,031)	30,871	34,421	40,778	35,672
<b>Balance carried forward 31 March</b>	<b>89,043</b>	<b>119,914</b>	<b>154,335</b>	<b>195,113</b>	<b>230,785</b>
<i>Target General Reserve</i>					230,785
<b>Devolution Reserve:</b>					
Balance brought forward 1 April	57,180	93,899	128,878	148,497	152,791
Contribution from Annual Budget	36,719	34,979	19,619	4,294	0
<b>Balance carried forward 31 March</b>	<b>93,899</b>	<b>128,878</b>	<b>148,497</b>	<b>152,791</b>	<b>152,791</b>
<b>Acquisitions Reserve:</b>					
Balance brought forward 1 April	50,000	50,000	50,000	50,000	50,000
Contribution from Annual Budget	0	0	0	0	0
<b>Balance carried forward 31 March</b>	<b>50,000</b>	<b>50,000</b>	<b>50,000</b>	<b>50,000</b>	<b>50,000</b>
<b>TOTAL RESERVES AT 31 MARCH</b>	<b>232,942</b>	<b>298,792</b>	<b>352,832</b>	<b>397,904</b>	<b>433,576</b>



<b>COUNCIL TAX:</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
<b>Precept</b>	£437,813	£452,065	£466,735	£481,792	£497,242
<b>(Band D properties)</b>					
<b>Taxbase</b>	5,358.79	5,425.00	5,491.00	5,557.00	5,623.00
<b>Council Tax</b>	£81.70	£83.33	£85.00	£86.70	£88.43
<b>Increase (%)</b>	2.00%	2.00%	2.00%	2.00%	2.00%

**ITEM 6b i**



# Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR  
Tel: 01768 899773 Email: [deputytownclerk@penrithtowncouncil.co.uk](mailto:deputytownclerk@penrithtowncouncil.co.uk)

**DRAFT** Minutes of the meeting of the:

## **PLANNING COMMITTEE**

Held on Monday 4 March 2019, Unit 1, Church House, 19-24 Friargate, Penrith.

### **PRESENT:**

Cllr Jackson - Chairman  
Cllr Bowen  
Cllr Kenyon

Deputy Town Clerk

## **DRAFT MINUTES FOR THE PLANNING COMMITTEE**

### **4 March 2019**

**2.05PM – 3.00 PM Unit 1, Church House, 19-24 Friargate, Penrith**

Members were advised that there were two late items for consideration at this meeting that required a response prior to the next scheduled meeting in April. One related to Planning Application 19/0113, Church Mews, whilst the other was in respect of EDCs consultation on the Draft Housing Supplementary Planning Document.

**RESOLVED THAT** both items would be considered after the applications for consideration.

#### **PL/19/84 Apologies for Absence**

There were no apologies for absence for this meeting.

#### **PL/19/85 Minutes of Previous Meeting**

Members **RESOLVED THAT** the minutes of the meeting of the Planning Committee held on 4 February 2019 be signed by the Chairman as a true and accurate record.

#### **PL/19/86 Declarations of Interest and Dispensations**

Members were asked to disclose their interests in matters to be discussed whether disclosable pecuniary or other registrable interest, and to decide requests for dispensations. There were no declarations of interest made at the meeting.

#### **PL/19/87 Public Participation**

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

#### **PL/19/88 Public Bodies (Admissions to Meetings) Act 1960 – Excluded Items**

**RESOLVED THAT** there were no agenda items to be considered without the presence of the press and public, pursuant to the Public Bodies (Admissions to Meetings) Act 1960 Section 2

#### **PL/19/89 Local Enforcement Plan**

**RESOLVED THAT** Eden District Council's adopted Local Enforcement Plan, which sets out how Eden District Council approaches and carries out its planning enforcement activities and explains how they will investigate alleged cases of unauthorised development, be noted.

#### **PL/19/90 Tree Preservation Order No 197 2019**

**RESOLVED THAT** it be noted that Eden District Council have served a Tree Preservation Order on three trees, a Lime, a Horse Chestnut and a Pine, on land between Newton Road and Greystoke Road on the site of Planning Application No 18/0913.

### PL/19/91 Council Plan Monitoring

Members considered the updated workplan for the Planning Committee and Neighbourhood Plan Group.

**RESOLVED THAT** the Work Plan be noted, and that Finance Committee be requested to approve carry forward of any underspend in the budget to the new financial year and that any carry forward be limited to fund urgent emerging matters from the Local Planning Authority (LPA), the report from the inspector and any scheme of work that is required to satisfy the requirements of both the LPA and the inspector to enable to Neighbourhood Plan to be approved.

### PL/19/92 Representations to EDC Planning Committee

As it was unclear why this item had been requested to be included on the agenda as no further information had been submitted, there was no further discussion. Members had considered proposed changes to EDC Planning Committee procedures at their meeting on 14 January 2019.

### PL/19/93 Planning Applications

#### a) Delegated Responses

**RESOLVED THAT** the following delegated responses be noted:

Planning application number: 18/1005

Site address: 47 WORDSWORTH STREET PENRITH CA11 7QY

Description: Proposed rear extension.

**Response:** No objection.

Planning Application Number: 19/0004

Site Address: OMEGA PROTEINS GREYSTOKE ROAD PENRITH CA11 0BX  
Description: Development of a Class B2 industrial building and service yard.

**Response:** No objection but request landscaping to mitigate visual impact. Planning application number: 19/0005

Site address: PENRITH RAILWAY STATION ULLSWATER ROAD  
PENRITH CA11 7JQ

Description: Listed building consent for installation of cycle racks to Platform 1 of Penrith Railway Station.

**Response:** No objection.

Planning application number: 19/0003  
Site address: 25 VICTORIA ROAD PENRITH CA11 8HP  
Description: Change of use from centre for remedial massage and physical therapy to residential use.

**Response:** No objection.

Planning Application Number: 19/0034  
Site Address: PENRITH RAILWAY STATION ULLSWATER ROAD PENRITH CA11 7JQ  
Description: Listed building consent for the internal extension of the existing booking/waiting hall, refurbishment of existing public toilets and refurbishment/redecoration of platform canopies.

**Response:** No objection.

Planning Application Number: 19/0035  
Site Address: 17 CARLETON ROAD PENRITH CA11 8JN  
Description: Demolish detached garage and erect two storey extension

**Response:** No objection

Planning application number: 18/0989  
Site address: 1 SAND CROFT PENRITH CA11 8BB  
Description: Alterations and extension.

**Response** No Objection

Planning Application Number: 19/0051  
Site Address: DEVARRA (NEVARRA) MONKS CLOSE PENRITH CA11 9JG  
Description: Erect front extension, demolish & replace existing side garage and erect new rear extension.

**Response:** No Objection

Planning Application Number: 19/0064  
Site Address: 6 PENNINE WAY PENRITH CA11 8EF  
Description: Proposed rear extension.

**Response:** No Objection

## **b) Planning Applications for Consideration**

Members considered the following items which had been received and which required a committee decision due to the nature of the applications further information could be found on the Eden District Council Website <http://eforms.eden.gov.uk/fastweb/search.asp> by inserting the appropriate planning reference number.

Planning application number:	19/0059
Site address:	VIRGIN TRAINS PENRITH RAILWAY STATION ULLSWATER ROAD PENRITH CA11 7JQ
Description:	Listed Building consent for refurbishment of building to provide 3no residential units.

Members were advised that EDCs Conservation Officer had no objection to the proposals. **RESOLVED THAT** a response of no objection be returned to EDC with a request that the Town Council be given the opportunity to comment on the full proposals for the building when the full application is submitted.

Planning application number:	19/0070
Site address:	MOUNTEDEN PENRITH CA11 8SW
Description:	Proposed demolition of the existing dwelling and the erection of a replacement dwelling.

Members were advised that the Highways Authority had no objection as long as the already agreed access was utilised and that the Gas Network would be providing a more detailed assessment which was not available for this meeting. **RESOLVED THAT** a response of no objection, subject to the application being acceptable to the Gas Network, be returned to EDC.

Planning Application Number:	19/0096
Site Address:	6 LOWTHER STREET PENRITH CA11 7UW
Description:	Removal of existing conservatory, re-cladding of existing extension, alterations to windows and doors and addition of rooflights.

Members were advised that EDC's Conservation Officer had no objection to this application. **RESOLVED THAT** a response of no objection be returned to EDC.

Planning application number:	19/0037
Site address:	32 Arthur Street Penrith CA11 7TU
Description:	Back Garden: T1, T2, T3, T4 Cypress - Reduce height and prune/trim overall to reduce crowded growth; T5 Holly - overall crown reduction; T6 Japanese Maple - minimal pruning to restore unbalanced form; T7 Yew and T8 Laurel - prune to balance form; T9 Cypress, T10 Laurel - fell to reduce over-crowding in shrubbery; Front Garden: Group 1 - Remove Holly and Conifers and prune retained trees/shrubs to balance their form and promote development; T11 Beech - Fell tree due to excessive shading; Hedge 1 - Reduce Leylandii hedge to height of stone wall on opposite side of drive; All pruning and reduction works to the finished heights as shown on marked photographs provided; Penrith New Streets Conservation Area.

**RESOLVED THAT** a response of no objection be returned to EDC.

Planning Application Number:	19/0093
Site Address:	2 KITCHEN GARDENS PENRITH CA11 9GS
Description:	Proposed projecting balcony to replace Juliet balcony.

Members were advised that to date no letters of objection had been submitted.

**RESOLVED THAT** in this instance a response of no objection be returned to EDC with a proviso that members would wish to recognise that this does not set a precedent on the site, as any further application would need to be considered on its own merits and in relation to the outlook and relationship to other properties close by.

Planning application number:	19/0092
Site address:	4 ANGEL SQUARE PENRITH CA11 7BT
Description:	Advertisement consent for 1 no. fascia sign.

**RESOLVED THAT** a response of no objection be returned to EDC.

Planning Application Number:	19/0105
Site Address:	LAND AT CARLETON HILL ROAD PENRITH
Description:	Variation of condition 1 (plans compliance) to change house types on plots 327 and 331 from Compton to Fenchurch, plot 330 from Regent to Marylebone, plot 334 from Harley to Fenchurch and plot 337 from Regent to Marlborough attached to reserved matters approval 16/0811.

Members noted that none of the changes impacted on the affordable element of the development and that the requested changes seemed to be commercial. **RESOLVED THAT** a response of no objection be returned to EDC.

**The following application was considered as a late item as a response was required prior to the next meeting of the committee.**

Planning application number:	19/0113
Site address:	CHURCH MEWS DUKE STREET PENRITH CA11 7NB
Description:	Demolition of existing chimney and erection of replacement chimney.

**RESOLVED THAT** a response be returned to EDC stating that although PTC recognised that listed building consent had been approved, it objected to this application on the grounds that the application as it is contrary to Policy ENV10 in the Local Plan. The application is for a Grade II listed building in a prominent location with the chimney being a highly visible feature of this area. PTC would like to see the chimney reinstated to its full height using as much of the original materials as possible and employing modern techniques (inside the chimney) and potential banding outside to ensure its safety.

### **PL/19/94 Draft Housing Supplementary Planning Document**

Members were advised that the draft Housing Supplementary Planning document had been received on 27 February 2019. EDC were carrying out an informal consultation commencing on 26 February for three weeks, although a formal public consultation for a longer period would be undertaken at a later date.

**RESOLVED THAT** Members would consider the document and provide observations to the DTC who would draft a response for Members agreement based on the comments received.



### **PL/19/95 Neighbourhood Development Plan**

Members were advised that on 4 February the summary booklet and questionnaire was sent to 7045 residents and 700 businesses within the parish area. This was followed up by posting Policy 14, which had been omitted from the summary booklet, direct to businesses. A complete version of the summary booklet and questionnaire was also sent to 93 statutory consultees.

Full documentation was added to the website and the electronic survey activated.

To date 176 completed questionnaires have been returned from the public, 19 from businesses and 12 electronic surveys completed. 43 people have been to talk to us at the 5 drop in sessions held to date. 6 more drop in sessions are scheduled. There is still some confusion with EDC's Masterplan.

All comments are being tabulated to go back to the group so that responses can be considered and published.

### **PL/19/96 Next Meeting**

Members noted that the next Planning Committee Meeting scheduled to be held on Monday 1 April 2019 in the Boardroom, Penrith Town Council Offices, Church House, 19-24 Friargate, Penrith would be unable to consider any potentially controversial applications as it fell within the period of purdah.

**ITEM 6b ii)**



# **Penrith Town Council**

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.co.uk](mailto:office@penrithtowncouncil.co.uk)

**DRAFT** Minutes of the meeting of the:

## **COMMUNITY, CULTURE & ECONOMIC GROWTH COMMITTEE**

Held on 11 March 2019 Monday at 4.00 pm – 6.15 pm.

### **PRESENT:**

Cllr. Burgin

Cllr. Donald

Cllr. Kenyon

Cllr. Lawson

Cllr. Jackson

Economic Development Officer

**DRAFT MINUTES FOR THE  
COMMUNITY, CULTURE & ECONOMIC GROWTH COMMITTEE  
11 MARCH 2019**

**CCEG/18/85 Apologies for Absence**

No apologies received.

**CCEG/18/86 Minutes of the Previous Meeting**

The Chairman was authorised to sign the Minutes of the Meeting of the Community, Culture & Economic Growth Committee held on the 11 February 2019 as a true and accurate record.

**CCEG/18/87 Declaration of Interests and Dispensations**

Members were asked to receive any declarations of interest by elected or co-opted Members of any disclosable pecuniary or other registrable interests relating to any items on the agenda for the meeting and to decide requests for dispensations. None received.

Cllr Lawson declared that he knew one of the Grant Applicants, and he would not take part in the decision process.

**CCEG/18/88 public Participation**

A member of the public made representation and sought clarification on the Council's decision to distribute the Neighbourhood Plan Survey Booklet in plastic wrapping.

**CCEG/18/89 Public Bodies (Admission to Meetings) Act 1960 – Excluded Items**

Members considered whether items 12,13,14 should be excluded as sensitive data may be discussed an/or contained within the application documents.

**RESOLVED THAT:**

Matters 12, 13, and 14 should be considered without the presence of the press and public, pursuant to the Public Bodies (Admission to Meetings) Act 1960 Section 2.

**CCEG/18/90 Resolutions Report**

**RESOLVED THAT:**

The Resolutions report from the 11 February 2019 meeting be noted.

**CCEG/18/91 Committee Work Plan**

**RESOLVED THAT:**

The updated Work Plan for the Economic Development Officer be noted.

## **CCEG/18/92 Britain in Bloom**

a) Members received a verbal report from the Economic Development Officer and were informed that the following projects had been supported as part of Britain in Bloom:

- Gateway Sites £990
- Penrith Edibles £950
- Penrith Community Gardeners £490

b) Members were asked to consider allocating £3,000 for the making of a promotional film to support the Britain in Bloom (BiB) application and awarding the scheme of work to a local film maker.

### **RESOLVED THAT:**

The Economic Development Officer engage De La Mare Photography for a promotional film to be made to support this year's entry Britain in Bloom for the value of £3,000.

## **CCEG/18/93 Plastic Clever Penrith**

Members received an oral update from Cllr. Lawson who advised the Committee that a plastic usage questionnaire had been developed which will be conducted in the first instance by volunteers visiting businesses within the Town Centre and used as a bench mark for future activity.

## **CCEG/18/94 URGENT LATE ITEM – Eden District Council's (EDC) Expression of Interest to Future High Street Fund**

Members considered the request from EDC for a letter of support for EDC's Expression of Interest to the Governments Future High Street Fund.

### **RESOLVED THAT:**

A letter of support be sent to Eden District Council.

## **PART TWO**

### **CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC**

The following matters were considered exempt under Section 100A (4) of the Local Government Act 1972. Members of the public (including the press) were excluded from the meeting during discussion of the of items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 to Schedule 12A of the Act.

## **CCEG/18/95 Grant Requests**

Members considered the following Grant Requests:

### **i) Penrith BiD**

#### **RESOLVED THAT:**

A grant award of £6000 be awarded.

LGA 1972, section 144

### **ii) EdenVentures**

#### **RESOLVED THAT:**

A grant award of £357.50 be awarded.

Open Spaces Act 1906, section 9-10, Local Government (Miscellaneous Provisions)  
Act 1976, section 19

## **CCEG/18/96 Event Grant Requests**

Members considered the following Event Grant Request:

### **i) Penrith Lions and Great Dockary Residents Group –**

**Richard 111**

#### **RESOLVED THAT:**

A grant award of £2960 be awarded from the 2018/19 budget.

LGA 1972, section 144

### **ii) Eden Arts - Winter Droving**

#### **RESOLVED THAT:**

A grant award of £5000 be awarded from the 2019/20 budget.

LGA 1972, section 144

### **iii) EVAN - Artists in Penrith**

#### **RESOLVED THAT:**

A grant award of £ be awarded from the 2019/20 budget.

LGA 1972, section 144.

## **CCEG/18/97 URGENT LATE ITEM**

### **Penrith Poly Tunnel Committee and Community Gardeners**

Members considered a request for funds to be provided to the Poly Tunnel Committee to allow site improvements at the Penrith Poly Tunnel.

#### **RESOLVED THAT:**

That an EBS payment made to the Poly Tunnel Committee for the value of £630 be made from the Community Gardener's budget for the scheme of work.

## **CCEG/18/98 Close**

Members noted that the next meeting date would be resolved at the Annual Town Council Meeting 2019.



# Penrith Town Council

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

**DRAFT** Minutes of the meeting of the:

## **MANAGEMENT MEETING**

Held on Monday 15 April 2019, 2.00 pm - 3.00 pm, Board Room, Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR

### **PRESENT:**

Cllr. Bowen  
Cllr. Burgin  
Cllr. Jackson  
Cllr. Lawson  
Cllr. Whipp  
Town Clerk  
Services and Contracts Manager  
Deputy Town Clerk

**PENRITH TOWN COUNCIL**  
**DRAFT MANAGEMENT MEETING MINUTES**  
**15 April 2019**

**MM18/01 Apologies for absence**

Apologies were received from:  
Cllrs Clark, Donald and Kenyon.

**MM18/02 Declaration of interests**

Members were asked to receive any declarations of interest of any disclosable pecuniary or other registrable interests relating to any items on the agenda for this meeting. None received.

**MM18/03 Requests for Dispensations**

Members were asked to apply for a dispensation, if a councillor had a pecuniary interest in an item on the agenda. None received.

**MM18/04 Public Bodies (Admission to Meetings) Act 1960**

Members were asked to consider whether the 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.

**Members noted that** to disclose decisions would be a breach of the Council's obligations under the Data Protection Act 1998 and is considered exempt under Section 100A(4) of the Local Government Act 1972, members of the public (including the press) should be excluded from the meeting during discussion of the of items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 to Schedule 12A of the Act, information relating to the financial or business affairs of any particular person (including the authority holding that information) and GDPR 2018 personal data.

**RESOLVED THAT:**

The matter be considered in the absence of the press and public.

**PART TWO in the absence of the press and public**

**MM18/05 Land Acquisition**

The meeting had been called by the Town Clerk as an opportunity to make an offer on a town centre freehold land purchase had been. The site was open to offers by 17 April 2019 and the decision was therefore time critical.

Officers has obtained the property pack which was reviewed at the meeting.

**RESOLVED THAT:**

The Council would not pursue the opportunity as Members agreed that the site was not viable.



**MM18/06 Close of Meeting**



# Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR  
Tel: 01768 899773 Email: [townclerk@penrithtowncouncil.co.uk](mailto:townclerk@penrithtowncouncil.co.uk)

**Draft** Minutes of the meeting of the:

## **FINANCE COMMITTEE**

Held on Monday 29 April 2019 2.15pm – 4.00pm Board Room,  
Penrith Town Council Office, Unit 1, Church House, 19-24  
Friargate.

### **PRESENT:**

Cllr. Bowen

Cllr. Burgin

Cllr. Jackson

Services & Contracts Manager

Responsible Finance Officer

**PENRITH TOWN COUNCIL  
DRAFT MINUTES  
FINANCE COMMITTEE 29 APRIL 2019**

**FIN.COM.18/79 Apologies for Absence**

Apologies for absence were received from Councillor Kenyon.

**FIN.COM.18/80 Declaration of Interests and Dispensations**

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

**FIN.COM.18/81 Minutes of the Previous Meeting**

**RESOLVED THAT** the Chairman be authorised to sign the Minutes of the Meeting of the Finance Committee held on Monday 11 March 2019.

**FIN.COM.18/82 Public Participation**

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

**FIN.COM.18/83 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.

**RESOLVED THAT:**

The Penrith Lions Club Grant Application be considered without the press and public being present as the report contains sensitive data of a third party.

**FIN.COM.18/84 Payments for Approval**

- a) Cllr Burgin and Cllr Jackson accessed the Electronic Banking System and verified and confirmed that the banking transaction history runs concurrently from the last meeting and follows the payments schedule for the same period and agrees with the transactions circulated with the meeting documents.
- b) Members considered the Monthly Report of Payments for February and March 2019.

**RESOLVED THAT:**

- I. The monthly report of payments be approved.
- II. Cllr Burgin and Cllr Bowen would check the EBS and the Monthly Report of Payments for the meeting of the Finance Committee on the 11 June 2019.

## **FIN.COM.18/85 Asset Management**

- a) Members considered a report setting out the adoption of an Asset Valuation Policy.
- b) Members reviewed the Asset Register as at 31 March 2019.

### **RESOLVED THAT:**

- I. The Committee approve the Asset Valuation Policy and recommend taking forward to Full Council for final ratification.
- II. The Committee approve the Asset Register as at 31 March 2019 and recommend taking forward to Full Council for final ratification.

## **FIN.COM.18/86 Annual Accounts and Annual Governance & Accountability Return (AGAR) 2018/19**

- a) Members were requested to adopt the Governance and Accountability for Small Councils, March 2019 edition of the Practitioners Guide.
- b) Members considered the Internal Auditors report findings for 2018/19.
- c) i. Members reviewed the System of Internal Control.  
ii. Members reviewed the Annual Governance Statement 2018/19, AGAR Section 1.
- d) Members considered the Bank Reconciliations for the HSBC Bank, Unity Trust and the Penrith Building Society as at 31 March 2019.
- e) Members considered the Finance Outturn Report, year ended the 31 March 2019, and a request from the Planning Committee for an exception to Finance Regulations to allow it to carry forward unspent budget provision from 2018/19 to 2019/20.
- f) Members reviewed the Accounting Statements 2018/19, AGAR Section 2.

### **RESOLVED THAT:**

- I. The Governance and Accountability for Small Councils, March 2019 edition of the Practitioners Guide be adopted and go forward to Full Council for final ratification.
- II. The Internal Audit Report for year ended 31 March was circulated and approved to go forward to Full Council for final ratification.
- III. The System of Internal Control including Risk Management arrangements have remained effective throughout the fiscal year to 31 March 2019.
- IV. The Annual Governance Statement 2018/19, AGAR Section 1 be approved and go forward to Full Council for final ratification.
- V. The Bank Reconciliations for the HSBC Bank, Unity Trust and the Penrith Building Society be approved and signed.
- VI. The Finance Outturn Report for the year ended 31 March 2019 be approved and go forward to Full Council for final ratification.
- VII. The request from the Planning Committee to carry forward unspent budget provision from 2018/19 to 2019/20 be approved and go forward to Full Council for final ratification.
- VIII. The Accounting Statements for 2018/19, AGAR section 2 be approved and go forward to Full Council for final ratification.
- IX. Cllr Jackson, Bowen, Burgin thanked the officers for their work finalising the accounts and the outcome of the Audit report.

## **FIN.COM.18/87 Internal Audit Appointment**

Members considered the appointment of the internal auditor for the fiscal year 2019-20.

### **RESOLVED THAT:**

The appointment of Mrs G. Airey as the internal auditor for the fiscal year 2019-20 be approved and go forward to Full Council for final ratification.

## **FIN.COM.18/88 Community Caretaker Contract**

Members considered a report setting out the option to extend the Community Caretaker Contract for a further 12 months effective from the 25 June 2019.

Cllr Jackson asked the following questions:

- i) Does the Council benefit from the contractor being prompt in addressing issues and requests for action, including emergency repairs? The officer response was Yes.
- ii) Are there occasions where the Council requires more than one operative to undertake a task or instruction? The officer response was Yes.
- iii) Does the Council have confidence that the contractor is experienced and knowledgeable in the performance of its duties? The officer response was Yes.

### **RESOLVED THAT:**

- i) The committee approve for the Community Caretaker Contract to be extended for a further 12 months, effective from the 25 June 2019, and recommend to take forward to Full Council for final ratification.
- ii) Cllr Jackson requests that the Contractor is written to outlining the Council's thanks for their work performance during the previous 12 months.

## **FIN.COM.18/89 Insurance Renewal**

Members noted that the Council's insurance policy is a 3-year long term agreement effective from 18 May 2018. The renewal premium for the 12 month period has been notified as £3,645.19, which includes insurance premium tax and an administration fee of £50.00. The premium has increased from £2,162.85 due largely to the increase in assets acquired by the Council during the fiscal year.

## **PART TWO – EXCLUSION OF PRESS AND PUBLIC**

### **FIN.COM.18/90 Penrith Lions Club Grant Application.**

This report was considered exempt under Section 100A (4) of the Local Government Act 1972. Members of the public (including the press) were excluded from the meeting during discussion of the item of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 to Schedule 12A of the Act.

Members considered a grant application from Penrith Lions Club for the proposed Tea in the Castle Park Event.

#### **RESOLVED THAT:**

A grant award of up to £5,000 be awarded to the Penrith Lions Club for the proposed Tea in Castle Park Event, supported from the Council's Events Grant budget, LGA 1972, section 144.

ITEM 10 POLICIES, PROCEDURES & PROTOCOLS REVIEW			RECOMMENDATION	
TITLE	ADOPTED	REVIEW	AMEND	NOTE
ASSET VALUATION POLICY	20/05/19	ANNUAL		NOTE 4
BANDSTAND HIRE	24/09/18	ANNUAL	NO	
BANNER & ADVERTISEMENT POLICY	26/11/18	2028	NO	
BIODIVERSITY	15/05/2017	2022	NO	
CIVIC PROCEDURES	06/07/15	07/19	NO	
CODE OF CONDUCT	18/05/15	ANNUAL	YES	NOTE 2
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	21/05/18	2022	NO	
CO-OPTION POLICY	18/05/15	ANNUAL	NO	
DELEGATION SCHEME	18/07/17	ANNUAL	YES	NOTE 3
DISPENSATION	27/11/17	2019	YES	NOTE 1
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	NO	
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	NO	
INVESTMENTS POLICY	28/01/19	ANNUAL	NO	
MEDIA POLICY	18/05/15	ANNUAL	NO	
PARTNERSHIP PROTOCOL	15/05/17	2022	NO	
PETITIONS POLICY	20/05/19	2029		NOTE 5
PLANNING PROTOCOL	13/07/15	2021	NO	
PREFERRED CONTRACTOR POLICY	26/11/18	2022	NO	
PROCUREMENT POLICY	16/05/16	2018	NO	
PUBLIC PARTICIPATION	18/05/15	ANNUAL	NO	
PUBLICATION SCHEME	18/05/15	ANNUAL	NO	
RESERVES POLICY	18/01/19	ANNUAL	NO	
RISK MANAGEMENT	18/05/15	ANNUAL	NO	
STANDING ORDERS	18/05/15	ANNUAL	NO	
TRAINING	15/05/17	ANNUAL	NO	
UNTOWARD INCIDENT POLICY	26/11/18	2022	NO	
VALUE FOR MONEY	15/05/17	2021	NO	
DATA POLICIES, PROCEDURES & PROTOCOLS				
RECORD MANAGEMENT & RETENTION	21/05/18	ANNUAL	NO	
SOCIAL MEDIA & ELECTRONIC COMMUNICATION	21/05/18	ANNUAL	NO	
INFORMATION PROTECTION	21/05/18	ANNUAL	NO	
INFORMATION SECURITY	21/05/18	ANNUAL	NO	
REMOVABLE MEDIA	21/05/18	ANNUAL	NO	
DATA PROTECTION	21/05/18	ANNUAL	NO	
PRIVACY	21/05/18	ANNUAL	NO	
SUBJECT ACCESS REQUESTS	21/05/18	ANNUAL	NO	
PASSWORD	21/05/18	ANNUAL	NO	

## **REVIEW OUTCOME**

### **EXISTING POLICIES**

- **NOTE 1**

#### **DISPENSATION – 4 YEAR TERM OF DISPENSATIONS**

##### **– DRAFT POLICY ATTACHED 10 a**

**Page 69**

Reviewed and refreshed after each electoral cycle item and all Members are requested to sign the dispensations after the meeting.

#### **RECOMMENDATIONS**

To approve.

- **NOTE 2**

#### **CODE OF CONDUCT – NALC REVISION**

##### **- REPORT AND DRAFT POLICY ATTACHED 10b Page**

Revised Code of Conduct from the National Association of Local Councils.

#### **RECOMMENDATIONS**

To approve.

- **NOTE 3**

**10 c SCHEME OF DELEGATION** - Amended for changes as listed below. Current document available to view on Council website:

<b>Additional clause:</b>	
<b>2.1</b>	A Member must never act "on behalf of the Council" in the organisation of any function or service, <b>without written delegated authority to do so.</b>
<b>Current clause:</b>	
<b>6.1</b>	<b>COMMITTEE CHAIRMAN</b> - In liaison with the Town Clerk, the Committee Chairmen have the authority to cancel or postpone a meeting owing to lack of business or in an emergency.
<b>Change to:</b>	
<b>6.1</b>	In liaison with the Town Clerk, the Committee Chairmen have the authority to cancel or postpone a meeting owing to lack of business or in an emergency. <b>Committee chairmen have no other authority other than to chair a meeting of their committee.</b>
<b>Current clause:</b>	
<b>8.1</b>	Matters of emergency, as determined by the Town Clerk (or in his/her absence another Officer) shall be delegated to the Council Chairman and Chairmen of all Committees who may convene without public notice an emergency management meeting. The Chairman is required to report to Council at the earliest opportunity.
<b>Change to:</b>	
<b>8.1</b>	Matters of emergency, as determined by the Town Clerk (or in his/her absence another Officer) shall be delegated to the Council Chairman and Chairmen of all Committees who may convene without public notice <b>as an Emergency Management Committee.</b> The Chairman is required to report to Council at the earliest opportunity.



**Current clause:**

9.1 The Town Clerk is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

**Change to:**

9.1 The **Responsible Finance Officer** is designated ....

**FINANCE COMMITTEE TERMS OF REFERENCE****Current clause with proposed deletion:**

The Committee will meet bi-monthly. ~~as amended in Financial Regulations 2017 (after the commencement of electronic banking).~~

**NEW Clause****Management of Investments**

To review the Council's Investment Strategy and monitor compliance.  
To manage the arrangements for investments and to make recommendations to Council where appropriate.

## **CURRENT TERMS OF REFERENCE MANAGEMENT COMMITTEE**

**LIMITATIONS:**

Non-Members of the Management Meeting may attend in their capacity as a Councillor and will be allowed to speak on a topic item with the agreement of the Chairman. Non-Members of the Management Meeting are subject to the same rules as Management Team regarding confidentiality and the requirements of the Code of Conduct. Non-Members of the Management Meeting have no more rights at Committee meetings than members of the public.

**TERMS OF REFERENCE****MANAGEMENT COMMITTEE**

The Council's committee chairmen and vice chairmen will meet informally. There will be no public notice of the meeting and no agenda. These meetings are not open to the public.

**PURPOSE:**

- To brief the chairmen on forthcoming events
- To be advised on items due for consideration at the forthcoming meetings
- To develop methods of communication
- To provide an opportunity to voice ideas, concerns, suggestions
- To review general administration of the council
- To monitor and improve Council communications
- To review risks and policies not covered by other committees.
- To provide an opportunity to develop chairing skills & knowledge

- To enhance a greater understanding of how town councils operate
- To deal with emergency matters at short notice

It should be noted that the Group has no powers to make conclusions or decisions on the events/items themselves nor can any preconceived policy line be determined.

#### **GROUP MEMBERSHIP**

Membership is restricted to the Chairman and Vice Chairman of the Town Council together with the respective Chairmen and Vice Chairman of the Committees and officers of the Council.

#### **CHAIRMAN**

The Chair at each meeting will be taken by the Chairman of Penrith Town Council or, in her/his absence, by the Vice Chairman of the Council.

#### **RECORDS OF GROUP MEETINGS**

The briefing is an informal meeting which does not require a public notice nor agenda and the proceedings are not minuted formally in the style of the Council

**Change to:**

## **EMERGENCY MANAGEMENT COMMITTEE**

### **TERMS OF REFERENCE**

1. The Committee will be summonsed to consider matters of emergency, as determined by the Town Clerk (or in his/her absence another Officer).
2. The Membership shall be the Council Chairman and Vice Chairman and Chairmen of all Committees.
3. Quorum is THREE.
4. The Committee may have to convene without public notice as an Emergency Management Committee, depending on the timing and nature of the emergency.
5. The meeting will be minuted.
6. The Council Chairman is required to report to Council at the earliest opportunity.
7. An emergency is defined as:
  - A matter with significant financial implications greater than £10,000
  - A matter with significant legal implications
  - A matter related to the conduct of a councillor or an employee that would potentially amounts to gross misconduct or bringing the Council into disrepute.

## **MEMBERS FORUM**

1. The Council's Members will meet informally.
2. There will be no public notice of the meeting and no agenda.
3. These meetings are not open to the public.
4. The Forum has no powers to make conclusions or decisions on the events/items themselves nor can any preconceived policy line be determined.

### **PURPOSE:**

- To brief Members on forthcoming events.
- To improve communication.
- To provide an opportunity to voice ideas, concerns, suggestions.
- To provide an opportunity to develop skills & knowledge.
- To enhance a greater understanding of how town councils operate.

### **RECORDS OF GROUP MEETINGS**

The briefing is an informal meeting which does not require a public notice nor agenda and the proceedings are not minuted formally in the style of the Council

## **RECOMMENDATIONS**

To approve.

## **NEW POLICIES**

- **NOTE 4 ASSET VALUATION POLICY - ATTACHED**

Developed and approved by the Council's Finance Committee as the Council does not have a formal policy on the subject. This should be rectified and a clear statement of the valuation of transferred assets would assist in transparency. The Council should adopt an asset valuation policy which is reasonable, appropriate and applied consistently from year to year.

### **RECOMMENDATIONS**

To approve.

- **NOTE 5 PETITIONS POLICY - ATTACHED**

Responding to petitions is a key way of promoting engagement and democracy. The Town Council encourages community feedback and recognises that petitions are one way in which people can let the council know their concerns. As the Town Council becomes more active in the delivery of services the Council should provide several different routes for people to raise issues.

### **RECOMMENDATIONS**

To approve.



# Penrith Town Coun

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.co.uk](mailto:office@penrithtowncouncil.co.uk)

## **FULL COUNCIL 20 MAY 2019**

### **GENERAL DISPENSATIONS**

**AUTHOR: V. TUNNADINE, TOWN CLERK**

**ITEM: 10a**

### **RECOMMENDATIONS**

Council is asked to approve general dispensations for members as recorded in section 4 of this report for the four-year term of the Council.

### **LAW**

Under the Localism Act 2011("the Act"), a Member who has a Disclosable Pecuniary Interest in a matter which is under consideration, may not participate in the consideration of that matter unless he/she has first obtained a dispensation from the 'relevant authority'.

Town/Parish Councils are defined as a 'relevant authority' under the Act, they are responsible for determining requests for a dispensation by a Town/Parish Councillor under Section 33.

## 1. INTRODUCTION

- 1.1 In certain circumstances Councillors may be granted a dispensation which enables them to take part in Council business where this would otherwise be prohibited because they have a Disclosable Pecuniary Interest.
- 1.2 Provided Councillors act within the terms of their dispensation there is deemed to be no breach of the Code of Conduct or the law.
- 1.3 Previously, dispensations were issued by the Standards Committee of the district council, but as town/parish councils are defined as 'a relevant authority' under the Localism Act 2011, they are now responsible for determining requests for dispensations from a local town/parish Councillor under s33.
- 1.4 S31(4) of the Localism Act states that dispensation allows the Councillor;
  - a) To participate, or participate further, in any discussion of the matter at the meeting(s); and/or
  - b) To participate in any vote, or further vote, taken on a matter at the meeting(s).
- 1.5 If a dispensation is granted, the Councillor may remain in the room where the meeting considering the business is being held.
- 1.6 **If a Councillor participates in a meeting where they have a Disclosable Pecuniary Interest, and they do not have a dispensation, they may be committing a criminal offence under S34 Localism Act 2011.**

## 2. DISCLOSURE OF DECISION

- 2.1 Any Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the start of any business to which it relates.
- 2.2 A copy of the dispensation must be kept with the Register of Councillor's Interests.

### 3. CRITERIA FOR DETERMINATION OF REQUESTS

- 3.1 A dispensation may be granted to a Councillor who has a Disclosable Pecuniary Interest to participate in any discussion of a matter at a meeting and/or to participate in any vote on the matter if they consider that:
- a) So many members of the decision-making body have disclosable pecuniary interests, that it would impede the transaction of the business (i.e. the meeting would be inquorate); or
  - b) The dispensation is in the interests of persons living in the authority's area; or
- 3.2 If an adopted code prevents a Councillor speaking or voting where they have an interest other than a disclosable pecuniary interest, the Town Council may extend the provision of the above paragraph to apply in the same way to those interests, but this is at the discretion of the Council.

### 4. GENERAL DISPENSATIONS

- 4.1 The following general dispensations apply for the maximum permitted period of four years from the date of the decision and will be reviewed from the start of each new administration.
- 4.2 **Dual-Hatted Members:** It is expected that all dual-hatted Members will declare their Membership of the District Council or County Council, which would exclude them from any discussion which impacts on the District or County Council.

The Council therefore **grants a dispensation** for the period up to the next full Council elections in 2023 permitting any 'dual-hatted' Member to speak and vote on:

- any matters relating to any financial transactions or grants between Penrith Town Council and the District and County Council
- any matter (from a Penrith Town Council perspective) on which the "dual-hatted" Member may be called upon to re-discuss in their capacity as a Member of a District Council Committee.

- 4.3 **Planning Applications by Penrith Town Council:** It is likely that the Town Council would like to express support for any planning application made in its name, but that Members may feel that this is an item which under the old framework they would have declared a prejudicial interest.

The Council therefore **grants a dispensation** for the period up to the next full Council elections in 2023 permitting any Member to speak and vote on:

- any planning application where the promoter, applicant or landowner is Penrith Town Council.

- 4.4 **Planning and Licensing Applications that impact on Penrith Town Council:** It is likely that the Town Council would like to express an opinion on any planning or licensing application made that has a potential direct impact on the Town Council or its property, but that Members may feel that this is an item which under the old framework they would have declared a prejudicial interest.

The Council therefore **grants a dispensation** for the period up to the next full Council elections in 2023 permitting any Member to speak and vote on:

- any planning or licensing application where there is a potential direct impact on Penrith Town Council.

- 4.5 **Setting Penrith Town Council precept:** Most Members are likely to have land, licence or tenancy interests within the area of the Council and, so they would be precluded from discussing setting the precept as that will have a pecuniary impact on them. Without a dispensation, Penrith Town Council would therefore be unable to set a precept.

The Council therefore **grants a dispensation** for the period up to the next full Council elections in 2023 permitting any Member to speak and vote on:

- The Penrith Town Council budget and precept.



- 4.6 **Setting Penrith Town Council Members Allowance, travelling expense, payment or indemnity:** This has a direct financial impact on all Members.

The Council therefore **grants a dispensation** for the period up to the next full Council elections in 2023 permitting any Member to speak and vote on:

- An Allowance, travelling expense, payment or indemnity for Members.

- 4.7 **Granting a Ceremonial Honour to Members:** There may be occasions where a Ceremonial Honour is granted to a Member, but other Members may feel that this is an item which under the old framework they would have declared a prejudicial interest.

The Council therefore **grants a dispensation** for the period up to the next full Council elections in 2023 permitting any Member to speak and vote on:

- Granting a Ceremonial Honour to a Member.

- 4.8 **Discussions relating to Penrith Town Council services:** Most Members are likely to use services provided by Penrith Town Council (e.g. allotments / recreation areas) and if declared under Appendix A (e.g. allotment tenancy) would be precluded from discussing the service. Without a dispensation, Penrith Town Council may not benefit from those who have the most knowledge of the service. This would not be interests of the inhabitants of Penrith Town Council's area.

The Council therefore **grants a dispensation** for the period up to the next full Council elections in 2023 permitting any Member to speak and vote on:

- Penrith Town Council services, where the Member is a user of the service.

- 4.9 **Discussions relating to External Organisations:** Where Members hold a membership of External Organisations, the Code of Conduct requires that to be declared as an interest, which potentially limits their input into any Town Council discussion or debate relating to that External Organisation. Without a dispensation, Penrith Town Council may not benefit from the knowledge of those who know most about the External Organisation. This would not be in the interests of the inhabitants of Penrith Town Council's area.

The Council therefore grants a dispensation for the period up to the next full Council elections in 2023 permitting any Member to speak and vote on:

- External Organisations, where the Town Councillor is a member of that External Organisation.

- 4.10 **Discussions relating to Resident Associations:** Where Members are also members of local Resident Associations, the Code of Conduct requires that to be declared as an interest, which potentially limits their input into any Town Council discussion or debate relating to that Resident Association. Without a dispensation, Penrith Town Council may not benefit from the knowledge of those who know most about a particular area. This would not be interests of the inhabitants of Penrith Town Council's area.

The Council therefore grants a dispensation for the period up to the next full Council elections in 2023 permitting any Member to speak and vote on:

- Any matter relating to a Resident Association, where the Member is also a member of that Resident Association.

## **5      CONSIDERATIONS**

- 5.1    The Clerk to the Council has been given the authority to grant dispensations by resolving on 15 May 2015 that the Council delegates the power to grant dispensations to the Town Clerk under section 33(1) of the Localism Act 201, the basis being set out under section 33(2).
- 5.2    The Town Clerk will formally notify the Councillor of the decision and reasons in writing at the earliest opportunity. A request for a dispensation will be made on an individual basis.

## **6.     PROCEDURE FOR MAKING REQUESTS**

- 6.1    Any Councillor who wishes to apply for a dispensation must if possible complete a Dispensation Form at least two working days before the meeting for which the dispensation is required.
- 6.2    If a dispensation requirement arises during a meeting, that will be dealt with by that meeting under the direction of the Proper Officer.

**Signed:**

Cllr. Penrith Pategill Ward

Cllr. Penrith South Ward

Cllr. Penrith South Ward

Cllr. Penrith Carleton Ward

Cllr. Penrith East Ward

Cllr. Penrith East Ward

Cllr. Penrith East Ward

Cllr. Penrith West Ward

Cllr. Penrith West Ward

Cllr. Penrith West Ward

Cllr. Penrith North Ward

Cllr. Penrith North Ward

Cllr. Penrith North Ward

Cllr. Penrith North Ward



# Penrith Town Council

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

## **ANNUAL TOWN COUNCIL MEETING 20 MAY 2019**

### **REVISED CODE OF CONDUCT**

**AUTHOR: IAN PARKER**

**SUPPORTING MEMBER: CHAIRMAN OF THE COUNCIL**

**ITEM NUMBER: 10b**

### **RECOMMENDATIONS:**

To approve and adopt the revised Code of Conduct.

### **LAW**

- a) Pursuant to section 27 of the Localism Act 2011, Council's must adopt a Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.
- b) Members are required to register their disclosable pecuniary interests within 28 days of adoption of the code.
- c) The function of replacing and adopting the Code of Conduct must be discharged at Full Council (s.28(13) of the Localism 2011 Act).
- d) A council must publicise its adoption (and in future any revision or replacement) of a code of conduct in such manner as it considers is likely to bring the adoption, revision or replacement of the code of conduct to the attention of persons who live in its area (s. 28(12) of the Localism Act 2011).

## **1. OVERVIEW**

- 1.1 The National Association of Local Council's revised the Code of Conduct template for members.
- 1.2 A Members mandatory obligations relating to prescribed disclosable pecuniary interests are incorporated in the NALC template code of conduct.
- 1.3 The Council has a statutory duty to promote and maintain high standards of conduct by Members and the Code sets out the standards that the Council expects Members to observe.
- 1.4 The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time.
- 1.5 Failure to do so may result in a sanction being applied by the Council on the advice of the District Council's Monitoring Officer.
- 1.6 Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.
- 1.7 The code is intended to be consistent with the seven principles as attached to this code and applies whenever a person is acting in his/her capacity as a Member of the Council or co-opted member in the conduct of the Council's business or acting as a representative of the Council.

### **Members must:**

- 1.8 Act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend, a close associate, an employer or a business carried on by you.
- 1.9 Not place yourself under a financial or other obligation to outside individuals or organisations that may influence you in the performance of your official duties.
- 1.10 Not disclose any information given to you as a Member in breach of any confidence.
- 1.11 Not bring your office or your Council into disrepute.

- 1.12 Treat others with respect and promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability. You should respect the impartiality and integrity of the Council's statutory officers and its other employees.
- 1.13 Make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits on merit.
- 1.14 Be as open as possible about your decisions and actions and the decisions and actions of your Council and should be prepared to give reasons for those decisions and actions.
- 1.15 Declare any private interests, both disclosable pecuniary interests and any other registrable interests, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner which conforms with the procedures set out below.
- 1.16 Ensure, when using or authorising the use by others of the resources of your Council, that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Council Code of Publicity made under the Local Government Act 1986.
- 1.17 Members of the Council should liaise directly with the Deputy Town Clerk and the Monitoring Officer about providing written notifications about their interests.
- 1.18 Promote and support high standards of conduct when serving in public office.

## **2. FINANCIAL IMPLICATIONS**

None

### **3. RISK MANAGEMENT**

<b>RISK</b>	<b>CONSEQUENCE</b>	<b>CONTROLS REQUIRED</b>
Non-adoption of a Code of Conduct	Breach of the Localism Act.  Members not aware of the seven principles of public life and may bring the Council into disrepute.  Non-registration of a pecuniary interest.	Adoption of the Code and monitoring Members Register of Interests for accuracy.

### **4. APPENDICES ATTACHED TO THIS REPORT**

Revised Code of Conduct.

### **5. BACKGROUND PAPERS**

Previous versions of the Code of Conduct.





# Penrith Town Council

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## CODE OF CONDUCT

### 1. INTRODUCTION

- 1.1** Pursuant to section 27 of the Localism Act 2011, Penrith Town Council ('the Council'), has adopted this Code of Conduct to promote and maintain high standards of behaviour by its Members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.
- 1.2** This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

### 2. DEFINITIONS

- 2.1** For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or subcommittee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or subcommittee.
- 2.2** For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.
- 2.3** For the purposes of this Code, and unless otherwise expressed, a reference to a Member of the Council includes a Co-opted Member of the Council.

### **3. MEMBER OBLIGATIONS**

- 3.1** When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations:
- a)** He/she shall behave in such a way that a reasonable person would regard as respectful.
  - b)** He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
  - c)** He/she shall not seek to improperly confer an advantage or disadvantage on any person.
  - d)** He/she shall use the resources of the Council in accordance with its requirements.
  - e)** He/she shall not disclose information which is confidential or where disclosure is prohibited by law.
  - f)** You must not bring your office or your Council into disrepute.

### **4. REGISTRATION OF INTERESTS**

- 4.1** Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
- 4.2** Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.
- 4.3** A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
- 4.4** A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

### **5. DECLARATION OF INTERESTS AT MEETINGS**

- 5.1** Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
- 5.2** Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.

- 5.3** Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
- 5.4** A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.
- 5.5** Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest of a person in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

## **6. DISPENSATIONS**

- 6.1** The Council adopts each four-year Council term a corporate Council dispensation.
- 6.2** For all other dispensations, on a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

**INTERESTS DESCRIBED IN THE TABLE BELOW**

<b>Subject</b>	<b>Description</b>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12-month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	<p>Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of* ) and the Council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	<p>Any beneficial interest in land held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partner which is within the area of the Council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licences	Any licence (alone or jointly with others) held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners to occupy land in the area of the Council for a month or longer.

Subject	Description
Corporate tenancies	<p>Any tenancy where (to the member's knowledge)—</p> <p>(a) the landlord is the Council; and</p> <p>(b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners in securities* of a body where—</p> <p>(a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds €25,000 or one hundredth of the total issued share capital of that body; or</p> <p>if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>
<p>* 'director' includes a member of the committee of management of an industrial and provident society.</p> <p>* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.</p>	

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- (ii) any body—
  - (a) exercising functions of a public nature;
  - (b) directed to charitable purposes; or
  - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;
- (iii) any gifts or hospitality worth more than an estimated value of €50 which the member has received by virtue of his or her office.

**SEVEN GENERAL PRINCIPLES OF CONDUCT****1. Selflessness**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**2. Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**3. Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, holders of public office should make choices on merit.

**4. Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**5. Openness**

Holders of public office should be as open as possible about the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands

**6. Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest

**7. Leadership**

Holders of public office should promote and support these principles by leadership and by example and should act in a way that secures or preserves public confidence.



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## **ITEM 10 d) i)**

### **DRAFT ASSET VALUATION POLICY**

This policy has been formulated by the Town Council to meet the requirements of statutory proper practice as issued under the Accounts and Audit Regulations 2015. The Council maintains an up to date register of its fixed assets and long-term investments. The register includes a description of each asset, date of acquisition, purchase price or proxy value and insurance value. The register provides the basis for the asset values reported in statutory returns.

Small value assets up to a value of £100 are considered de minimis and not included in the register. IT software is an intangible asset and is not treated as a fixed asset.

A newly acquired asset is added to the register at the date of acquisition. It is assigned to a particular category which both groups similar assets and determines the basis of their valuation:

- a) The following categories of asset have a nominal proxy value of £1:
  - Community Assets, i.e. assets that do not have a functional purpose or any intrinsic resale value;
  - Gifted assets; and
  - Assets transferred from other authorities, eg under a devolution scheme.
- b) Leased assets are included in the register for management purposes only, with no value attached.
- c) All other categories of asset are valued at their actual purchase cost, unless this is not known, in which case a proxy cost is applied. This proxy value is taken to be the insurance value of the asset at the date of acquisition.

Where the acquisition date of an asset is not known, it is included in the asset register at the earliest opportunity, recording the date of its recognition.

The value of an asset is not altered unless, in the case of assets recorded at actual purchase cost or at a proxy insurance value, there has been subsequent expenditure which materially enhances the asset or substantially increases its life.

On the disposal of an asset, its register value is reduced to nil at the date of the disposal.

This policy applies for the financial year 2018/19 onwards and can only be amended by a resolution of Council.





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## **ITEM 10 d) ii)**

### **DRAFT PETITION SCHEME**

The Town Council encourages community feedback and recognises that petitions are one way in which people can let the council know their concerns.

The petitions process allows members of the public to have direct influence on the political process and to raise concerns that are important to them.

Members of the public can submit petitions on the following:-

- Issues relating to the Council's responsibilities
- Issues which affect Penrith if the Council can exercise some degree of influence
- Anything relating to an improvement in the economic, social or environmental wellbeing of Penrith to which any of the Council's partners could contribute.

The Council will respond to all petitions it receives. We will be as flexible as we can when handling your petitions, that it is considered quickly, and in the most appropriate way. Essentially, there are 2 types of petition:

#### **Ordinary petitions**

These must be signed by at least 15 people, but the Council will use its discretion where there are fewer than 15 signatories in cases where there is clear local support for action (e.g. where those affected are only from a small area). The petition will be put forward for debate, as a separate agenda item, at the next suitable meeting of the Council. Where a petition is debated by committee, the Chairman of the committee shall report on this to the next Council meeting.

#### **Petitions requiring debate**

Petitions which contain 150 signatures or more will normally be debated by the Full Council.

## How do I submit petitions?

Petitions can be either paper or electronic. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 5 working days of receipt. This acknowledgement will set out what we plan to do with the petition.

We will treat as a petition for the purposes of this scheme anything which identifies itself as a petition, or which a reasonable person would regard as a petition, and which is signed by the persons who live or work within the parish of Penrith.

### Paper petitions can be sent to:

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

**or** e-mailed to: [office@penrithtowncouncil.co.uk](mailto:office@penrithtowncouncil.co.uk)

Petitions submitted to the Council must include a clear and concise statement covering the subject of the petition.

It should state:

- What action the petitioners wish the Council to take.
- The name, address and signatures of any person supporting the petition (the address can be an address where a signatory lives, works or studies). The Council will validate 10% of all signatures received by comparing signatures/addresses/e-mail addresses against records held by the Council.
- Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed in the public domain. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organisers.

A template petition is available for you to use at the end of this policy.

Before submitting a petition you should first check with your Ward Councillor or with the Council, to see if the Council is already acting on your concerns and the Council is the most appropriate body to receive your petition, as sometimes your petition may be more appropriate for another Public Body.

**Public Consultations:** If the petition is concerned with a matter that is currently under consultation then every effort will be made to include it as a response, but to do so it must be received before the end of the consultation period.

## **GUIDANCE**

### **Who can submit a petition?**

Anyone who lives, works or studies in Penrith including under 18s, can sign or organise a petition.

### **What will the Council do when it receives my petition?**

We will acknowledge the petition within 5 working days of receiving it and let the petition organiser know what we plan to do with the petition, and when they can expect to hear from us again. It will also be published on the website under the "Your Say" section of the site. If the petition needs more investigation, we will tell you the steps we plan to take. In most cases your petition will be submitted to one of the Council's formal committee meetings where elected Councillors will decide how to respond to the petition.

### **Full Council Debates**

If a petition contains more than 150 signatures it will normally be debated by the full Council if deemed appropriate. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The petition organiser (or a nominee) will be given up to a maximum of 5 minutes to present the petition at the meeting, and the petition will then be discussed by Councillors.

The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, refer the issue to a relevant Committee. The petition organiser will receive written confirmation of this decision.

Petitions asking for a debate at Council will normally be considered at the next meeting of the Full Council but must be received at least 10 working days before the date of the meeting.

### **Are there any petitions which the Council cannot accept?**

We believe that most petitions we receive will be accepted, but in certain circumstances may not be accepted, including:

- If the petition applies to a planning application, is a statutory petition or on a matter where there is already an existing right of appeal or a separate complaints process that is led by the district council.
- Any petition which we consider to be vexatious, abusive or otherwise inappropriate. We will explain the reason for this in our acknowledgement of the petition.
- Where a person or organisation (or someone on their behalf) has submitted a petition which is the same or substantially the same, as one submitted within the previous 12 months.

If we decide that a petition is not acceptable, then we will let the Petition organiser know our reasons.

If a petition relates to the responsibilities of one of our partners, then the petition will be forwarded to that partner for them to deal with, unless the petition is to an improvement in the economic social or environmental wellbeing of the area. In those cases the petitions will be considered under the Council's Petition scheme.

### **How will the Council respond to petitions?**

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:-

- Taking the action requested in the petition
- Considering the petition at a Council meeting
- Holding an inquiry into the matter
- Undertaking research into the matter
- Holding a public meeting
- Carrying out consultation
- Holding a meeting with the petitioners
- Writing to the petition organiser setting out our views about the request in the petition.

To ensure that people know what we are doing in response to the petitions we receive, details of all the petitions submitted to us will be published on our website. We will publish all correspondence relating to the petition (all personal details will be removed).

### **Is there anything else I can do to have my say?**

As a Council we try to identify and solve problems at an early stage. We are committed to receiving feedback as this helps us to develop and review services. We recognise that petitions are just one way in which people can let us know about their concerns.

There are several other ways that you can have your say including:-

- Contacting your local Councillors
- Attending meetings
- Contacting the Council Office

## PETITION TO PENRITH TOWN COUNCIL

**PURPOSE OF PETITION:** (e.g.) [We, the undersigned object to.../Wish the Council to.../ Are concerned that...]

**LEAD PETITIONER:** (organiser of the petition) Mr/s Name, Address, email contact, (name of organisation represented (if any) e.g.) Local residents.... Residents' Association name... Neighbourhood Watch...

**If you support this petition please sign below**

	Print Name	Address	Signature
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			



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## **FULL COUNCIL 20 MAY 2019**

### **MATTER: MEETINGS, MEMBERSHIP & COMMITTEE CHAIRMAN**

**AUTHOR: IAN PARKER**

**ITEM NUMBERS: 11,12,13,14**

### **RECOMMENDATIONS:**

- i) To approve the date, time of future Full Council and Committee Meetings as recommended by the standing committees of the Council.
- ii) To approve the membership to each committee.
- iii) To elect a chairman for each committee.
- iv) To appoint representatives to external bodies.

### **LAW**

- A local council must hold at least four meetings in each year; one of which must be the annual meeting. In a local council election year, the annual meeting must take place on or within fourteen days of the day on which the elected councillors take office (20 May). Present councillors will retire four days after polling day (6 May) and the new council comes into office on the same day, LGA 1972 s16(3). In other years, the annual meeting of the Town Council must be held on any day in May.
- The date and time of "ordinary" meetings of the Council must be agreed under LGA 1972 Sch12 para 8(2).
- A Council may appoint committees or sub-committees(s.101(2) of the 1972 Act).

- In respect of the appointment of a committee by full council or the appointment of a sub-committee by a committee, s.102 of the 1972 Act requires them to determine:
  - the number of members;
  - the terms of office of those members; and
  - the area within which the committee is to exercise its authority (if restricted).
- S.106 of the 1972 Act provides that subject to any standing orders that the council has made in respect of quorum, proceedings and the place of meeting of a committee or sub-committee, the committee or sub-committee can determine the standing orders for their quorum, proceedings and place of meeting.
- The 1972 Act does not prescribe the minimum number of members for a committee or a sub-committee. In the Hillingdon case, the court confirmed that the minimum number of members should be more than one. If there were only two members, the person presiding could (but is not required to) exercise his casting vote (by virtue of paragraph 39(2) of Schedule 12 to the 1972 Act). If he did exercise his casting vote, he could always secure a decision to his liking. In practice, the chairman of a committee comprised of only two members would have the sole power to take a decision which would conflict with the ruling in the Hillingdon case. It is the opinion of the National Association of Local Councils that the minimum number of members of a committee or sub-committee is three.

## **1. OVERVIEW**

1.1 It is often impractical for the Full Council to meet every time decisions need to be made and therefore legislation permits a council to delegate the performance of its statutory and legal responsibilities to:

- A committee
- A sub-committee
- An officer
- Another local authority

1.2 Committee and sub-committee meetings can be held frequently, and these are easier to schedule than full council meetings because fewer councillors are involved. Such arrangements, for example, enable local councils to respond to planning applications affecting their area within the timeframe allowed.

1.3 The Full Council generally meets bi-monthly, on a fixed day with the exception being August. These are termed “ordinary” meetings and are listed in the Council’s calendar of meetings issued by the Town Clerk.

1.4 A council may decide to meet at any time of the day, but the annual meeting must be held at 6.00pm unless agreed otherwise by Full Council.

1.5 When statutory functions are conferred on a local council, they are given to the Full Council. This means that formal decisions (known as resolutions) about the discharge of the council's statutory functions and the related responsibilities must be made at meetings of the Full Council.

1.6 A council cannot delegate responsibility for the performance of all its statutory functions. A council should be alert to the existence of statutory prohibitions to the delegation of particular statutory functions of a council. For example, a council's functions with respect to issuing a precept can only be discharged by the full council (s.101 (6) of the 1972 Act).

1.7 It is common practise for a finance committee to consider the level of precept and to make recommendations to the full council who can then make a final decision. Using another example, only full council can decide to borrow money (paragraph 2(4)) of schedule 1 to Local Government Act 2003 or can adopt or revise the code of conduct applicable to its members (s.28(13) of the Localism Act 2011 and, in Wales, s.51(9) of the Local Government Act 2000).

1.8 The appointment of a committee by full council or the appointment of a subcommittee by a committee must be confirmed by resolution.

1.9 The appointing body for a committee or subcommittee must also decide, by resolution, the nature and scope of the responsibilities that it is delegating. In other words such resolution will confirm the terms of reference for the committee or, as the case may be, the sub-committee.

1.10 The terms of reference, membership number, quorum for each committee are recorded in the Council's Delegation Scheme.

1.11 Sometimes councillors wish to attend meetings of committees (or subcommittees) to which they have not been appointed. This is a perfectly legitimate practice as councillors have the same rights to attend committee (or sub-committee) meetings as members of the public. However, where councillors attend meetings of committees (or sub-committees) to which they have not been appointed, they will not enjoy all the rights they enjoy as councillors. They will not have a right to participate in the meeting unless the meeting includes a public participation session. In England, a councillor (or non-councillor) member of a committee is not, without a dispensation, permitted to speak during a public participation session if he holds a disclosable pecuniary interest or another interest stipulated by his council's code of conduct in a matter that is being discussed during the public participation session of a meeting.

## **2. FINANCIAL IMPLICATIONS**

Room hire for St. Andrews.



### 3. RISK MANAGEMENT

RISK	CONSEQUENCE	CONTROLS REQUIRED
Meetings are not scheduled to meet statutory requirements	The Council would be acting unlawfully	Annual schedule of meetings
Meeting membership inadequate	Not quorate	Agree six members for each committee
Inadequate terms of reference	Committees act unlawfully	Annual review of the Scheme of Delegation

### 4. APPENDICES ATTACHED TO THIS REPORT

**A:** Meetings Calendar

**B:** Current meetings and membership

**C:** External Bodies

### 5. BACKGROUND PAPERS

#### INTERNAL

SCHEME OF DELEGATION

STANDING ORDERS

#### EXTERNAL

Arnold Baker on Local Council Administration 11 <sup>th</sup> Edition	Paul Clayden LexisNexis ISBN 978-1-4743-1228-8
Clerks Manual	Society of Local Council Clerks ISBN 0-9550389-0-1

#### NALC Legal Topic Notes (LTN) relevant to this subject:

LTN	Title	Relevance
5	Parish and Community Council Meetings	Sets out the procedures and requirements of committees in further detail.
7	Non-Councillor Members of Committees	Sets out (i) the powers of councils to appoint non-councillors to sit on committees and (ii) qualification and disqualification provisions in respect of non-councillors.
80	Members' conduct and the registration and disclosure of their interests (England)	Explains councillors' obligations upon taking office.

**ITEM 11 To fix the dates and times of ordinary meetings of the Council and Committees for the ensuing year, noting they are subject to change.**

<b>PENRITH TOWN COUNCIL MEETINGS CALENDAR 2019-20</b>				
<b>MONTH</b>	<b>FULL COUNCIL</b>	<b>FINANCE</b>	<b>CCEG</b>	<b>PLANNING</b>
<b>TIME</b>	<b>18.00–20.00</b>	<b>14.15-16.00</b>	<b>16.00-18.00</b>	<b>14.15-16.00</b>
<b>MAY</b>	20			
<b>JUNE</b>		17	17	3
<b>JULY</b>	15			8
<b>AUGUST</b>				
<b>SEPTEMBER</b>	23	9	9	2
<b>OCTOBER</b>				7
<b>NOVEMBER</b>	25	11	11	4
<b>DECEMBER</b>				2
<b>JANUARY</b>	27	13	20	13 <u>after Finance</u>
<b>FEBRUARY</b>				3
<b>MARCH</b>	23	9	9	2
<b>Annual Town Meeting</b>	16			
<b>APRIL</b>		27		6
<b>MAY</b>	18 Annual PTC Meeting		11	11

**ITEM 12 To appoint members and deputies to serve on the under mentioned Standing Committees:**

**MEMBERSHIP AS OF 18-19**

**Planning Committee – Six Members plus two deputies**

Cllr. Jackson – **Chairman**

Cllr. Bowen

Cllr. Kenyon

Cllr. Burgin – **Standing Deputy**

**Finance Committee - Six Members plus two deputies**

Cllr. Bowen

Cllr. Burgin - **Vice Chairman**

Cllr. Jackson

Cllr. Kenyon - **Chairman**

**Community, Culture & Economic Growth Committee Meetings**

**- Six Members plus two deputies**

Cllr. Burgin

Cllr. Donald

Cllr. Jackson - **Chairman**

Cllr. Kenyon

Cllr. Lawson

**ITEM 13 Election of Committee Chairmen**

To elect Chairmen to serve on the under mentioned Standing Committees:

**d)** Planning – 18-19 Chairman – Cllr. Jackson

**e)** Finance - 18-19 Chairman – Cllr. Kenyon

**f)** Communities, Culture & Economic Growth - 18-19 Chairman – Cllr. Jackson

**ITEM 14 Appointments to External Bodies**

To appoint representatives on the under mentioned bodies, noting that Members may already hold existing membership with numerous other local organisations which are listed in their Register of Interests:

**2018-19 Representatives to External Bodies:**

- a.** Eden Local Association of Local Councils (2 Members) - NONE
- b.** Omega Proteins – Town Clerk/Services and Contracts Manager
- c.** Friends of Coronation Gardens – Cllr. Burgin/Services and Contracts Manager
- d.** Friends of Eden Valley Public Transport – Cllr. Jackson
- e.** Penrith Business Improvement District – Economic Development Officer

**ITEM 15: ASSET REGISTER**  
**AVAILABLE ON LINE**



# Penrith Town Council

**FULL COUNCIL 20 MAY 2019**

**ANNUAL REVIEW OF FEES AND CHARGES**

**AUTHOR: Ian Parker – Services and Contracts Manager**

**LEAD COUNCILLOR: CLLR KENYON**

**ITEM NUMBER: 16**

## **RECOMMENDATIONS**

To **RATIFY** the Fees and Charges for the hire of the Boardroom, Meeting Room and Cornmarket Bandstand as approved and recommended by the Finance Committee.

### **1. LAW: LINK TO COUNCIL**

Subject	Power	Legislation
Conference Facilities	Power to provide and encourage the use of conference facilities.	Local Government Act 1972, section 144
Entertainment and the Arts	Provision of entertainment and support for the arts including festivals and celebrations.	Local Government Act 1972

### **2. LINKS TO COUNCIL PRIORITIES**

This report links to the strategic priority for Core Council Business to ensure that the Council is run in a lawful and business-like manner. This report also addresses the Health and Wellbeing strategic priority and meets the aim to support and contribute to the social fabric of the town, by enhancing community facilities and supporting arts and culture.

### 3. BACKGROUND

- 3.1** The Council approved a scale of Fees and Charges for the hire of the Boardroom and the Meeting Room (Minute PTC18/12) and Cornmarket Bandstand (Minute PTC18/19) at the Annual Meeting of the Town Council held on the 21 May 2018.
- 3.2** This report sets out the proposed scale of Fees and Charges for the 2019-20 municipal year. The Fees and Charges are shown in Appendix A.
- 3.3** It is proposed that the scale of Fees and Charges remains the same as the previous year. Members are advised to note the introduction of an additional fee for the daily hire of the Cornmarket Bandstand for Commercial Events and Private Business use for promotional purposes which is proposed at £60 per day.

### 4. FINANCE IMPLICATIONS

- 4.1** The Fees and Charges for the hire and use of the Council's facilities allows the Council to generate an income.

### 5. RISK ASSESSMENT

Risk	Consequence	Controls Required
Usage arrangements not in place	No established usage policy will lead to inconsistency in usage and charging.	Have a Booking and Hire policy in place for meeting rooms and the Cornmarket Bandstand.
Financial risk from having no established fees and charges	Lack of consistency in charging.	Agree scale of Fees and Charges.
Reputation risk whereby the Council must take care not to increase fees and charges by too large an amount.	This may result in criticism from the public and other stakeholders	Officers will monitor usage/affordability.

### Officer contact Details

Ian Parker Services and Contracts Manager

Email: [scmanager@penrithtowncouncil.co.uk](mailto:scmanager@penrithtowncouncil.co.uk) Tel: 01768 899773

## Appendix A – Proposed Fees and Charges 2019 – 2020

Asset	Group	Cost (£)
Cornmarket Bandstand	Community Organisations, Charities, Constituted Groups	Free of Charge
	Commercial Events	£12.00 per hour; or £30.00 per morning (3 hours) or £42.00 for the afternoon (4 hours) £60.00 Full Day
	Private Business Use for Promotional purposes	£12.00 per hour; or £30.00 per morning (3 hours) or £42.00 for the afternoon (4 hours) £60.00 Full Day
Boardroom	Businesses, large organisations, non-political organisations, other authorities	£12.00 per hour; or £30.00 per morning (3 hours) or £42.00 for the afternoon (4 hours)
Meeting Room	Businesses, large organisations, non-political organisations, other authorities	£6.00 per hour; or £15.00 per morning (3 hours) or £21.00 for the afternoon (4 hours)
Boardroom and Meeting Room combined use	Businesses, large organisations, non-political organisations, other authorities	£15.00 per hour; or £37.00 per morning (3 hours) or £52.00 for the afternoon (4 hours)
Boardroom and Meeting Room	Registered Charities	Discounted charge - 20% off agreed rate
Boardroom and Meeting Room	Local groups affiliated to the Town Council:  Penrith Community Gardeners  Fairhill Community Group  Penrith Allotment Association  Penrith in Bloom	No Charge



# **ITEM 17 a To ratify the Internal Audit Report for year-end 31 March 2019.**

## **YEAR END REPORT BY THE INTERNAL AUDITOR – PENRITH TOWN COUNCIL FINANCIAL YEAR ENDING 31 MARCH 2019**

I confirm I have, on the 25th April 2019 undertaken an internal audit for the period 1<sup>st</sup> October 2018 - 31<sup>st</sup> March 2019 in accordance with the Account and Audit Regulations (England) 2015 as outlined in the Audit Plan approved by Council and incorporating any new requirements as outlined in "Governance and Accountability for Local Councils" A Practitioners' Guide (England) March 2018

This report supplements the information reported in the first half -year audit.

### **1. Proper Bookkeeping**

A clear audit trail exists from all primary accounts, which are produced on the Sage accounting package. The manual transitions provide a clear audit trail to fulfil the format required by the Account and Audit Regulations. All are balanced monthly and are accurate. Robust backup procedures exist to safeguard computer records.

### **2. Standing Orders/Financial Regulations/Transparency Legislation**

The Council has documents tailored to the operation of Penrith Town Council. A methodical routine for the annual review and adoption of all governance documents ensures the Council has continuous compliance with Account and Audit Regulations.

The website sets a benchmark for local councils. It ensures the Transparency Code achieves the objective of fully informing the elector of the prudent spend of public monies, by the publishing of all required data.

### **3. Invoice procedure**

A random check was made of invoices paid in the period. All comply with Financial Regulations and adheres to the principle of Best Value.

### **4. VAT**

Vat has been recorded and the correct sum of £3898.20 has been identified for the final quarter of the financial year. 1<sup>st</sup> January 2018 – 31<sup>st</sup> March 2019.

### **5. Sct 137 Payments**

The Council is fully compliant with the statutory requirement to maintain 'a separate account' of expenditure under Local Government Act 1972 section 137 by the inclusion in the cashbook of a separate accounting column. All grant expenditure is listed with the relevant LGA Power within the Act.

### **6. Risk Management**

The risk assessment documents were reviewed and adopted as noted in the first half-year report.

### **7. Internal Financial Controls**

The financial management system recommended by the Town Clerk and subsequently adopted and approved by Council is extremely risk -adverse and fulfils all reporting requirements. There is a clear audit trail enabling verification of the accuracy of all documents produced by the External Accountant and the in-house team.

### **8. Register of Interest**

Copies of all documentation are retained on file and members fulfil their obligation to advise and declare as appropriate and update their personal register.

## **9. Budgetary Control**

A correct budget process is in place and the budget is monitored.

The accounting method enables immediate identification of monthly and cumulative spends to each budget heading. The financial reports presented by the Responsible Financial Officer (RFO) enables the council to readily address any budget under/overspends and if necessary make the relevant virements

## **10. Cash Balances at the Bank**

The balances at the bank as at the 31<sup>st</sup> March 2019 are considered adequate to enable the Council to fulfil budgeted expenditure, deliver planned projects and retain an adequate cash flow.

## **11. Income Controls**

All income is promptly banked upon receipt.

## **12. Officers Expenses/Corporate Credit Card.**

Officers' spend is undertaken via a credit card which is settled in full as demanded on the payment date. A reconciled account is notified to the members at each meeting.

Sums drawn are allocated to the appropriate budget head and VAT is identified and claimed.

## **13. Payroll Controls**

PAYE/NIC records are undertaken externally and are properly operated and up to date.

All statutory payments to HMRC and Pension provider have been made. The accuracy of the deductions and payments is confirmed.

## **14. Asset Control**

The Asset Register will again be reviewed in April and adopted at the Council meeting to be held on 20<sup>th</sup> May 2019, to ensure acquisitions and disposals incurred up until 31<sup>st</sup> March 2019, if appropriate, are included in the completed register. The sum of £38070 at the 31<sup>st</sup> March 2019 is verified and documented in the Annual Governance and Accountability Return (AGAR). All assets are adequately covered by insurance.

## **15. Bank Reconciliation**

The core cash accounts are reconciled to the bank statements bi-monthly and accurately state the financial cash position of the council. A member validates the information by a signature on the relevant bank statement/s.

## **16. Year End Accounts**

Penrith Town Council produces accounts on an Income and Expenditure basis as required by the Accounts and Audit Regulations

## **Conclusion.**

It is confirmed that Penrith Town Council is fully compliant with all Account and Audit Regulations, Transparency Legislation and all other statutory requirements.

In concluding the Internal Audit for the financial year 2018-19 I thank the Officers for the provision of meticulous records. I would also commend the assistance of the Accountant for his thorough understanding of the requirements to convert the Sage records into the format required to comply with the local authority Account and Audit Regulations.

**Georgina D. Airey – Internal Auditor. 25<sup>th</sup> April 2019**

# ITEM 17 c) ii) To ratify the Annual Governance Statement for year-end 31 March 2019.

## Section 1 – Annual Governance Statement 2018/19

We acknowledge as the members of:

PENRITH TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2019, that:

	Agreed		"Yes" means that this authority:
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓		has only done what it has the legal power to do and has complied with Proper Practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable, in our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			✓

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets should be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

and recorded as minute reference:

M

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

Clerk

Other information required by the Transparency Codes (not part of Annual Governance Statement)  
Authority web address

www.penrithtowncouncil.co.uk

# ITEM 17 d To ratify the Bank Reconciliations for year-end 31 March 2019.



Contact tel 03457 60 60 60  
see reverse for call times  
Text phone 03457 125 563  
used by deaf or speech impaired customers  
www.hsbc.co.uk

9 March to 8 April 2019

Your Statement

Account Name  
Penrith Town Council

Sortcode Account Number Sheet Number  
41

## Your Business Current Account details

Date	Payment type and details	Paid out	Paid in	Balance
	BP BALANCE BROUGHT FORWARD			196,731.45
	ROYAL MAIL			
	9058455573	92.93		186,638.52
25 Mar 19	BP DE LA MARE PHOTOGR			
	PENRITH TOWN COUNC	3,000.00		
	VIS UU PROPERTY SEARCH			
	0670 751 0101	40.10		
	VIS INT'L 0089300007			
	ADOBE ACROPRO SUB			
	ADOBE.LY/BILL	15.17		183,583.25
26 Mar 19	BP VIVIEN TUNNADINE			
	PENRITH TOWN COUNC			
	BP CAROL GREY			
	PENRITH TOWN COUNC			
	BP ROSALYN RICHARDSON			
	PENRITH TOWN COUN			
	BP ANNA MALINA			
	PENRITH TOWN COUNCI			
	BP IAN PARKER			
	PENRITH TOWN COUNC			
	BP JOHN JONES			
	PENRITH TOWN COUNC			
	CR PENRITH TOWN COUNC			
	UTB CLOSURE			
29 Mar 19	BP PENRITH LIONS CLUB		4,264.30	178,530.25
	PENRITH TOWN COUNC	8,500.00		
	BP THE SALVATION ARMY			
	PENRITH TOWN COUNC	783.00		
	BP FENLAND LEISURE			
	PENRITH TOWN COUNC	28.80		
	BP KTD			
	K17046	279.22		
	BP LOWTHER FORESTRY			
	PEN13	270.90		
	BP IAN PARKER			
	PENRITH TOWN COUNC	27.45		168,640.88
01 Apr 19	SO LAMONT PRIDMORE			
	PENRITH TOWN COUN	1,800.00		
	BP PENRITH LIONS CLUB			
	PENRITH TOWN COUNC	2,960.00		
	BP PENRITH AIR CADETS			
	PENRITH TOWN COUNC	2,000.00		
	BP HEATONS OFFICE SOL			
	PENTOW	592.15		
	BALANCE CARRIED FORWARD			161,288.73

Date: 08/04/2019  
Time: 10:09:20

**Penrith Town Council**  
**Bank Reconciliation**

Page: 1

Bank Ref: 1205  
Bank Name: HSBC  
Currency: Pound Sterling

Date To: 31/03/2019  
Statement Ref: 31-03-2019

Balance as per cash book at 31/03/2019:

154,658.73

**Add: Unpresented Payments**

Tran No	Date	Ref	Details	£
1853	22/03/2019	218	Lions Club of Penrith - Grant	2,960.00
1854	29/03/2019	219	Penrith BID - Grant	6,000.00
1857	29/03/2019	221	1247 Penrith Squadron Air	2,000.00
1863	29/03/2019	227	Heatons Office Solutions -	592.15
1865	29/03/2019	229	PACT Ltd - Tree Removal	630.00
1874	31/03/2019		Lamont Pridmore	1,800.00

13,982.15

**Less: Outstanding Receipts**

Tran No	Date	Ref	Details	£

0.00

Reconciled balance :

168,640.88

Balance as per statement :

168,640.88

Difference :

0.00



Savings



Our Ref: COUNTER/TW

29th March 2019

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

Dear Sirs

**Account Number 0 [REDACTED] 2**

Further to your recent request, I confirm that the balance on your above numbered account at today's date is £138,860.35.

Should you require any further assistance or information please do not hesitate to contact the branch where we will be happy to help.

Yours sincerely

Trevor Wilson  
Customer Representative

Penrith Building Society  
7 King Street  
Penrith, Cumbria  
CA11 7AR

T: 01768 363 675  
E: [enquiries@penrithbs.co.uk](mailto:enquiries@penrithbs.co.uk)  
W: [www.penrithbs.co.uk](http://www.penrithbs.co.uk)

A member of the Building Societies Association.  
Authorised by the Prudential Regulation Authority and  
regulated by the Financial Conduct Authority and the Prudential  
Regulation Authority under registration number 164473.

Date: 02/04/2019  
Time: 10:13:08

**Penrith Town Council**  
**Bank Reconciliation**

Page: 1

<b>Bank Ref:</b>	1215	<b>Date To:</b>	31/03/2019
<b>Bank Name:</b>	Penrith Building Society	<b>Statement Ref:</b>	31-03-2019
<b>Currency:</b>	Pound Sterling		

**Balance as per cash book at 31/03/2019:** 138,860.35

**Less: Outstanding Receipts**

Tran No	Date	Ref	Details	£
				<u>0.00</u>

**Reconciled balance :** 138,860.35

**Balance as per statement :** 138,860.35

**Difference :** 0.00

# Statement of your account



BANK WITH U.S. BANK ON U.S.

04001671 | 02257  
Mrs V Tunnadine  
Penrith Town Council  
Unit 1 Church House  
19-24 Friargate  
Penrith Cumbria  
CA11 7XR

PO Box 7193, Planetary Road, Willenhall WV1 9DG

To learn more about our convenient and easy to use Internet Banking service, call us today on 0345 140 1000.

If your name and address are incorrect or have changed, please visit [www.unity.co.uk/update-your-details/](http://www.unity.co.uk/update-your-details/)

For foreign payments -

Swift Code (BIC): NWBKGB2L

IBAN Number: GB93NWBK60023571418024

Your deposits with Unity Trust Bank are eligible for protection up to £85,000 under the Financial Services Compensation Scheme (FSCS). For more information about compensation provided by the FSCS, please visit [www.FSCS.org.uk](http://www.FSCS.org.uk) or refer to our FSCS Information Sheet and Exclusions List at [www.unity.co.uk/fscs](http://www.unity.co.uk/fscs)

## Contact us

Tel. 0345 140 1000

Email: [us@unity.co.uk](mailto:us@unity.co.uk)

Web: [www.unity.co.uk](http://www.unity.co.uk)

Name of account: Penrith Town Council

Date: 1 April 2019

Statement 052 (page 1 of 1)

Account number: [REDACTED]

Bank sort code: 608301

Type of account: Current T2

Date	Details	Payments	Receipts	Balance
4 MAR 19	Balance brought forward			4,264.30 *
28 MAR 19	B/P to: PENRITH TOWN COUNC	4,264.30		0.00 *
31 MAR 19	Service Charge	18.00		18.00 DR
1 APR 19	Refund Commission		18.00	0.00 *
	Balance carried forward			0.00 *

You can ask us to send you details of our rates and how we work them out.  
Abbreviations: \* credit balance DR overdrawn S Sub total (intermediate balance)



Date: 02/04/2019  
Time: 09:56:43

**Penrith Town Council**  
**Bank Reconciliation**

Page: 1

<b>Bank Ref:</b>	1200	<b>Date To:</b>	28/03/2019
<b>Bank Name:</b>	Unity Trust	<b>Statement Ref:</b>	28-03-2019 (now closed)
<b>Currency:</b>	Pound Sterling		

Balance as per cash book at 28/03/2019: 0.00

**Add: Unpresented Payments**

Tran No	Date	Ref	Details	£
				<u>0.00</u>

**Less: Outstanding Receipts**

Tran No	Date	Ref	Details	£
				<u>0.00</u>

Reconciled balance : 0.00

Balance as per statement : 0.00

Difference : 0.00



# Penrith Town Council

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

## **FULL COUNCIL 20 MAY 2019**

### **FINANCE OUTTURN REPORT - YEAR ENDED 31 MARCH 2019**

**AUTHOR: Jack Jones - RFO**

**SUPPORTING MEMBER: Cllr Ron Kenyon -  
Chairman of Finance Committee**

### **ITEM NUMBER: 17 e)**

To **RATIFY** the final outturn report for the financial year ended 31 March 2019, which has been reviewed and approved by the Finance Committee.

### **RECOMMENDATIONS**

Council is recommended to:

- i) consider and ratify the outturn report;
- ii) confirm the transfers to reserves shown in the Outturn Statement; and
- iii) ratify an exception to Financial Regulations to allow Planning Committee to carry forward unspent budget provision totalling £23,715 from 2018/19 into 2019/20.

### **1. LAW**

The Local Government Act 1972 requires the Council to have sound financial management. The Accounts and Audit Regulations 2015, supplemented by statutory guidance on proper practice, prescribes an accounting regime for local councils.

## 2. LINK TO COUNCIL FUNCTIONS

SUBJECT	POWER	LEGISLATION
Financial accounting, management and control.	The Council is required to have sound financial administration and report its accounts in accordance with proper practice.	Local Government Act 1972. Accounts and Audit Regulations 2015, issued under the Local Audit and Accountability Act 2014

## 3. LINKS TO COUNCIL PRIORITIES

Robust budgetary control supports the Council in its delivery of priorities within the approved budget framework. Accurate accounting and reporting enables the Council to make informed decisions on its finances.

## 4. REPORT DETAILS

### A. 2018/19 Outturn Statement: Income and Expenditure Account (Appendix A)

The attached outturn statement shows the following information, analysed over the most detailed budget headings:

- The actual outturn figures for the preceding financial year 2017/18, for reference only as several headings are not directly comparable with the 2018/19 headings.
- The full year's Amended Budget for 2018/19, based on the budget approved by Council on 26 February 2018, as adjusted by the agreed carry forward of unspent budgets totalling £66,000 from 2017/18. In accordance with decisions of Council on 21 May 2018 and Finance Committee on 11 June 2018, these resources have been allocated to CCEG Committee £45,000, Planning Committee £11,000 and Finance Committee £10,000 (Armistice Centenary Project Fund).

For clarity and future comparisons, the budget headings reflect the changes to services which have been made for 2019/20, e.g. moving Corporate Communications to CCEG Committee and renaming Bloom budgets as Greening.

- Actual outturn income and expenditure for 2018/19, based on the matching principle, which means taking account of all income and expenditure which relates to the year, irrespective of when it is received/paid.
- Members are reminded that it will take a full annual cycle for this system to settle down as several of the necessary adjustments were not made at the end of 2017/18 and therefore have not been brought forward into 2018/19; as a result, some headings will show a technical over or under spend at year-end.

- The variance between the actual income and expenditure and the amended budget for the year. Variances are expressed as favourable (positive) where there was an underspending or increased income, and as adverse (negative and bracketed) where there was an overspending or reduced income.
- The position on the Council's three reserves: its General Reserve, Devolution and Acquisitions Reserves, as at 31 March 2019. Contributions from the annual budget to the two earmarked reserves have been made in closing the year's accounts.

## **B. Commentary**

### **B.1 Total Income +£1,127**

- The annual precept and CTRS grant, totalling £425,797, were received from Eden DC in line with budget.
- The budget did not anticipate the receipt of investment income, whereas £865 income was earned on the Penrith Building Society investment.
- Miscellaneous income of £262 was received from Kirkby Stephen Town Council, relating to the provision of advice on asset accounting.

### **B.2 Planning Committee +£23,715**

The Committee's budget of £41,000 was underspent by £23,715. Most of the Committee's 2018/19 spend was related to the production of the draft Neighbourhood Plan and the related consultation exercise, which took place late in the financial year.

- Officer support to the Committee's general activities was underspent by £2,094, reflecting the focus on Neighbourhood Plan work.
- Planning consultancy was underspent by £8,700, however Officers believe that further expenditure will be needed in 2019/20 to conclude the Neighbourhood Plan exercise.
- There was a further substantial underspending of £12,921 on the consultation budget; again resources may be needed in 2019/20 to finalise the Plan.

The Planning Committee on 4 March 2019 requested that Finance Committee consider approving the carry forward of any underspend in the budget to the new financial year to undertake any additional consultation that may be required (Minute PL/19/91 refers). The full outturn underspending is £23,715.

Council is asked to consider this request, which would require approval of an exception to Financial Regulations, which clearly state that unspent budget provisions "shall be retained in general reserves and shall not be carried forward to a subsequent financial year". The Finance Committee has recommended that Council approves the request, subject to any carry forward being limited to fund urgent emerging matters from the Local Planning Authority (LPA), the report from the inspector and any scheme of work that is required to satisfy the requirements of both the LPA and the inspector to enable to Neighbourhood Plan to be approved.

### **B.3 CCEG Committee +£78,397**

Net expenditure of £68,853 is shown against the annual budget of £147,250, an underspending of £78,397.

- The Approved Budget for 2019/20 re-allocates the £30,000 budget for Castle Park to Town Projects; this is reflected in the outturn underspend of the full amount in 2018/19.
- The £5,000 budget for Officer support to Arts and Entertainment Events was not used: staff time was either contained within the overall Salaries budget or directed to other services, e.g. Greening.
- Events Grants underspent by £25,315; the underspending broadly equates to the £20,000 budget which was carried forward from 2017/18. Additionally, £3,500 income was returned to Eden DC under the terms of its funding arrangement.
- The Greening budget shows an underspending of £9,033; the majority of the £10,000 budget carried forward from 2017/18 for Britain in Bloom was not required.
- Only £790 was spent against the Inward Investment budget of £10,000.
- Grant payments late in the financial year reduced a forecast underspend to a modest £2,247.

### **B.4 Finance Committee**

Net expenditure of £301,271 is shown against the budget of £298,751, a small overspending of £2,520.

- Several factors contributed to a £3,869 overspending of the Staffing budget. The effect of the April 2018 pay award, totalling approximately £3,700, was budgeted in the contingency provision.
- The flat rate of national insurance assumed in the budget has been exceeded, while the superannuation budget has been undersubscribed. Finally, additional salaried work on behalf of Kirkby Stephen Town Council cost £210, while Training and Expenses show an underspending of £1,141.
- The Accommodation budget underspent by £1,648. The effect of converting expenditure to a full matching principle basis meant that only three quarters' rent were charged against the 2018/19 budget, an underspend of £1,875. Other than some one-off expenditure, variances on Heat, Light and Water and Service Charges cancelled each other out.
- There were underspendings across all Civic Functions headings, as these budgets were not fully utilised. Late expenditure of £3,770 on seats and office equipment limited an underspend on the Armistice Centenary Project Fund to £1,761.
- There was an overspending of £4,081 on IT, mainly due to additional expenditure on hardware. This budget will need close monitoring and review during 2019/20.

- The various Devolved Services budgets underspent by £13,876:
  - The Benches budget underspent by £1,199; there was minimal expenditure, although several seats were purchased from the Armistice Centenary Fund.
  - An underspending of £1,598 on the Bandstand was largely due to £1,885 extra income, including £361 of product placement.
  - Fairhill Park recorded expenditure of £5,452 and income of £14,028. This represented £7,548 reduced expenditure arising from the favourable contract award and £3,468 additional income from Eden DC, a variance of £11,016.
  - Income of £8,500 was received from the sale of land at Fairhill to United Utilities. Maintenance expenditure of £641 was met from a £4,000 portion of this receipt, with the balance of £3,359 reserved for future planting maintenance at the Park. The remaining £4,500 income appears as a favourable variance and will be spent on improvements in 2019/20.
  - The Community Caretaker contract began in June, incurring costs of £5,278 to year-end; it was intended that this would be met from variances within the Devolved Services budget before being allowed for in the approved 2019/20 Budget.

○

In accordance with Council policy, a contribution equal to the difference between the cost of these services and a "marker" figure of £46,344 has been transferred to the Devolution Reserve. The contribution totals £55,815, which includes the £13,876 underspend on the services.

- The budget of £2,000 for Data Protection (GDPR) has been exceeded by £1,506. Most of the costs are one-off, but the ongoing commitment will be met by the IT budget in future.
- Greater use was made of Printing, Postage and Stationery, which overspent by £1,067; this is another budget which will need to be reviewed carefully in preparing estimates for 2020/21.
- Audit and Accountancy Fees show overspendings of £1,170 and £2,223 respectively, largely as a result of introducing accruals accounting which allocated more costs to the budget year. In contrast, Legal Fees were underspent by £1,280 as demand has been less than expected.
- Little demand was made on the Repairs and Renewals budget, resulting in a £4,745 underspending.

## **B.5 Contingency Provision**

- The contingency provision of £4,796 is shown as fully underspent as costs have been allocated to the correct budget heading.

## B.6 Transfer to Acquisitions Reserve

- In closing the year's accounts, a contribution of £50,000 has been transferred to the newly created Acquisitions Reserve.

## B.7 Total Expenditure & Decrease in General Reserve

- The Amended Budget expected that £66,000 would be taken from the General Reserve to fund expenditure in 2018/19. In the outturn, the transfer was reduced to £10,485, a decrease of £55,515. This resulted from the following variations from budget:

	£
Income	1,127
Planning Committee	23,715
CCEG Committee	78,397
Finance Committee	(2,520)
Contingency	4,796
Total Variance	105,515
Less: Transfer to Devolution Reserve	(50,000)
Net Variance	55,515

## B.8 Reserves

- The amended budget includes the actual opening General Reserve balance of £191,741 taken from the 2017/18 Accounts. During 2018/19, transfers have been made to create two new earmarked reserves, Devolution and Acquisitions. The Reserves Policy requires Full Council to approve these transfers.
- Overall, reserves at 31 March 2019 are at a much higher level than anticipated in the Amended Budget. That was, however, prepared in June 2018 and a more up to date comparison can be made with the 2018/19 Forecast Outturn included in the 2019/20 Approved Budget. The two comparisons show the following:

Balance at 31 March 2019	Amended Budget	Forecast Outturn	Actual Outturn
Reserve:	£	£	£
General	125,741	104,074	181,256
Devolution	41,939	57,180	55,815
Acquisitions	0	50,000	50,000
Total Reserves	167,680	211,254	287,071

- Finance Committee on 11 March 2019 recommended that a contribution of £5,000 be made from the Devolution Reserve in 2019/20 toward the cost of the Eden DC Signature Projects Fund improvements at Fairhill Playing Fields.

- Two observations may be drawn from the accumulation of reserves. Firstly, the higher balances at year end should assist the Council in financing the 2020/21 Budget, including the planned contributions needed to reach the medium -term target level for reserves. Secondly, the fact that the increase in balances arose from substantial outturn underspendings on several services suggests that spending targets may be over-optimistic and should be examined during the preparation of next year's budget.

### **C. Balance Sheet (Appendix B)**

Appendix B shows the Council's balance sheet as at 31 March 2019. The following points may be noted:

- The investment of £138,860 is with the Penrith Building Society.
- The debtor balance of £1,342 comprises £1,168 discount due on the recent purchase of benches and £174 estimated interest on the Building Society account. A further £3,898 VAT will be recovered from HMRC.
- Prepayments of £3,839 include adjustments for office rent, insurance, licences and maintenance agreements.
- The Cash at Bank balance of £154,659 is held at HSBC: the Unity Trust account has been closed and its balance transferred to HSBC.
- Accruals of £5,990 comprise £3,010 of invoices for goods and services received by 31 March, but unpaid at that date, plus £2,980 of staff hours worked by 31 March, to be paid in 2019/20.
- The Payroll Control balance of £6,178 relates to the March payroll; this is payable in April to HMRC for income tax and national insurance and to Cumbria Pension Fund for superannuation.
- The Receipts in Advance figure of £3,359 is the remaining income received from United Utilities for planting maintenance at Fairhill.

### **D. Conclusion**

The outturn statement highlights a £105,000 underspending of the 2018/19 budget before the contribution to the Acquisitions Reserve. A few headings overspent, largely due to the move to accruals accounting, however the substantial underspendings on many budgets suggests that these will need to be reviewed carefully in preparing the 2020/21 Budget. The request from Planning Committee to carry forward unspent budgets should be considered in the context of Financial Regulations, which state that unspent budgetary provisions at the year-end are to be transferred to the General Reserve and not carried forward into the following year. Finally, there are no concerns arising from the Council's balance sheet at 31 March 2019.

The Finance Committee has reviewed this outturn report and recommends its acceptance by Full Council.



## 5. FINANCE IMPLICATIONS

This report is concerned solely with financial management and accountability.

## 6. RISK MANAGEMENT


RISK	CONSEQUENCE	CONTROLS REQUIRED
Income and expenditure are not monitored.  Financial accounts are not prepared properly.	The Council may not be aware of budgetary over or underspends or its overall financial position.  Criticism from auditors and reputational damage	A sound budgetary control system with satisfactory reporting and identification of issues.

## 7. APPENDICES ATTACHED TO THIS REPORT

- Income & Expenditure and Balance Sheet statements

## 8. BACKGROUND PAPERS

- Transaction and trial balance reports from the Sage accountancy system
- 2018/19 outturn working papers

 <b>Penrith Town Council</b> <b>2018/19 OUTTURN STATEMENT</b> <b>INCOME AND EXPENDITURE ACCOUNT</b>				
<b>ACTUAL OUTTURN 2017/18</b>	<b>AMENDED BUDGET 2018/19</b>	<b>HEADING</b>	<b>ACTUAL OUTTURN 2018/19</b>	<b>Favourable/ (Adverse) Variance</b>
<i>£</i>	<i>£</i>		<i>£</i>	<i>£</i>
		<b>INCOME</b>		
372,145	417,739	Precept: Council Tax	417,739	0
7,031	8,058	EDC - CTRS Grant	8,058	0
0	0	Other Income:		
0	0	Investment Interest	865	865
	0	Miscellaneous Income	262	262
<b>379,176</b>	<b>425,797</b>	<b>TOTAL INCOME</b>	<b>426,924</b>	<b>1,127</b>
		<b>EXPENDITURE</b>		
		<b>PLANNING COMMITTEE:</b>		
6,335	8,000	Officer Support	5,906	2,094
7,420	9,500	Planning Consultancy	800	8,700
859	23,500	Consultation	10,579	12,921
<b>14,614</b>	<b>41,000</b>	<b>Planning Committee Total</b>	<b>17,285</b>	<b>23,715</b>
		<b>CCEG COMMITTEE:</b>		
5,000	30,000	<b>Sports &amp; Recreation:</b>		
		Castle Park Development Group (2017 Fairhill Play Equipment)	0	30,000
		<b>Arts &amp; Entertainment:</b>		
5,785	5,000	Officer support	0	5,000
34,500	60,000	Events grants	34,685	25,315
(24,000)	(23,000)	Devolved events EDC grant income	(19,500)	(3,500)
16,285	42,000		15,185	26,815
		<b>Environment:</b>		
8,328	33,000	Greening	23,967	9,033
163	1,000	Community gardeners/greening	630	370
8,491	34,000		24,597	9,403
		<b>Tourism:</b>		
12,987	10,000	Inward Investment	790	9,210
31,250	27,500	<b>Grants</b>	25,253	2,247
		<b>Corporate Communications:</b>		
2,974	750	Advertising	673	77
876	750	Website	1,286	(536)
0	1,250	Community Engagement	1,069	181
0	1,000	Press Support	0	1,000
3,850	3,750		3,028	722
<b>77,863</b>	<b>147,250</b>	<b>CCEG Committee Total</b>	<b>68,853</b>	<b>78,397</b>
		<b>FINANCE COMMITTEE:</b>		
		<b>Staffing:</b>		
95,826	148,394	Salaries	151,070	(2,676)
8,549	8,904	National Insurance	13,968	(5,064)
18,772	29,069	Superannuation	26,339	2,730
1,422	2,000	Training & Expenses	859	1,141
124,569	188,367		192,236	(3,869)

ACTUAL OUTTURN 2017/18	AMENDED BUDGET 2018/19	HEADING	ACTUAL OUTTURN 2018/19	Favourable/ (Adverse) Variance
£	£		£	£
		<b>Accommodation:</b>		
7,076	7,500	Rent	5,658	1,842
198	1,800	Heat, Light & Water	1,467	333
300	600	Service Charges	1,198	(598)
0	210	Room Hire	218	(8)
0	300	Insurances	317	(17)
0	0	Letting Income	(96)	96
	10,410		8,762	1,648
		<b>Civic Functions:</b>		
1,746	1,500	Civic Functions	0	1,500
74	1,000	Mayoral Expenses	783	217
115	500	Deputy Mayor's Expenses	0	500
318	300	Civic Regalia	135	165
0	10,000	Armistice Centenary Project Fund	8,239	1,761
2,253	13,300		9,157	4,143
		<b>Cost of Democracy:</b>		
187	300	Annual Meeting	1,131	(831)
0	0	Elections	0	0
54	200	Members' Expenses	133	67
1,304	500	Notice/Honours Board	0	500
	1,000		1,264	(264)
15,413	14,280	IT	18,361	(4,081)
		<b>Devolved Services:</b>		
(1,400)	(1,400)	Bring Site	(1,400)	0
2,387	450	Allotments	659	(209)
(100)	25	War Memorial	(75)	100
0	375	Benches	(824)	1,199
0	195	Bus Shelters	953	(758)
0	558	Bandstand	(1,040)	1,598
0	202	Musgrave Monument	54	148
0	3,250	Fairhill Park	(8,576)	11,826
0	0	Toilets	0	0
0	0	Play Areas	0	0
0	0	Coronation Gardens	0	0
0	0	Fairhill United Utilities Planting Maintenance	0	0
0	0	Fairhill Site Improvements	(4,500)	4,500
1,486	750	Signage, etc	0	750
0	0	Community Caretaker	5,278	(5,278)
3,280		General	0	0
0	41,939	Contribution to Devolution Reserve	55,815	(13,876)
	46,344		46,344	0
1,595	2,000	Data Protection (GDPR)	3,506	(1,506)
		<b>Other Overheads:</b>		
2,216	1,800	Printing, Postage & Stationery	2,867	(1,067)
1,043	1,500	Audit Fees	2,670	(1,170)
1,606	2,300	Insurance	2,304	(4)
(320)	0	Bank Charges & Interest	89	(89)
6,588	7,700	Accountancy Fees	9,923	(2,223)
0	3,000	Legal Fees	1,720	1,280
0	250	Licences	319	(69)
1,557	1,500	Subscriptions	1,494	6
12,690	18,050		21,386	(3,336)
36,912	5,000	Repairs & Renewals	255	4,745
208,204	298,751	Finance Committee Total	301,271	(2,520)
0	4,796	Contingency	0	4,796
0	0	Transfer to Acquisitions Reserve	50,000	(50,000)
300,681	491,797	TOTAL EXPENDITURE	437,409	54,388
78,495	(66,000)	INCREASE/(DECR) IN GENERAL RESERVE	(10,485)	55,515

ACTUAL OUTTURN 2017/18		AMENDED BUDGET 2018/19	HEADING	ACTUAL OUTTURN 2018/19	Favourable/ (Adverse) Variance
£		£		£	£
			<b>RESERVES:</b>		
			<b>General Reserve:</b>		
113,246		191,741	Balance brought forward 1 April 2018	191,741	0
78,495		(66,000)	Increase/(decrease) in year	(10,485)	55,515
<b>191,741</b>		<b>125,741</b>	<b>Balance carried forward</b>	<b>181,256</b>	<b>55,515</b>
			<b>Devolution Reserve:</b>		
0		0	Balance brought forward 1 April 2018	0	0
0		41,939	Contribution from 2018/19 Budget	55,815	13,876
<b>0</b>		<b>41,939</b>	<b>Balance carried forward</b>	<b>55,815</b>	<b>13,876</b>
			<b>Acquisitions Reserve:</b>		
0		0	Balance brought forward 1 April 2018	0	0
0		0	Contribution from 2018/19 Budget	50,000	50,000
<b>0</b>		<b>0</b>	<b>Balance carried forward</b>	<b>50,000</b>	<b>50,000</b>
<b>191,741</b>		<b>167,680</b>	<b>TOTAL RESERVES 31 MARCH 2019</b>	<b>287,071</b>	<b>119,391</b>



## Penrith Town Council

### 2018/19 OUTTURN STATEMENT BALANCE SHEET AS AT 31 MARCH 2019

31 MARCH 2018		31 MARCH 2019	
£	£	£	£
	138,169.50	<b>Investments</b>	138,860.35
		<b>Current Assets</b>	
0.00		Debtors	1,341.84
2,793.15		Debtor - VAT	3,898.20
0.00		Prepayments	3,839.33
76,725.53		Cash at bank	154,658.73
<u>79,518.68</u>			<u>163,738.10</u>
		<b>Current Liabilities</b>	
3,848.46		Creditors	0.00
17,394.70		Accruals	5,989.82
4,703.83		Payroll Control	6,178.48
0.00		Receipts in Advance	3,359.25
<u>25,946.99</u>			<u>15,527.55</u>
	53,571.69	<b>Net Current Assets</b>	148,210.55
	<u><b>191,741.19</b></u>		<u><b>287,070.90</b></u>
		<b>Represented by:</b>	
		<b>Reserves</b>	
	191,741.19	General Reserve	181,256.24
	0.00	Devolution Reserve	55,814.66
	0.00	Acquisitions Reserve	50,000.00
	<u><b>191,741.19</b></u>		<u><b>287,070.90</b></u>



# Penrith Town Council

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

## **FULL COUNCIL 20 MAY 2019**

### **ACCOUNTING STATEMENTS 2018/19 (AGAR SECTION 2)**

**AUTHOR: Jack Jones - RFO**

**SUPPORTING MEMBER: Cllr Ron Kenyon -  
Chairman of Finance  
Committee**

### **ITEM NUMBER: 17 f)**

To **RATIFY** the Accounting Statements 2018/19, which have been reviewed and approved by Finance Committee.

### **RECOMMENDATIONS**

Council is recommended to:

- a) ratify the Accounting Statements 2018/19 (Section 2 of the AGAR); and
- b) authorise the Chairman of the Council to sign the Statements on behalf of the Council prior to their submission by the RFO to the External Auditor.

### **1. LAW**

The Council is required to follow the governance and accounting regime set out in the Accounts and Audit Regulations 2015. Statutory proper practice issued under these Regulations has been issued in the JPAG publication "Governance and Accountability for Smaller Authorities in England". This document is the mandatory guide to completion of the statutory Annual Governance and Accountability Return (AGAR) and it describes how accounting transactions are to be treated and reported.

## 2. LINK TO COUNCIL FUNCTIONS

SUBJECT	POWER	LEGISLATION
Financial accounting, management and control.	The Council is required to have sound financial administration and report its accounts in accordance with proper practice.	Local Government Act 1972. Accounts and Audit Regulations 2015, issued under the Local Audit and Accountability Act 2014

## 3. LINKS TO COUNCIL PRIORITIES

Adherence to proper governance and accounting practice avoids adverse comments from Auditors, which could lead to reputational damage.

## 4. REPORT DETAILS

### 4.1 The Accounting Statements

The Accounting Statements prepared in accordance with the Practitioners' Guide represent a highly summarised of the Council's transactions for the year. They are also, in a sense, incomplete, as they do not record the Council's full balance sheet, only the cash and reserves figures at year end.

The Practitioners' Guide recommends that Members have access to a reconciliation between the financial ledger (cash book) and the Accounting Statements. The appendix provides that reconciliation, showing not only how Sage ledger balances are analysed into the AGAR format but also how those balances correspond to the formal outturn statement. The Guide does not require Councils to account separately for fixed assets but to keep a memorandum summary in their asset register. The asset value shown in the Accounting Statement is therefore derived directly from the Council's register.

The reconciliation and the attached draft Section 2 of the AGAR have been reviewed by the Finance Committee, who were satisfied with the documents. The AGAR has been signed by the RFO as required by the guidance. If Council is satisfied with the statement, the Chairman will be asked to sign the statement on behalf of the Council.

## **4.2 Audit of the AGAR and Exercise of Public Rights**

Approval of the Accounting Statements has to take place after approval of the Annual Governance Statement (AGS). The unaudited Accounts and AGS have to be published on the Council's website on 31 May. Following this, the exercise of public rights will last from 3 June to 12 July; during this time, members of the public are able to examine the accounts and supporting documentation. The AGAR comprises the AGS, the Accounting Statements and the Internal Auditor's report. The full AGAR has to be submitted, with supporting information, to the External Auditors, PKF Littlejohn, by 1 July. After their sign-off, the full audited Return must be published on the Council's website by 30 September.

## **5. FINANCE IMPLICATIONS**

This report is concerned solely with financial transparency and accountability.

## **6. RISK MANAGEMENT**

<b>RISK</b>	<b>CONSEQUENCE</b>	<b>CONTROLS REQUIRED</b>
Transactions are recorded incorrectly or inconsistently in statutory returns.	Criticism from internal/external audit; reputational damage.	Adherence to the correct principles for the recording and reporting of the Council's transactions.

## **7. APPENDICES ATTACHED TO THIS REPORT**

- Reconciliation between Sage financial ledger and AGAR Section 2
- Draft AGAR Section 2

## **8. BACKGROUND PAPERS**

- Transaction and trial balance reports from the Sage accountancy system
- 2018/19 outturn working papers
- JPAG Practitioners' Guide



# ITEM 17 f i)

## Section 2 – Accounting Statements 2018/19 for

### PENRITH TOWN COUNCIL

	Year ending		Notes and guidance
	31 March 2018 £	31 March 2019 £	
1. Balances brought forward	113,246	191,740	<i>Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.</i> <i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	372,145	417,739	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	33,595	58,251	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	135,266	205,590	<i>Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	191,980	175,069	<i>Total expenditure or payments as recorded in the cash-book less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	191,740	287,071	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	214,895	293,519	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.</i>
9. Total fixed assets plus long term investments and assets	24,794	38,070	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	<i>The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets.</i>
		✓	<i>N.B. The figures in the accounting statements above do not include any Trust transactions.</i>

I certify that for the year ended 31 March 2019 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

*Jack Jones*

Date

23/04/2019

I confirm that these Accounting Statements were approved by this authority on this date:

as recorded in minute reference:

Signed by Chairman of the meeting where the Accounting Statements were approved



# Penrith Town Council

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Tel: 01768 899 773 Email: [office@penrithtowncouncil.co.uk](mailto:office@penrithtowncouncil.co.uk)

**FULL COUNCIL**

**20 MAY 2019**

## **INTERNAL AUDIT APPOINTMENT 2019/20**

**AUTHOR: Jack Jones - RFO**

**SUPPORTING MEMBER: Cllr R Kenyon**

### **ITEM NUMBER: 18**

To **NOTE** the reappointment of Mrs G. Airey as the Council's Internal Auditor for 2019/20.

#### **1. LAW**

The Accounts and Audit Regulations 2015 require the Council to undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance.

Previous versions of the Regulations required higher tiers of local government to annually review the effectiveness of their internal arrangements. Although this has now been subsumed within the annual review of the effectiveness of internal control arrangements, it remains good practice for all authorities.

#### **2. LINK TO COUNCIL FUNCTIONS**

<b>SUBJECT</b>	<b>POWER</b>	<b>LEGISLATION</b>
Internal audit arrangements.	The Council is required to undertake an effective internal audit of its activities.	Accounts and Audit Regulations 2015, issued under the Local Audit and

### 3. LINKS TO COUNCIL PRIORITIES

Effective internal audit provides assurance that the Council is acting appropriately within a robust internal control environment.

### 4. REPORT DETAILS

The Council's review of its system of internal control for 2018/19 acknowledged that its internal audit arrangements were effective. This more detailed review of the function's effectiveness confirms that opinion and provides the evidence and justification for the re-appointment of the current Internal Auditor.

The internal audit for 2018/19 has been carried out by Mrs Jean Airey. There are two aspects to the review: meeting standards and characteristics of effectiveness. The RFO's assessment of the performance of Mrs Airey against relevant criteria is attached as an appendix, where it can be seen that her performance is considered to be totally satisfactory in all respects. If the Committee agrees with this assessment, it should re-appoint Mrs Airey as its Internal Auditor for 2019/20.

### 5. RISK MANAGEMENT

RISK	CONSEQUENCE	CONTROLS REQUIRED
<ul style="list-style-type: none"><li>The Council does not have a robust internal audit regime.</li></ul>	<ul style="list-style-type: none"><li>Irregularities are not detected leading to loss or waste of resources.</li><li>Criticism from external audit.</li><li>Reputational damage.</li></ul>	<ul style="list-style-type: none"><li>Appointment of an independent and competent internal auditor.</li><li>Agreement of an appropriate internal audit plan.</li></ul>

### 6. APPENDICES ATTACHED TO THIS REPORT

Review of Effectiveness of Internal Audit 2018/19

### 7. BACKGROUND PAPERS

- Accounts and Audit Regulations 2015

## Area 1: Meeting Standards

Standard	Evidence of achievement
1. Scope of internal audit	<p>The appointment of Mrs Jean Airey as Internal Auditor was confirmed by Council in June 2018. The terms of her engagement are formally agreed and documented.</p> <p>The Internal Auditor follows proper practice and meets national auditing standards.</p> <p>Internal audit work takes into account both the council's risk assessment and wider internal control arrangements.</p> <p>Internal audit work considers the Council's anti-fraud and corruption arrangements.</p> <p>The Internal Auditor has unfettered access to all areas of the Council's activities.</p>
2. Independence	<p>The Internal Auditor is independent from the Council and has no involvement in its financial controls, procedures or decision making.</p> <p>Internal audit has direct access to those charged with governance and can seek information or explanations from any officer or Member of the Council.</p> <p>Reports are made in the Auditor's own name to management.</p>
3. Competence	<p>Mrs Airey has substantial experience in auditing and knowledge of auditing standards, having been an internal auditor to local councils in Cumbria for many years. She was Town Clerk to Keswick Town Council for 25 years and has delivered training on behalf of CALC.</p> <p>There is no evidence of a failure to carry out internal audit work ethically, with integrity and objectivity.</p>
4. Relationships	<p>The Clerk and RFO are consulted on the internal audit coverage.</p> <p>Respective responsibilities for officers and internal audit are defined in relation to internal control, risk management and fraud and corruption matters.</p> <p>The responsibilities of Council members are understood, in particular the Finance Committee; training of Members is available as required.</p>
5. Audit Planning and Reporting	<p>The annual internal audit plan properly takes account of all the risks facing the Council.</p> <p>Mrs Airey is expected to provide her opinion to the Council by 21 May 2019.</p>

## Area 2: Characteristics of Effectiveness

Characteristic	Evidence of achievement
1. Internal audit work is planned	Planned internal audit work is based on risk assessment and designed to meet the Council's needs and national auditing standards.
2. Understanding the whole organisation, its needs and objectives	The annual audit demonstrates how audit work provides assurance for the council's Annual Governance Statement.
3. Be seen as a catalyst for change	Internal audit supports the Council's work in delivering improved services to the community.
4. Add value and assist the organisation in achieving its objectives	The Council makes positive responses to internal audit's recommendations and follows up with action where this is called for.
5. Be forward looking	In formulating the annual audit coverage, national agenda changes are considered. Internal audit maintains awareness of new developments in the services, risk management and corporate governance.
6. Be challenging	Internal audit focuses on the risks facing the Council. Internal Audit encourages managers/Members to develop their own responses to risk, rather than relying solely on audit recommendations.
7. Ensure the right resources are available	Adequate resource is made available for internal audit to complete its work; the auditor has the freedom to request additional fee work if he considers it necessary. Internal Audit understands the Council and the legal and corporate framework in which it operates. Mrs Airey has undertaken this role (and similar roles) for several years; this continuity results in a good understanding of the Council, its internal control environment and the issues facing it.



# Penrith Town Council

**FINANCE COMMITTEE 11 March 2019**

**EDEN DISTRICT COUNCIL SIGNATURE PROJECTS FUND**

**AUTHOR: Ian Parker – Services and Contracts Manager**

**LEAD COUNCILLOR: CLLR JACKSON**

**ITEM NUMBER: 20**

## **RECOMMENDATIONS**

To **RATIFY** the Finance Committees request to approve a budget of £5,000 from the Devolution Reserve to support the delivery of the Fairhill Playing Field Improvement project.

## **1. LAW – LINK TO POWERS AND FUNCTIONS**

Subject	Power	Legislation
Recreation	Power to provide a wide range of recreational facilities	Open Spaces Act 1906 Local Government Act 1976

## **2. LINKS TO COUNCIL PRIORITIES**

This report addresses the Health and Wellbeing strategic priority and meets the aim to support and contribute to the social fabric of the town, enhancing community facilities.

### **3. BACKGROUND**

- 3.1. Members approved Officers to liaise with the Fairhill Community Group to develop a project proposal to improve the Fairhill Site, and to make a submission to the Eden District Council Signature Projects Fund. (Report 10 September 2019, Minute FIN.COM.18/34)
- 3.2. The Council applied to the Signature Projects Fund in November 2018 to deliver inclusive improvements to the Fairhill Playing Field. The project proposes to:
- Improve gates and access points
  - Install new inclusive play equipment
  - Install new street furniture
  - Install new connecting tarmac paths
- 3.3. The cost of the project is anticipated to be £75,151.20 including VAT. This cost is based on quotations obtained prior to submission of the grant application.
- 3.4. Eden District Council considered the applications to the Signature Fund at its meeting of the Executive in January 2019. The Town Council were successful in being offered a grant towards inclusive improvements at Fairhill.
- 3.5. Eden District Council received a large volume of high-quality applications, that the Executive was unable to fully fund. EDC Members therefore approved that the fairest course of action was to offer all successful applicants 75% of the amount that the applicant had applied for, as this enabled EDC to support a wider number of applicants.
- 3.6. The Town Council had applied for a grant of £45,000 towards the project at Fairhill and have since been awarded an offer of grant of £33,750. The offer of grant and the conditions of grant have been provided by EDC as shown in Appendix A. There are no conditions of grant which are considered to present a high or unacceptable risk to the Council. This report requests for Members to accept the Offer of Grant as set out in the offer letter in Appendix A.
- 3.7. The grant application submitted to EDC included partnership funding to be made from the Town Council, the Fairhill Community Group and external grant bodies.
- 3.8. Taking in to consideration that VAT is reclaimable there would remain a total of £28,876 to be confirmed. This report asks Members to note the funding shortfall and to authorise for officers to work with partners to aim to secure external funding.

- 3.9. The Town Council received a grant payment of £4,500 from Eden District Council arising from the sale of land to United Utilities at Fairhill. Members approved at Full Council on 15 May 2017, Minute PTC17/18 that this income be earmarked for Fairhill to upgrade play equipment on the site. This report requests that the £4,500 be committed to this project.
- 3.10. As Fairhill is an asset in the ownership of the Council and this project seeks to improve a Council asset it is proposed that the Council makes a financial contribution towards this scheme. Prior to this grant fund being launched the Council had discussed proposals to improve the Fairhill assets particularly by improving the street furniture, gates and access points and connectivity within the site. This report requests that the Council approves a £5,000 contribution from the Devolution Reserve budget towards this project.
- 3.11. The Fairhill Community Group has resolved to commit £3,000 from its reserves which should the items be approved in paragraph 3.8 and 3.9 would result in a revised funding shortfall of £16,376.
- 3.12. Officers have already begun to liaise with local grant funding bodies and the Council is eligible to apply to some of these bodies. Whilst a positive outcome cannot be predicted, funding bodies collectively have indicated that the Council can apply for funds which would if successful would meet the revised shortfall of £16,376.
- 3.13. Eden District Council has set out in its Offer of Grant letter an opportunity for successful applicants to consider revising the original project plan and costs. Any revisions should be submitted to the Deputy Chief Executive at EDC who would consider the matter in consultation with the Member Working Group that considered the original grant applications.
- 3.14. So far it is considered that the Council should attempt to secure the funding shortfall by submitting applications to external funding bodies, yet should the outcome prove unsuccessful by the 31 August 2019, then Officers be permitted to submit such a request to the Deputy Chief Executive at EDC. Any revisions would not be known at this stage, but a more accurate position would be known following the outcome of grant panels held over the summer.
- 3.15. Members are advised to note that the Signature Project Fund application submitted in partnership with Penrith AFC for improved perimeter fencing was refused by Eden District Council.



## **4. FINANCE IMPLICATIONS**

- 4.1. The cost of the project at Fairhill is anticipated to cost £75,121.20 including VAT, £62,626 net of VAT.
- 4.2. The Council has been offered a grant from Eden District Council of £33,750 towards the project as set out in the Signature Projects Fund application.
- 4.3. Taking in to consideration that VAT is reclaimable there would remain a total of £28,876 to be confirmed. To date the Fairhill Community Group has approved to contribute £3,000 towards the project.
- 4.4. The Town Council received a grant payment of £4,500 from Eden District Council arising from the sale of land to United Utilities at Fairhill. Members approved at Full Council on 15 May 2017, Minute PTC17/18 that this income be earmarked for Fairhill to upgrade play equipment on the site. This report requests that the £4,500 be committed to this project.
- 4.5. This report requests that the Council approves a £5,000 contribution from the Devolution Reserve budget towards this project.
- 4.6. Taking in to consideration the detail in paragraph 4.1 to 4.5 there would remain a funding shortfall of £16,376. Members are being asked to note the funding shortfall yet authorise for officers to secure external grant funding where possible.
- 4.7. If little or no additional grant funding has been secured as at 31 August 2019, then Members are being asked to submit a Revised Project Plan and Costing to Eden District Council for consideration.

## 5. RISK ASSESSMENT

Risk	Consequence	Controls Required
Financial	Overspend on the project. Inability to secure external funds to meet anticipated project cost.	All items subject to competitive quotations. Consider revising the project and cost plan and present to EDC.
Staff Capacity	Limited staff capacity to apply for external funding and manage the project.	Apply for funds which present the most likely positive outcome. Consider revision to the project and cost plan and present to EDC in the event of ongoing shortfall in funding.
Reputational	Should the project be undelivered or meet unforeseen costs there will be reputational damage to the Council.	Robust quotations for works. Evidence of contingency plan and budget in place Statutory permissions known and obtained Continued liaison with the Fairhill Community Group. Adhere to grant terms and conditions.
Recognition	Credit is required to go to the main grant provider which is EDC whilst the Town Council is leading the project.	Marketing and publicity plan to be prepared outlining the Council's role.

### Officer contact Details

Ian Parker Services and Contracts Manager

Email: [scmanager@penrithtowncouncil.co.uk](mailto:scmanager@penrithtowncouncil.co.uk)

Tel: 01768 899773

Our Reference: SPF05  
Enquiries to:  
Direct Dial: (01768) 212459 / 212393  
Email: signatureprojectsfund@eden.gov.uk  
Date: 08/02/2019



Ian Parker  
Penrith Town Council  
Church House  
19-24 Friargate  
Penrith  
CA11 7XR

Dear Ian

**Fairhill Playing Field Inclusive Access Signature Projects Fund Application – Offer of Grant**

I am pleased to confirm that your application to the Signature Projects Fund was approved by Eden District Council's Executive on 22 January 2019. On behalf of the Council I can offer you **£33,750.00** towards your project, subject to the requirements set out below.

Due to the high volume and quality of the applications to the Signature Projects Fund, the Executive was unable to fully fund all of the applications that fulfilled the criteria and offered a high level of community benefit. Members considered that the fairest course of action was to offer all successful applicants 75% of the amount that they applied for, as this would enable the Council to support the widest number of applicants.

As a consequence, you may need to identify further sources of funding in order to enable your project to proceed. I attach a revised project plan and costing form for you to fill in which you should complete for your project.

This signed document outlining the changes you are proposing to your application will be submitted to Deputy Chief Executive who will consider the matter in consultation with the Member Working Group. A confirmation letter will be sent out assuming that the revised project plan and costings are approved. Following this I will contact you to agree a payment schedule. For this reason, it is important that you complete and return the Revised Project Plan and Costings form as soon as you are able.

If you wish to discuss your situation before submitting your revised financial information and budget, please either call or email us (contacts listed above).

Payment will be made according to the following conditions (as outlined in the Guidance):

- Grants must be spent within two years of an award being made (from the date of the confirmation letter).
- Grants awarded must be spent on the purpose stated in the application. If for any reason your circumstances change or you wish to vary the way in which you spend your grant, you are required to contact us to request written permission to do so.
- Financial support provided by Eden District Council should be acknowledged on all relevant printed publicity, on websites and in information given to the press.
- In the event that the group or organisation benefiting from the grant ceases to operate or fails to undertake or complete the project for which the grant was offered, Eden District Council reserves the right to withhold payment, reduce its award or seek recovery of the payment from the accountable body.
- You will be required to inform the Council when your project has been completed. Please contact us and we will forward you a Project Completion Form. Accountable bodies may be required to return the funding if a satisfactory Project Completion form is not returned.
- Please complete the attached New Creditor Request Form if you have not applied for funding before or if your details have changed, in order for the funds to be transferred.

If you have any queries regarding the administration of your grant, please contact Kate Giergiel or Louise Gaskell (contact details at the top of this letter).

I wish you all the best with your project.

Yours sincerely

Leisure and Community Support Officer.



# Penrith Town Council

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

## **FULL COUNCIL 20 MAY 2019**

### **COMMUNITY CARETAKER CONTRACT**

**AUTHOR: Ian Parker – Services and Contracts Manager**

**SUPPORTING MEMBER: Cllr Kenyon**

### **ITEM NUMBER: 21**

To **RATIFY** the Finance Committees resolution to extend the Community Caretaker Contract by a further 12 months.

### **RECOMMENDATIONS**

To **RATIFY** the Finance Committees resolution to extend the Community Caretaker Contract by a further 12 months, effective from the 25 June 2019.

### **1. LAW**

<b>SUBJECT</b>	<b>POWER</b>	<b>LEGISLATION</b>
Devolution of Services and Assets	Power to acquire land and to manage and control them	Public Health Act 1875, section 164, LGA 1972 Schedule 14 paragraph 27

### **2. LINKS TO COUNCIL PRIORITIES**

The Community Caretaker Contract contributes to the Council's Health and Wellbeing priority. This priority sets out to assume responsibility for devolved assets and services that contributes to the quality of life for residents and visitors and preserves and enhances the nature of the town.

### **3. REPORT DETAILS**

- a. The Council's Staff Sub Committee, November 2017 recommended that a Community Caretaker role would form a new external contract post. The Finance Committee, 13 November 2017 resolved that the Services and Contracts Manager once in post would lead on the tender for the Community Caretaker Contract.
- b. The Community Caretaker Contract was advertised on 24 April 2018, and the Finance Committee 11 June 2018, approved the appointment of the Community Caretaker Contract. The Contractor commenced the contract on the 25 June 2018.
- c. The Community Caretaker Contract is for 10 hours per week, and the principle role is to inspect and maintain the Council's assets which are within the Council's ownership. The Contractor undertakes its duties in accordance with an agreed schedule of works as set out in Appendix A.
- d. The terms of contract allow the Council to extend the Community Caretaker Contract for two additional one-year extensions. The cessation date for the first 12 months of the contract is Monday 24 June 2019.
- e. The Community Caretaker Contract is performed by an external contractor with significant experience in the delivery of public service contracts.
- f. During the first 12 months of the contract the contractor has performed its duties in accordance with the Schedule of Works. The Council has further benefitted from the resources available from the Contractor which has allowed for the response and completion of emergency and additional works not contained within the Schedule of Works. To date, 20 additional instructions have been completed by the contractor as set out in Appendix B.
- g. The Council in the delivery of the contract is further able to benefit from a range of skills that the Contractor has at its disposal, including a Contract Manager, Contract Supervisors, Electrician, Joiner, street works team, grounds maintenance operatives. The current contractor has been able to supply 365-day asset support and emergency cover for the Council whilst also being able to proactively respond to instructions.

## 4. FINANCIAL IMPLICATIONS

- a. The Community Caretaker Contract is for 10 hours per week, 520 hours per annum, at £15.00 per hour. A transport allowance of £0.45p per mile is paid.
- b. During 2019/20 financial year an increase of 2% has been allowed for within the Council's budget.

## 5. RISK MANAGEMENT

RISK	CONSEQUENCE	CONTROLS REQUIRED
Not extending the current contract - time	Time delays in recruiting a replacement contractor. Assets at risk of damage and lack of upkeep.	Extend contract as recommended
Not extending the current contract - reputation	Reputation risk to the Council as the existing contractor has performed in accordance with the schedule of works	Extend contract as recommended
Not extending the contract – reduced quality	Assets are not maintained to the Council's standard	Extend contract as recommended.
Not extending the contract – reduced resilience	An alternative contractor may not offer the breadth of skills or cover which the Council requires	Extend contract as recommended.

## 6. APPENDICES ATTACHED TO THIS REPORT

A: Schedule of Works, revised 16 October 2018

B: Additional instructions completed by the community caretaker contractor

## 7. BACKGROUND PAPERS

Staff Sub Committee, November 2017

Finance Committee, 13 November 2017

Finance Committee, 11 June 2018

**SCHEDULE OF WORKS (REVISED 16 OCTOBER 2018)**

<b>Asset</b>	<b>Task</b>
Cornmarket Bandstand	Annual Gutter Clean Cleaning / washing of seats within bandstand weekly
Musgrave Monument	To maintain in a neat tidy condition via a weekly check. Weekly visual check that the clock faces.
Fairhill Playing Field	Weekly play area visual check for litter and vandalism. (equipment is checked by others) Weekly check of vehicle gate
War Memorial	Annual clean in advance of the Remembrance Sunday Service Weekly check for litter, graffiti, damage
Seats and Benches	See Cornmarket Bandstand Penrith Town Council officer to undertake a monthly inspection of all 45 seats. Any works will be undertaken by an instruction. A programme of painting / staining will be agreed as required
Bus Shelters	Clean windows weekly Penrith Town Council officer to undertake a monthly inspection of the bus shelters. Any works will be undertaken by an instruction.
Allotments	No routine works
Bring Site (Morrisons)	Twice weekly inspection Clean / sweep as required Report fly tipping as required
Signage	No routine works. Penrith Town Council officer to undertake a monthly inspection of the signage. Any works will be undertaken by an instruction.



**ADDITIONAL INSTRUCTIONS COMPLETED BY THE COMMUNITY  
CARETAKER CONTRACTOR**

<b>Item</b>	<b>Task</b>	<b>Outcome</b>
1	Install missing cobblesetts at the Cornmarket bandstand	Comply with health and safety requirements
2	Repaired 2No sunken gulley/drains at Cornmarket bandstand	Comply with health and safety requirements
3	Install new drain cover and rim at Cornmarket (Xmas Tree Cover)	Comply with health and safety requirements
4	Installed fixed litter bins on pavers at Cornmarket Bandstand	Ensure stability of the bins
5	Watered new trees at Folly Lane allotment	Ensure that the new trees did not perish in the heat
6	Installed new socketed football goals at Fairhill	Meet requirements of the community
7	Installed new self-closer on gate at Fairhill Play Area	Comply with health and safety requirements
8	Remove graffiti on play equipment at Fairhill (roundabout)	Improved amenity
9	Remove man made ladder on tree at Fairhill	Comply with health and safety requirements
10	Planted flower beds at St Andrews War Memorial	Improved amenity for Armistice Day
11	Loose lay new pavers at St Andrews War Memorial	Improved amenity for Armistice Day. Access to lay wreaths
12	Trimmed overhanging trees in St Andrews Churchyard	Improved amenity for Armistice Day
13	Relocated seat in Middlegate	Improved amenity in Penrith Town Centre. Non-Council owned asset
14	Repaired broken light sensor in main office	Repaired light sensor. Office in good order
15	Installed trophy cabinet	Improved office environment
16	Installed 7No new seats and benches	Improved amenity
17	Agreed to store new and old seats at Old London Road Depot	Secure storage of Council assets.
18	Removal of offensive graffiti from Tara Hill Bus Shelter	Maintain expected standards. Remove offensive language
19	Respond to collapsed drain at Cornmarket (make safe/fill sand)	Comply with health and safety requirements
20	Paving over collapsed drain at Cornmarket with cobblesetts	Comply with health and safety requirements



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## **FULL COUNCIL 20 MAY 2019**

### **THE PUBLIC SECTOR BODIES (WEBSITES AND MOBILE APPLICATIONS)(NO.2) ACCESSIBILITY REGULATIONS 2018**

**AUTHOR: I. Parker Services and Contracts Manager**

**SUPPORTING MEMBER: CLLR. KENYON**

**ITEM NUMBER: 22**

#### **RECOMMENDATIONS:**

To **RATIFY** the Finance Committees resolution to use General Reserves for schemes of works associated with the Council's statutory compliance with The Public Sector Bodies (Websites And Mobile Applications)(No.2) Accessibility Regulations 2018.

#### **LAW**

The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 ("the 2018 Regulations") came into force for public sector bodies on 23 September 2018.

The 2018 Regulations implement the EU Directive on the accessibility of the websites and mobile applications of public sector bodies (Directive (EU) 2016/2102).

The new legal requirements build on the Council's existing obligations to disabled people under the Equality Act 2010 (or the Disability Discrimination Act 1995 in Northern Ireland). These say that all UK service providers must make 'reasonable adjustments' for disabled people.

## **a) OVERVIEW**

- 1.1 The purpose of the 2018 Regulations is to improve the accessibility of public sector websites/ mobile apps so than they can be used by as many people as possible.
- 1.2 They build on existing obligations to disabled people under the Equality Act 2010 ("the 2010 Act") and the duty to make reasonable adjustments for disabled people: people with impaired vision, impaired hearing, cognitive impairments or learning disabilities amongst others.
- 1.3 Accessibility" concerns website content and design, type of font, etc.
- 1.4 The regulations state that the Council must make the website more accessible by making it 'perceivable, operable, understandable and robust'.
- 1.5 Although the 2018 Regulations are now in force, the requirements to meet the accessibility standards do not apply for existing websites until 23 September 2020. These improvements would have been scheduled of the 20/21 fiscal year. However, the hosting and support provision of the Council website has been transferred and the new provider has identified the website shortfall regarding this legislative obligation and would want to improve the sites accessibility sooner. These matters have been discussed with Cllr. Lawson who has a background in IT and websites.
- 1.6 The 2018 Regulations apply generally to public sector body websites and apps. The "public sector body" definition includes local authorities. It is the National Association of Local Council's (NALC) view that they apply to parish and town councils.
- 1.7 NALC issued advice in November 2018 and it is expected there will be more to follow as the deadline for compliancy nears. NALC were expecting to provide a model accessibility statement in December 2018 but at the time of writing this report this has not yet been received.

## **CURRENT POSITION**

- 1.8 For councils who already have websites, it is recommended that they consider now whether new content published is accessible, so they don't have to go back and fix it and they make a plan to meet the standards by the 23 September 2020 deadline.

- 1.9 The compliance of the Council's website has been re-prioritised to urgent. The website hosting has been transferred to the Council's IT provider. The advice from their website engineer who has carried out a health check on the site and from guidance from the Council's outsourced administrator who is an expert in accessible formatting, is that the compliance works should take place this year as the work involved such as software, training, and long-term formatting commitment requirements may be considerable.
- 1.10 The government will be monitoring public sector websites and apps to check they follow the new rules and that they aren't breaking the new legal requirements.
- 1.11 To comply with the Regulations the Council must meet the Accessibility Standards.

## **ACCESSIBILITY STANDARDS**

- 1.12 Regulation 6 of the 2018 Regulations provides that subject to exemptions contained in Regulation 7, public sector bodies such as local councils must comply with the accessibility requirement. This is defined in Regulation 3 as the requirement to make a website or mobile application accessible by making it perceivable, operable, understandable and robust. The Council website will meet the new public sector requirement to be more accessible if it complies with the international WCAG 2.1 AA accessibility standard.
- 1.13 Making a website or mobile app accessible means making sure it can be used by as many people as possible. This includes individuals with:
- impaired vision
  - motor difficulties
  - cognitive impairments or learning disabilities
  - deafness or impaired hearing
- 1.14 Accessibility means more than putting things online. It means making the content and design clear and simple enough so that most people can use it without needing to adapt it, while supporting those who do. For example, someone with impaired vision might use a screen reader (software that lets a user navigate a website and 'read out' the content), braille display or screen magnifier. Or someone with motor difficulties might use a special mouse, speech recognition software or on-screen keyboard emulator.

- 1.15 People may not have a choice when using a public sector website or app, so it's important they work for everyone. The people who need them the most are often the people who find them hardest to use.
- 1.16 Common accessibility problems include websites that can't be navigated using a keyboard, inaccessible PDF forms that can't be read out on screen readers, and poor colour contrast that makes text difficult to read, especially for visually impaired people.
- 1.17 The Council must also publish an accessibility statement which must include details of content that doesn't meet accessibility standards.
- 1.18 The accessibility statement must include (a) an explanation of those parts of the content that are not accessible and the reasons why; (b) where appropriate, a description of any accessible alternatives provided; (c) a description of, and a link to, a contact form which enables a person to notify the council of any failure of its website or mobile application to comply with the accessibility requirement and request details of the information excluded, such as under the disproportionate burden exemption and that in Regulation 4 (2) and (d) a link to the enforcement procedure to which recourse may be had in the event of an unsatisfactory response to the notification or the request.
- 1.19 The Council must, if someone requests it, provide an accessible alternative within a reasonable time for content that doesn't meet the standards, (Regulation 13).
- 1.20 A failure by a council to comply with the accessibility requirement is to be treated as a failure to make a reasonable adjustment for the purposes of the 2010 Act.
- 1.21 A failure by a council to provide a satisfactory response to a request to provide information in an accessible format is also to be treated as a failure to make a reasonable adjustment.
- 1.22 The enforcement body is the Equality and Human Rights Commission.
- 1.23 The Cabinet Office may also undertake an assessment as to whether a council has complied with the accessibility statement requirement.
- 1.24 Meeting accessibility standards can help show that the Council is making reasonable adjustments for disabled users of the Council website.
- 1.25 The current Council website, page content, documents and images will all have to be amended to comply with The 2018 Regulations.
- 1.26 The Council is legally responsible for the website meeting accessibility standards, even if the site operations are outsourced.

## **EXEMPTIONS**

- 1.27 Some types of content, website and organisations are exempt from the new public sector regulations.
- 1.28 However, even if something is exempt, all UK service providers have a legal obligation to make reasonable adjustments under the Equality Act 2010 (or Disability Discrimination Act 1995 in Northern Ireland).
- 1.29 The Council will need to make documents like PDFs and Microsoft Office files accessible if they are published on the web.
- 1.30 There are exemptions from making content accessible if it's:
  - a) live audio and video
  - b) pre-recorded audio and video published before 23 September 2020
  - c) maps - if the map helps users find a service you offer, you must provide directions another way
  - d) a PDF published before 23 September 2018 that is not essential for services your organisation provides
  - e) part of a heritage collection - for example, scanned manuscripts
  - f) third party content that's under someone else's control if you didn't pay for it or develop yourself - for example, social media 'like' buttons
  - g) content on intranets and extranets published before 23 September 2019 (unless you make a major revision after that date)
  - h) archived websites if they're not needed for services your organisation provides

## **ACCESSIBILITY STANDARDS ACTION PLAN**

- 1.31 The new website hosting/support provider has carried out a health check prior to transfer, to identify which parts of the website need fixing and to enable officers to prioritise activities.
- 1.32 It has been quoted that the remedial work will take 4-5 days at a day rate of £495 – Circa £2,475
- 1.33 An outsourced administrator has been employed to convert all the Council's PDF documents into an accessible format and provide formatting guidelines for all the Council's templates to ensure long-term compliancy – Circa £3,000.
- 1.34 The administrator will also train officers to use the new accessible format - £150 per day.
- 1.35 All archive documents that were published before 23 September 2018 on the website would have to comply with this law. These archive documents would need to be amended by 23 September 2020.

- 1.36 A significant amount of archive documents have been removed and a review is underway to identify which other documents this may affect that are still on the website and which essential to the delivery of the Council's other commitments such as the 2014 Transparency Code.
- 1.37 The archives section of the website may have to be deleted entirely to ensure compliancy.
- 1.38 The Council will need to publish an accessibility statement from 23 September 2020 as an html page, from a prominent place like the website footer. We are awaiting advice from NALC. The accessibility statement must say:
- 1.39 People who create content on the website will be informed that they have a responsibility to make the content accessible. This will include:
- making sure all PDF documents are accessible
  - making sure images are accessible
  - following conventions for creating accessible content (for example, write descriptive links instead of using 'click here')
- 1.40 The Council should ensure a long-term commitment to The 2018 Regulations similar to its current commitment to the GDPR 2018 Regulations and retain an annual budget for ongoing costs circa £1,000 after compliancy is attained.

## **b)FINANCIAL IMPLICATIONS**

- 2.1 There is no allocated budget for this scheme of work in 2019/20 and it is proposed that the following be funded via General Reserves.
- 2.2 The remedial work will cost circa £2,475.
- 2.3 Internal administration to convert all PDF documents to an accessible format – circa £3,000.
- 2.4 Training for formatting £150.00 per day.
- 2.5 Long-term ongoing costs £1,000 per annum.

### **c) RISK MANAGEMENT**

<b>RISK</b>	<b>CONSEQUENCE</b>	<b>CONTROLS REQUIRED</b>
The Council fails to comply with new and emerging legislation.	Reputational risk. Breach of the Law.	That officers continue to advice and guide the Council about the Council's statutory obligations.  That the Council's website and associated documents are designed to meet the new legal obligations.

### **BACKGROUND PAPERS**

NALC Legal Briefing





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Tel: 01768 899 773 Email: [office@penrithtowncouncil.co.uk](mailto:office@penrithtowncouncil.co.uk)

## **FULL COUNCIL 20 MAY 2019**

### **THE LOCAL COUNCIL AWARD SCHEME**

**AUTHOR: V.TUNNADINE, TOWN CLERK**

**SUPPORTING MEMBER: COUNCIL CHAIRMAN**

### **ITEM NUMBER: 24**

- i) To confirm by resolution that the Council is eligible and shall register for the Local Council Award Scheme, Quality Gold Award as resolved by Full Council, 28 January 2019 minute reference: **PTC 18/91**.
- ii) To approve the statements of evidence for the application and authorise the Chairman to sign the statements on behalf of the Council.

### **RECOMMENDATIONS**

It is recommended that the members consider this report and pass the following resolution as resolved by Full Council, 28 January 2019 minute reference **PTC 18/91**:

"That the Council confirm its eligibility to apply for the National Association of Local Councils, Quality Gold Award and that the criteria for the award have been met and are either published on line or are available for the LCAS accreditation panel in the form of evidence statements."

## **LAW**

Local Councils have a wide range of powers. Statutory powers are granted by Parliament give local councils the choice or opportunity to act and are therefore discretionary. Like all powers given to public bodies the powers of local councils are defined in detail in legislation. Local Councils must exercise their powers subject to the provisions of the general law and therefore to ensure legal compliance, Penrith Town Council is required to have in place an effective and lawful governance framework.

### **1. REPORT DETAILS**

- 1.1 The Local Council Award Scheme was established January 2015 and replaces the Quality Council Scheme.
- 1.2 The Audit Commission have defined corporate governance in the public services as:

"the framework of accountability to users, stakeholders and the wider community, within which organisations take decisions and lead and control their functions, to achieve their objectives".

- 1.3 This award scheme has been designed to provide a governance framework to support all local councils to improve and develop to meet their full potential.
- 1.4 There is a range of reasons why a council could benefit from taking part in the award scheme. For councils who are already confident that they perform to a high standard, the scheme provides assurance to the council that it is up-to-date and progressive by the standards set by the sector. For those who wish to improve, it provides a framework to plan and make the first steps.
- 1.5 An award is a tool that councils can use when working with the local community or other local partners, giving them confidence that the council is delivering to a national professional standard.
- 1.6 The scheme will contribute to the national and local reputation of this Council demonstrating its achievements and a commitment to improvement.

### 1.7 The Quality Gold Award

- The Quality Gold Award demonstrates that a council is at the forefront of best practice and achieves excellence in governance, community leadership and council development.
- Quality Gold councils provide leadership for their communities, bring people together, have excellent business planning processes, ensuring value for money as well as constantly seeking new innovations and opportunities to improve.

1.8 The scheme is a form of peer review through the work of an accreditation panel. It aims to be simple, efficient and flexible as possible.

1.9 The panel checks that the criteria for the relevant award have been met in published and/or requested information. Most documents will be published on the council website and checked through the website. Further documents may be requested for the quality awards.

## **REGISTRATION**

1.10 The council registers its intention to apply for a specified award (online). A registration fee (£50) is payable to National Association of Local Councils.

1.11 NALC administer the national scheme - resources, quality assurance and review process.

1.12 An additional accreditation fee is payable to the local association (Cumbria Association of Local Councils) who will administer the local Accreditation Panel.

This fee would be:

- £80 for Foundation
- £100 for Quality
- £200 for Quality Gold

1.13 The Town Clerk notifies the panel co-ordinator that the Council has passed a resolution confirming that all the documentation and information is in place for a specified award and submits a completed application form with any additional documentation required. The council pays the accreditation fee which covers the costs administering the local service.

- 1.14 When the accreditation panel makes its decision it informs the council. It also completes an online form to allow NALC to update national records.

## **OUTCOME**

- 1.15 When the panel is satisfied that it has seen sufficient information, the findings are presented in a report agreed by the panel. The panel makes one of three recommendations to the council:
- a) The Award is achieved.
  - b) The Award is achieved but the council is advised to make some small changes.
  - c) The Award is not achieved until specified improvements have been made.
- 1.16 If a council has applied for a higher award but has not achieved all the criteria, the panel can award a lower award if appropriate.
- 1.17 The aim of the scheme is to be supportive and help councils achieve the status they have applied for and so it is expected that achieving a lower (or no) award would be an exceptional circumstance.
- 1.18 The panel co-ordinator informs the council of the outcome within two months of being notified of the application inform NALC of the outcome and successful councils are included in a published list on the NALC website.
- 1.19 NALC issues a certificate and provides resources to help the council celebrate and promote their achievement which is sent to the council and panel co-ordinator.
- 1.20 Councils and accreditation panels will be contacted by NALC for feedback on the process and the benefits of receiving the awards.
- 1.21 Accreditation lasts for four years.
- 1.22 The Council may seek re-accreditation at the same level after four years. If it does not achieve a new accreditation or re-accreditation before four-year end-date, it loses its award.
- 1.23 The Council is expected to maintain its reputation by meeting the criteria throughout the four years.
- 1.24 Although some circumstances may change, the Council will not lose its award unless a significant event such as an audit, employment tribunal, court case or police investigation demonstrates the Council's poor performance.

## **2. FINANCIAL IMPLICATIONS**

Cost of registration and accreditation £250.

## **3. APPENDICES ATTACHED TO THIS REPORT**

- RECORDS AND STATEMENTS OF EVIDENCE FOR QUALITY GOLD AWARD FOR MEMBERS
- NOTE THAT THE POLICIES AND PROCEDURES, COUNCILLOR DETAILS ON THE WEBSITE WILL BE UPDATED AFTER THE ANNUAL MEETING.

## LOCAL COUNCIL AWARD SCHEME ACCREDITATION DOCUMENT

### FOUNDATION – redacted to protect application

Penrith Town Council has confirmed by resolution at the Annual Town Council Meeting held on 20 May 2019 that it publishes online:

	Activity	Met	Evidence – website link
1.	a. Its standing orders and b. financial regulations		
2.	Its Code of Conduct and a link to councillors' registers of interests		
3.	Its publication scheme		
4.	Its last annual return		
5.	Transparent information about council payments		
6.	A calendar of all meetings including the annual meeting of electors		
7.	Minutes for at least one year of full council meetings and (if relevant) all committee and sub-committee meetings		
8.	Current agendas		

	<b>Activity</b>	<b>Met</b>	<b>Evidence – website link</b>
9.	The budget and precept information for the current or next financial year		
10.	Its complaints procedure		
11.	Council contact details and councillor information in line with the transparency code		
12.	Its action plan for the current year		
13.	Evidence of consulting the community		
14.	Publicity advertising council activities		
15.	Evidence of participating in town and country planning		

Penrith Town Council has confirmed by resolution at the Annual Town Council Meeting held on 20 May 2019 that it has:

	<b>Activity</b>	<b>Met</b>	<b>Evidence – website link or other</b>
16.	A risk management scheme		
17.	A register of assets		
18.	Contracts for all members of staff		
19.	Up-to-date insurance policies that mitigate risks to public money		
20.	Disciplinary and grievance procedures		
21.	A policy for training new staff and councillors		
22.	A record of all training undertaken by staff and councillors in the last year		
23.	A clerk who has achieved 12 CPD points in the last year		

**CHAIRMAN:**

**SIGNATURE:**

**DATE:**



## QUALITY

Penrith Town Council has confirmed by resolution at the Annual Town Council Meeting held on 20 May 2019 that it publishes online:

	Activity	Met	Evidence – website link
1.	Draft minutes of all council and committee meetings within four weeks of the last meeting		
2.	A Health and Safety policy		
3.	Its policy on equality		
4.	Councillor profiles		
5.	A community engagement policy involving two-way communication between council and community		
6.	A grant awarding policy		
7.	Evidence showing how electors contribute to the Annual Parish or Town Meeting		
8.	An action plan and related budget responding to community engagement and setting out a timetable for action and review		

	Activity	Met	Evidence – website link
9.	Evidence of community engagement, council activities and the promotion of democratic processes in an annual report, online material and at least four news bulletins a year		

Penrith Town Council has confirmed by resolution at the Annual Town Council Meeting held on 20 May 2019 that it has:

	Activity	Met	Evidence – website link or other
10.	Evidence of helping the community plan for its future		
11.	a scheme of delegation (where relevant)		
12.	addressed complaints received in the last year		
13.	at least two-thirds of its councillors who stood for election		
14.	a printed annual report that is distributed at locations across the community		
	Circulated to each household		
15.	a qualified clerk		
16.	a clerk (and deputy) employed according to nationally or locally agreed terms and conditions		
17.	a formal appraisal process for all staff		
18.	a training policy and record for all staff and councillors		

**CHAIRMAN:**

**SIGNATURE:**

**DATE:**

## QUALITY GOLD

Penrith Town Council has confirmed by resolution at the Annual Town Council Meeting held on 20 May 2019 that it meets all requirements for the Foundation and Quality Awards and also publishes on its website:

	Activity	Met	Evidence – website link or other
1.	A business plan covering a financial forecast for at least three years linked to revenue and capital plans for the council and its community		
2.	An annual report, online material and at least four news bulletins a year with evidence of:		
	a) engaging with diverse groups in the community using a variety of methods		
	b) community engagement leading to positive outcomes for the community		
	c) a broad range of council activities including innovative projects		
	d) co-operating constructively with other organisations		

Penrith Town Council has confirmed by resolution at the Annual Town Council Meeting held on 20 May 2019 that it publishes online and that it has prepared evidence statements

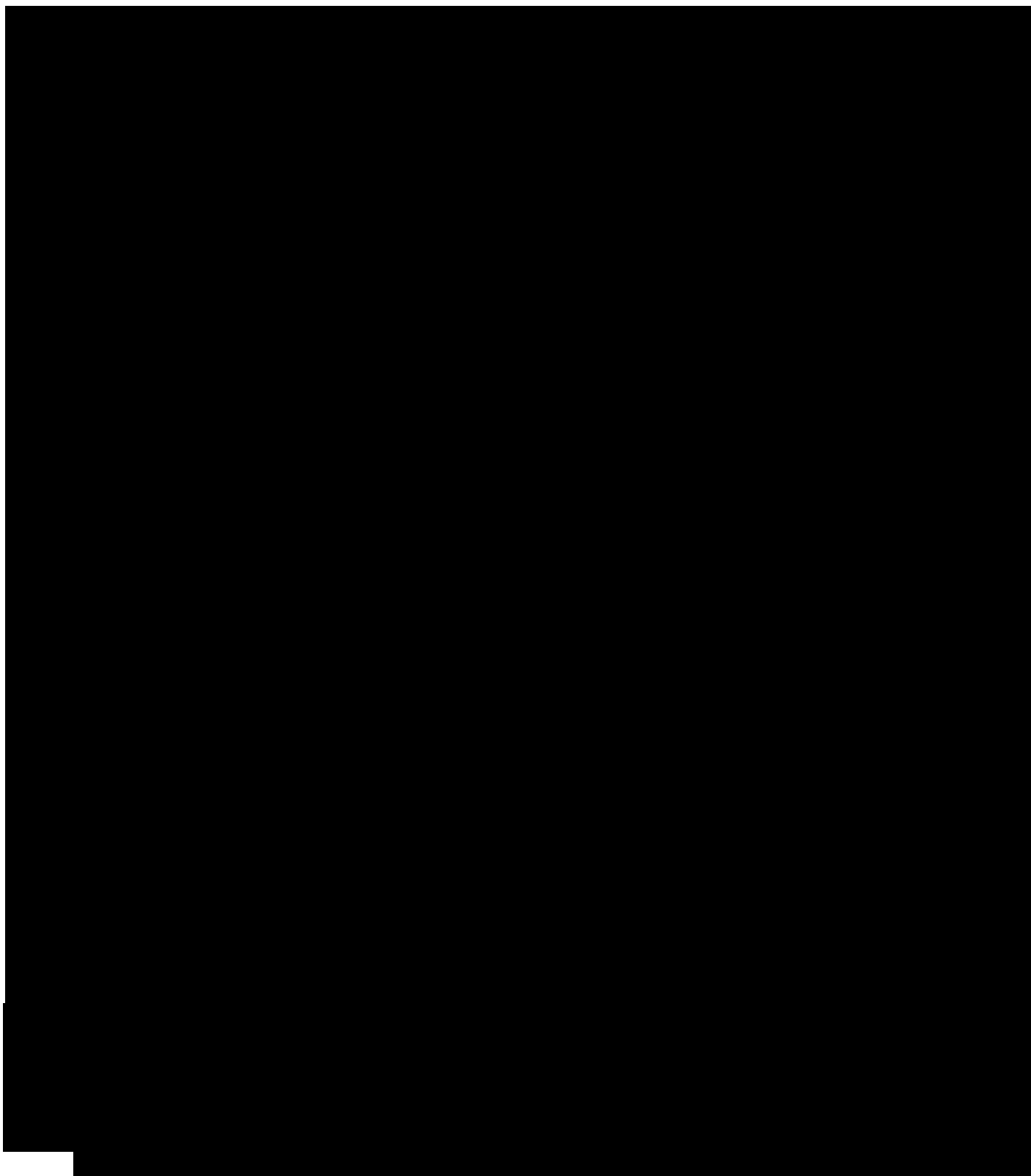
	<b>Activity</b>	<b>Met</b>	<b>Evidence – website link or other</b>
3.	Ensures that the council delivers value for money		
4.	Meets its duties in relation to bio-diversity and crime & disorder		
5.	Provides leadership in planning for the future of the community		
6.	Manages the performance of the council as a corporate body		
7.	Manages the performance of each individual staff member to achieve its business plan		

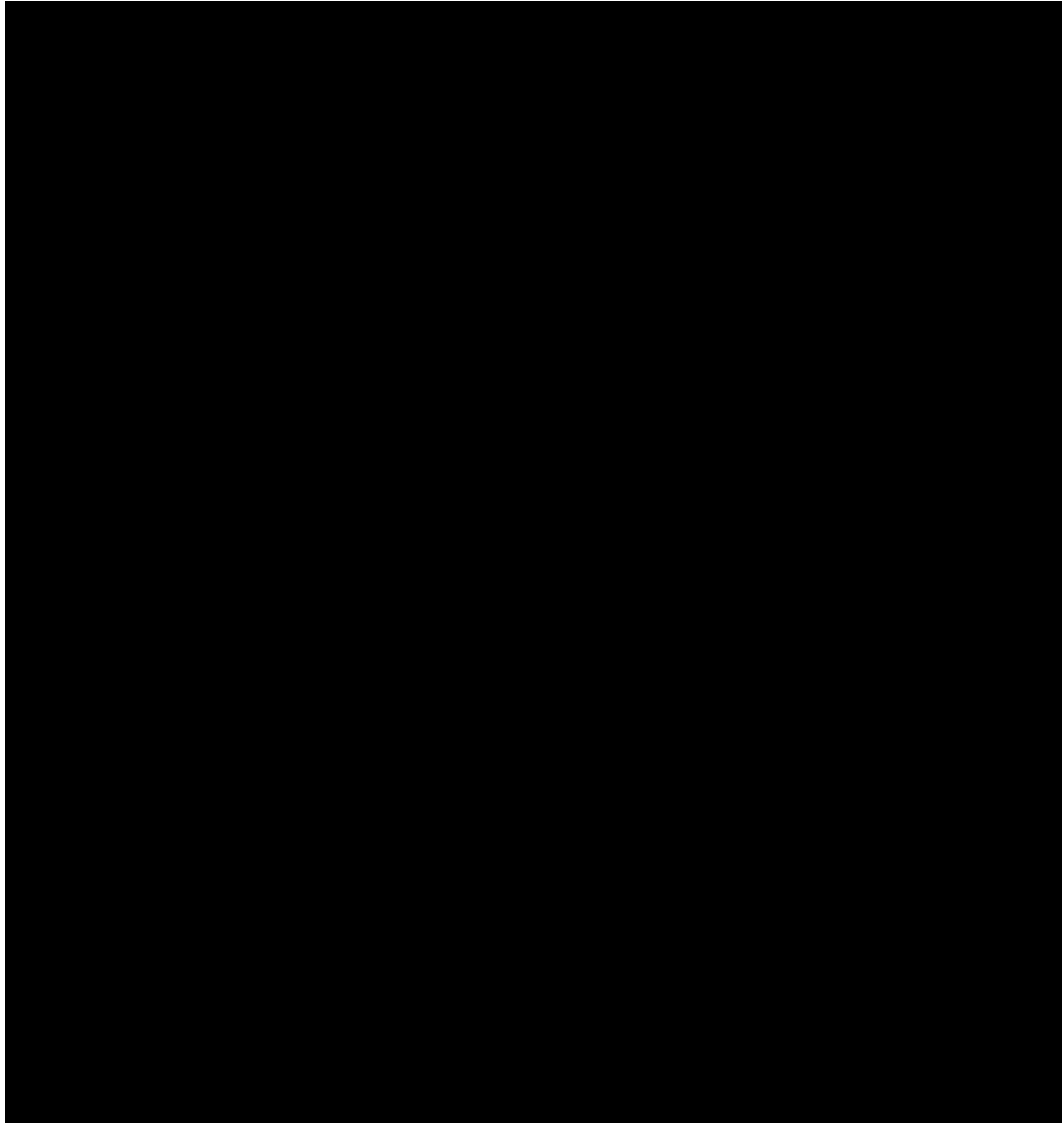
**CHAIRMAN:**

**SIGNATURE:**

**DATE:**

## COMMUNITY ENGAGEMENT STATEMENT A





<b>POLICIES, PROCEDURES &amp; PROTOCOLS STATEMENT B</b>		
<b>TITLE</b>	<b>ADOPTED</b>	<b>REVIEW</b>
ASSET VALUATION POLICY	20/05/19	ANNUAL
BANNER & ADVERTISEMENT POLICY	26/11/18	2028
BIODIVERSITY	15/05/2017	2022
CIVIC PROCEDURES	06/07/15	07/19
CODE OF CONDUCT	18/05/15	ANNUAL
NON-COMPLIANCE CODE OF CONDUCT	18/05/15	ANNUAL
COMMUNICATION POLICY	18/05/15	ANNUAL
COMMUNICATION PROTOCOL	18/05/15	ANNUAL
COMMUNITY ENGAGEMENT	06/07/17	2019
COMPLAINTS PROCEDURE	18/05/15	ANNUAL
CONSULTATION POLICY	21/05/2018	2022
CO-OPTION POLICY	18/05/15	ANNUAL
DELEGATION SCHEME	18/07/17	ANNUAL
DISPENSATION	27/11/17	2019
EQUALITY & DIVERSITY	15/05/17	2022
EQUAL OPPORTUNITIES	18/05/15	2020
FILMING OF MEETINGS	18/05/15	ANNUAL
FINANCIAL REGULATIONS	18/05/15	ANNUAL
FREEDOM OF INFORMATION	18/05/15	ANNUAL
GIFTS & HOSPITALITY	18/05/15	ANNUAL
HEALTH & SAFETY POLICY	21/02/18	ANNUAL
INVESTMENTS POLICY	28/01/19	2019
INTERNAL CONTROL	16/05/16	ANNUAL



<b>POLICIES, PROCEDURES &amp; PROTOCOLS</b>		
<b>TITLE</b>	<b>ADOPTED</b>	<b>REVIEW</b>
MEDIA POLICY	18/05/15	ANNUAL
MEMORIAL SEAT POLICY	26/22/18	2028
OFFICER AND MEMBER PROTOCOL	26/11/18	2022
PARTNERSHIP PROTOCOL	15/05/17	2022
PLANNING PROTOCOL	13/07/15	2021
PETITIONS POLICY	20/05/19	
PREFERRED CONTRACTOR POLICY	26/11/18	2022
PROCUREMENT POLICY	16/05/16	2018
PUBLIC PARTICIPATION	18/05/15	ANNUAL
PUBLICATION SCHEME	18/05/15	ANNUAL
RESERVES POLICY	18/01/19	ANNUAL
RISK MANAGEMENT	18/05/15	ANNUAL
STANDING ORDERS	18/05/15	ANNUAL
TRAINING	15/05/17	ANNUAL
UNTOWARD INCIDENT POLICY	26/11/18	2022
VALUE FOR MONEY	15/05/17	2021

<b>DATA POLICIES, PROCEDURES &amp; PROTOCOLS</b>		
<b>POLICIES, PROCEDURES &amp; PROTOCOLS</b>		
<b>TITLE</b>	<b>ADOPTED</b>	<b>REVIEW</b>
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

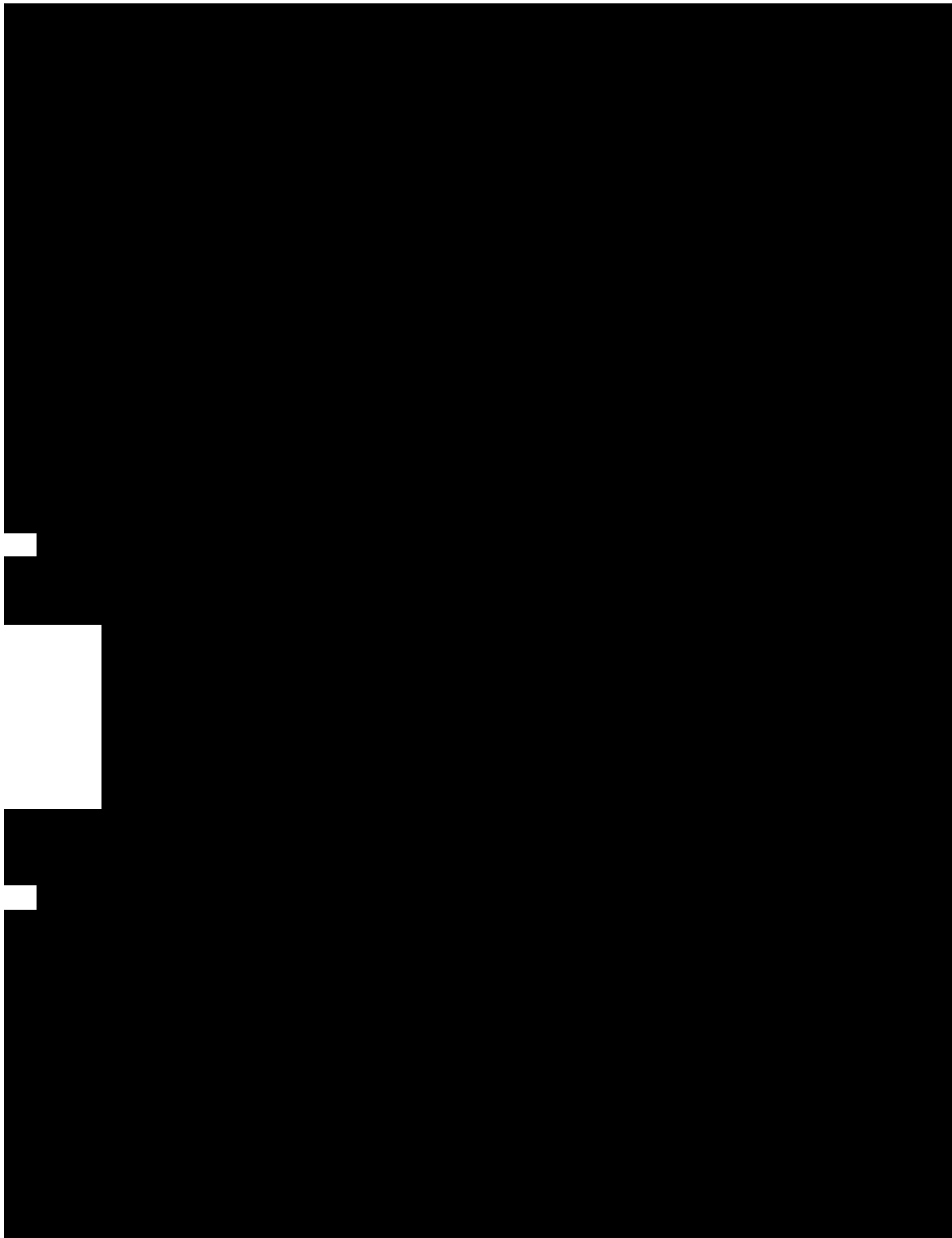
<b>INTERNAL POLICIES, PROCEDURES &amp; PROTOCOLS</b>		
<b>TITLE</b>	<b>ADOPTED</b>	<b>REVIEW</b>
BULLYING & HARASSMENT POLICY	May 2016	2026
CAPABILITY PROCEDURES	May 2016	2026
DISCIPLINARY	May 2016	2026
GRIEVANCE	May 2016	2026
DISCLOSURE & BARRING SERVICE	May 2018	2026
HEALTH & SAFETY POLICY	May 2018	2026
HEARINGS POLICY	May 2016	2026
WHISTLEBLOWING POLICY	May 2016	2026
STAFF HANDBOOK	May 2016	2026

The Council confirms by resolution at a full council meeting that it has approved and implemented all the afore mentioned policies, procedures and protocols.

**CHAIRMAN:**

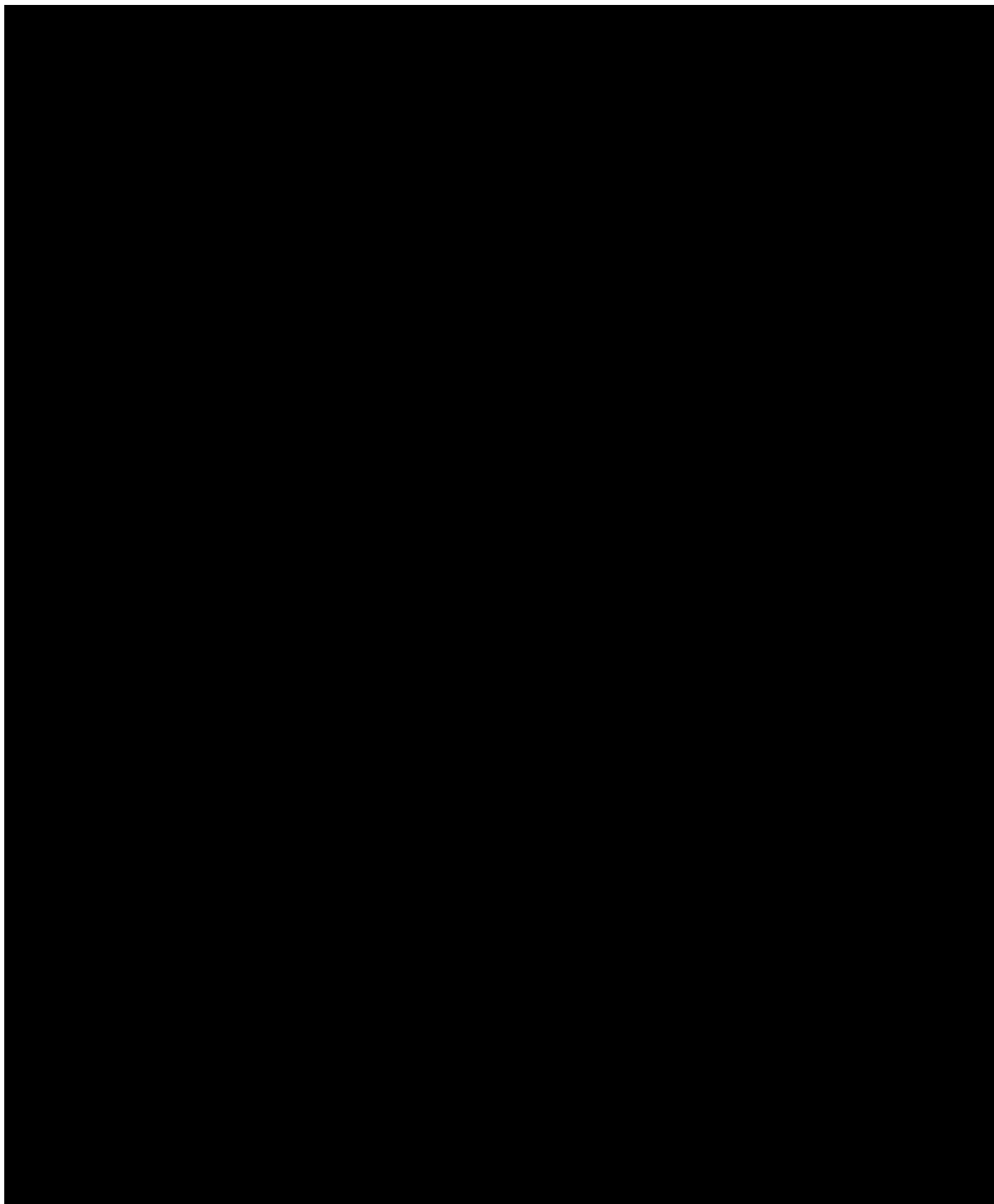
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## VALUE FOR MONEY DELIVERY STATEMENT C



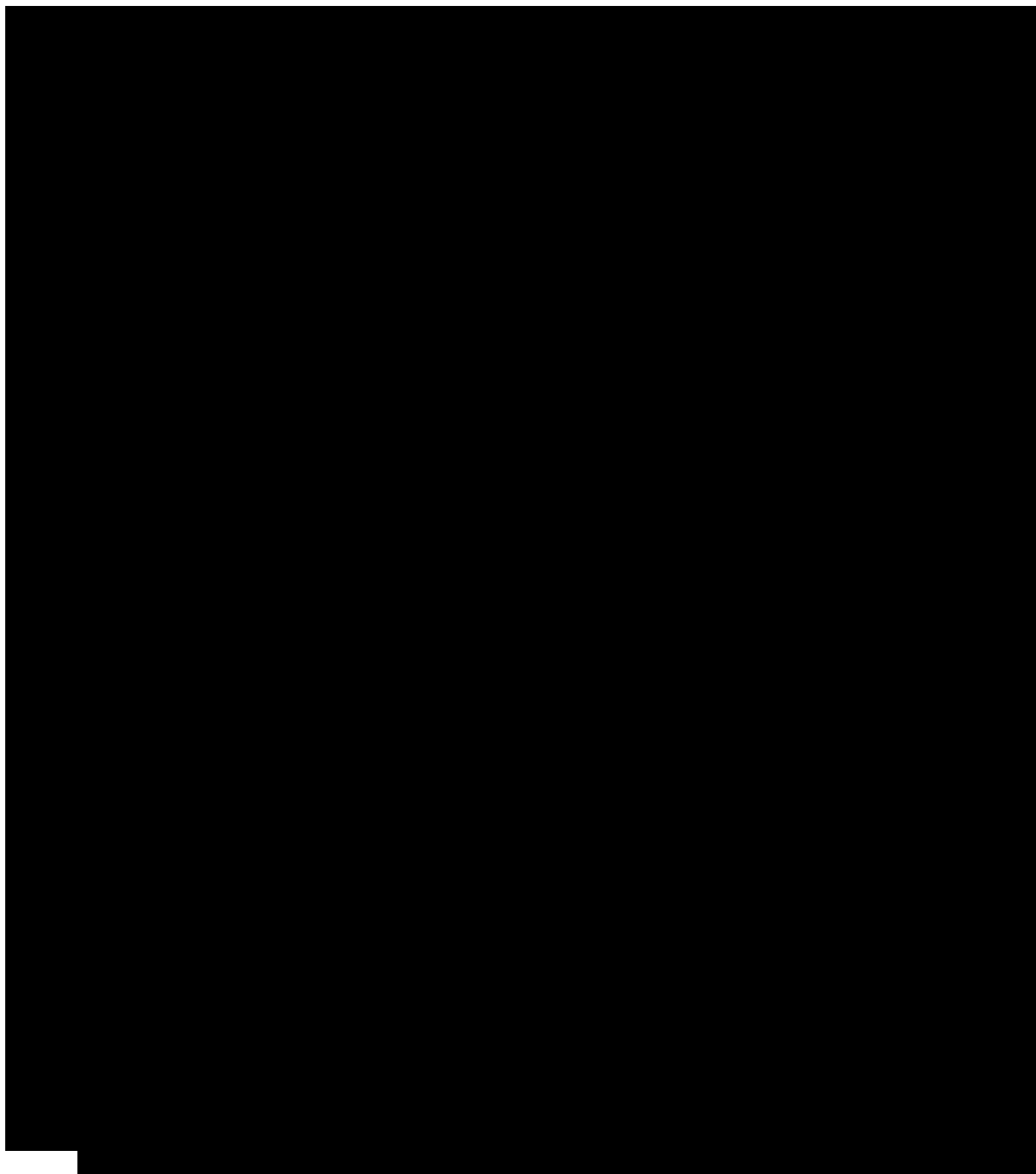


## **LEADERSHIP IN PLANNING FOR THE FUTURE OF THE COMMUNITY STATEMENT D**

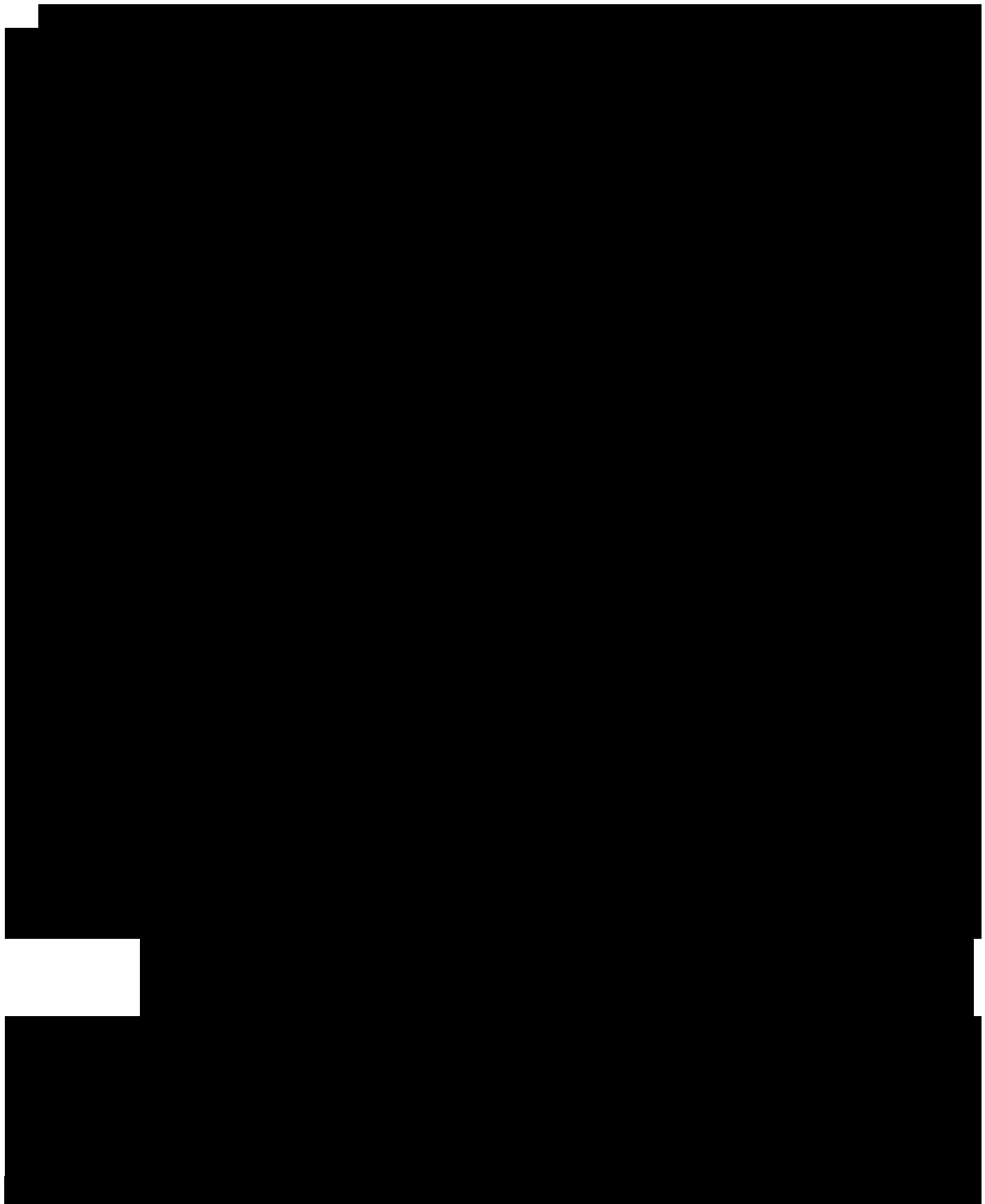




## **CORPORATE PERFORMANCE MANAGEMENT STATEMENT E**







## **STAFF & COUNCILLOR PERFORMANCE MANAGEMENT STATEMENT F**

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[REDACTED]

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# Penrith Town Council

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

## **FULL COUNCIL 28 MAY 2019**

## **GENERAL POWER OF COMPETENCE**

**AUTHOR: V. TUNNADINE, TOWN CLERK**

**SUPPORTING MEMBER:**

**ITEM NUMBER: 25**

## **RECOMMENDATIONS**

It is recommended that the members consider this report and resolve the following resolution:

“The Town Council resolves from 20 May 2019, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence)(Prescribed Conditions) Order 2012, to adopt the General Power of Competence”.

## **LAW**

### **Legislative background to the power**

Parish councils are corporate bodies their powers have accumulated through legislation since 1894. Their powers being constrained to specific and appropriate legislation until 2008 when they could, if eligible, exercise the Power of Well-being 2008 Order made under Sec 1 (2) of Local Government Act 2000 for the benefit of their community. The General Power of Competence was brought into force by SI. 961, The Localism Act 2011 (Consequential Amendments) Order 2012 on 28th March 2012. The Localism Act 2011, Chapter 1 of Part 1, Sections 1-8 has provided local authorities with a General Power of Competence, a radical new power with wide ranging possibilities. The broader general power of competence replaces the power of well-being.

## 1. OVERVIEW

- 1.1 **This Council resolved at its meeting 28 January 2019, that in May 2019 at the Annual Meeting of the Council, that it would confirm by resolution that the Council was eligible and would adopt the General Power of Competence as resolved 28 January 2019 minute reference: PTC18/92.**
- 1.2 The power moves towards the decentralisation of powers down to the lowest practical level of local government. The Explanatory Memorandum to The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 no. 965 says that:

“The Government’s intention in providing eligible parish councils with the General Power of Competence is to better enable them to take on their enhanced role and allow them to do the things they have previously been unable to do under their existing powers”
- 1.3 This power provides local councils confidence in the legal capacity to act for their communities. The idea being that councils will use this power to work with others to provide cost-effective services and facilities in new ways to meet the needs of local communities.
- 1.4 The General Power of Competence (GPC) , Localism Act 2011 Sec 1 (1) gives local authorities, including eligible local councils, “the power to do anything that individuals generally may do” as long as they do not break other laws. It is intended to be a power of first, not last, resort.
- 1.5 Council must ask itself if an individual is allowed to do it, if the answer is yes then Council is normally permitted to act in the same way.
- 1.6 A council could:
  - lend or invest money
  - it could set up a company or co-operative society to trade and engage in commercial activity
  - it could run a community shop or post office
  - the power is not restricted to use within the parish it can be used anywhere
  - trade as a business
- 1.7 While councils are being encouraged to be innovative they should be aware of the risk of:
  - being challenged
  - their trading activities damaging other competing local enterprises
  - damage to the council’s reputation and public money if a project goes wrong.

- 1.8 Existing duties remain in place, such as having regard to the likely effect on crime and disorder, biodiversity and the duty to provide allotments
- 1.9 Existing financial and procedural duties remain in place for regulating governance for example - no delegation to a single councillor.
- 1.10 Councils must continue to comply with relevant existing legislation - employment law, Health and Safety legislation, equality legislation and duties related to data protection and freedom of information.
- 1.11 If a council wishes to trade it must set up a company or co-operative society and abide by company law. The council can charge for services provided under the power.
- 1.12 If the council wishes to invest in a local business which it hopes will support the local economy it should follow Government advice . If it wishes to support a community enterprise, an economic development grant might be a sensible option.
- 1.13 If another authority has a statutory duty to provide a service (eg education) it remains their duty to provide it but the council may assist.
- 1.14 The council needs to ask itself whether an individual, private company or community trust could help, if the answer is yes then the council can assist. An appropriate delivery body may need to be set up.
- 1.15 If the action the council wishes to take is also covered by a specific power then any restrictions that apply to the overlapping power remain in place.
- 1.16 If existing legislation requires the council to ask permission before acting, then it must do so. For example, the council asks permission of the Highways Authority before doing work on roadside verges.

## **ELIGIBILITY**

- 1.17 The conditions for eligibility are set out in the Statutory Instrument, Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 . They are:

### **Resolution**

- 1.18 The council must resolve at a meeting that it meets the criteria for eligibility relating to the electoral mandate and relevant training of the clerk. The resolution can be passed at any meeting of the council, but a further resolution must be passed at every subsequent "relevant annual meeting" for the council to be able to continue to exercise the power. A "relevant annual meeting" is the annual meeting that takes place in a year of ordinary elections, once every four years.

## **Electoral Mandate**

- 1.19 At the time the resolution is passed, at least two thirds of the members of the council must hold office as a result of being declared elected. This means they should have stood for election, whether at an ordinary or by election, even if unopposed, rather than co-opted or appointed. If two thirds is not a whole number then it must be rounded up. For example, if the total number of councillors is 8, then two thirds is approx. 5.3, then the number of councillors that must be elected is 6.

**This Council has 14 elected members out of 15.**

## **Qualified clerk**

- 1.20 At the time the resolution is passed the clerk must hold the certificate in local Council Administration, the Certificate of Higher Education in Local Policy, the Certificate of Higher Education in Local Council Administration or the first level of the foundation degree in Community Engagement and Governance (or successor qualifications) awarded by the University of Gloucestershire. The clerk must also have completed training in the exercise of this power as part of one of these qualifications or as separate exercise.

**The Town Clerk holds the certificate in local Council Administration.**

- 1.21 If the council loses its qualified clerk or has insufficient elected councillors then it must record its ineligibility at the next 'relevant' annual meeting of the council (after the ordinary election). If it has already started an activity it can finish that but not start anything new.

## **2. FINANCIAL IMPLICATIONS**

- 2.1 Monies that can be spent under Sec 137, Local Government Act 1972 are limited and have to be budgeted for separately, they are restricted in that they cannot be used to give money to individuals and expenditure must be commensurate with the benefit.
- 2.2 Sec 137 is a power of last resort.
- 2.3 A council that is eligible to use the general power of competence can no longer use Sec 137 as a power for taking action for the benefit of the area or its community.
- 2.4 However, Sec 137 (3) permits the council to contribute to UK charities, public sector funds and public appeals and remains in place if the Council had the GPC.
- 2.5 The General Power Of Competence is a very broad ranging power, far wider than any power that has previously been available to town and parish councils, wider than sec 137 and the power of well-being.
- 2.6 GPC imposes no statutory maximum limit to the level of expenditure which the Council may incur.
- 2.7 A Council with GPC can use the power for trading purposes.

## **3. BACKGROUND PAPERS**

The General Power of Competence – empowering councils to make a difference.

Localism Act 2011

29 January 2019 – Full Council Meeting Minutes

[www.legislation.gov.uk/ukpga/2011/20/contents/enacted](http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted)

Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012

<http://www.legislation.gov.uk/ukdsi/2012/9780111519868/body>

Localism Act 2011: Explanatory Notes

<http://www.legislation.gov.uk/ukpga/2011/20/notes/division/5/1/1>

Charging guidance

<http://www.communities.gov.uk/documents/localgovernment/pdf/151291.pdf>

Various LGA documents available from the Town Clerk on request.





# Penrith Town Council

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## **ANNUAL TOWN COUNCIL 20 MAY MEETING 2019**

### **MATTER: Motion to Penrith Town Council: Declaration of a Climate Emergency**

**AUTHOR AND PROPOSER: Cllr. Lawson**

**ITEM NUMBER: 26**

### **RECOMMENDATIONS:**

#### **That the Council:**

- i) Declare a 'Climate Emergency' and aim to make Penrith carbon neutral by 2030, considering both production and consumption emissions (scope 1, 2 and 3) by working with partners across the parish, district, and county to help deliver this goal through relevant strategies, plans and shared resources via a constituted Climate Change Partnership group, led by the larger authorities.
- ii) Authorise the Chairman of the Council to write and request Cumbria County Council along with the relevant parish/district/borough councils establish a Climate Change Partnership that would:
  - a) Involve Councillors, residents, young citizens, climate science experts, businesses, and other relevant parties.
  - b) Consider strategies and actions that would enable the development of a Sustainable Energy and Climate Action Plan for Cumbria in line with a target of net zero emissions by 2030.
  - c) Consider actions that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice;

- d) Call on Westminster to provide the powers, resources and help with funding to successfully meet the 2030 target;
- e) Consider convening a citizen's assembly in 2019 to oversee and feed into the development of related action plans and budgets in each organisations/stakeholder's area of responsibility.

## **LAW**

As of 1 October 2006 every public authority must, in exercising its functions, have regard so far as it is consistent with the proper exercise of those functions to the purpose of conserving biodiversity under the Natural Environment and Rural Communities Act 2006.

The Natural Environment and Rural Communities (NERC) Act came into force on 1st Oct 2006. Section 40 of the Act requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

This duty extends to all public bodies the biodiversity duty of Section 74 of the Countryside and Rights of Way Act 2000 (CROW).

The National Planning Policy Framework (NPPF) published in 2012 emphasises that the purposes of the planning system is to contribute to the achievement of sustainable development and that this gives rise to the need for the planning system to perform a number of roles, such as contributing to protecting and enhancing the natural, built and historic environment and helping to improve biodiversity. The NPPF also states that the planning system should provide a net gain for biodiversity wherever possible and contribute to the Government's commitment to halt the loss of biodiversity.

## **LINK TO LINKS TO COUNCIL PRIORITIES**

Health and Wellbeing and Transport: To preserve and enhance the nature of the town.

### **1. OVERVIEW**

- 1.1 Since the Intergovernmental Panel on Climate Change (IPCC) Special Report of October 2018, Town, District, County and Metropolitan Councils of all political persuasions across the UK have passed motions committing them to addressing the climate crisis. Across the world local government bodies are doing the same.
- 1.2 The motion invites Penrith Town Council to join the many other Councils that are determined to make their contribution to tackling the crisis.
- 1.3 The scientific evidence of the threat we all face is undeniable. In relation to the IPCC report, Mary Robinson former President of Ireland and UN Special Envoy on Climate has said: "We have to understand that we face an existential threat that is going to undermine the future prospects for our children and

grandchildren". Unless we act on climate, we collectively face the greatest threat to our local and global environment.

- 1.4 The IPCC's Special Report on Global Warming of 1.5°C describes the enormous harm that a 2°C rise is likely to cause compared to a 1.5°C rise. It informed us that limiting global warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities. Ref 1,2
- 1.5 The World Meteorological Organisation in their annual bulletin (Nov 2018) state that carbon dioxide levels have hit new highs of 405.5 parts per million (ppm) in 2017, up from 403.3 ppm in 2016 and 400.1 ppm in 2015, levels not seen for millions of years. They warn that "the window of opportunity for action is almost closed".
- 1.6 The world's leading climate scientists warn that there are only a dozen years for global warming to be kept to a maximum of 1.5°C, beyond which even half a degree will significantly worsen the risks of drought, floods, extreme heat and poverty for hundreds of millions of people.
- 1.7 Global temperatures have already increased by 1 degree Celsius from pre-industrial levels and they are still rising rapidly, with impacts being felt around the world today.
- 1.8 The world is on track to overshoot the Paris Agreement's 1.5°C limit before 2050.
- 1.9 In order to reduce the very real risk of runaway global warming and the dramatic impacts on the global environment, society and us as individuals, it is imperative that we take the boldest steps to reduce our CO<sub>2</sub> emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible.
- 1.10 Society needs to help individuals reduce their own carbon emissions by changing its laws, taxation, infrastructure, policies and plans, to make low carbon living easier and the new norm.
- 1.11 Carbon emissions result from both production and consumption.
- 1.12 Authorities around the country and the world are responding by declaring a 'Climate Emergency' and committing resources to address this emergency now.

1.13 South Lakeland District Council 26 February 2019 was the first council in Cumbria to pass a motion to declare a climate emergency:

"Council confirms that it is committed to reducing its carbon emissions and continues to look at all areas of policy and delivery. The Climate Change Policy and the work of the Green Team demonstrates and clarifies our position and ambitions. Council recognises that many organisations have been working hard locally and nationally to identify and address climate change in their own communities and with partners.

However, council believes action needs to happen faster. Business as usual is not enough and there is a growing urgency to implement these actions more rapidly. Council confirms that we are facing a climate emergency. Council now urges government to recognise this urgency and to work with local authorities, health services, businesses, consumers, farmers, educational institutions and all other interested bodies to reduce to net zero as quickly as possible our carbon emissions and their equivalents."

1.14 Carlisle City Council declared a climate emergency on 5 March 2019. Carlisle's motion, proposed by Councillor Colin Glover, leader of the Council, is one of the strongest in the country, committing their Council to:

- "Declare a 'Climate Emergency' that requires urgent action.
- Make the Council's activities net-zero carbon by 2030.
- Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2030.
- Support and work with all other relevant agencies towards making the Carlisle district Zero Carbon within the same timescale.
- Achieve 100 per cent clean energy across Carlisle City Council's full range of functions by 2030.
- Convene a citizen's assembly in 2019 to oversee and feed into the development of related action plans and budgets."

1.15 As of 1 May 2019, climate emergency declarations had been made by 59 councils across the country.

**Penrith Town Council is requested to acknowledges that:**

1.16 The consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be humanity's number one priority.

1.17 To meet the urgent challenge outlined in the IPCC report, we all have a part to play. It is important for us all in Penrith that the Town Council commits to carbon neutrality as quickly as possible. Penrith Town Council can lead where Eden District Council and Cumbria County Council should follow.

1.18 That many organisations have been working hard locally and nationally to identify and address climate change in their own communities and with partners.

- 1.19 Bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities (as well as improved well-being for people worldwide).

## 2. FINANCIAL IMPLICATIONS

None

## 3. BACKGROUND PAPERS /REFERENCES

- Covenant of Mayors - <https://www.covenantofmayors.eu/about/covenant-initiative/origins-and-development.html>
- See the map showing local governments that have declared a Climate Emergency [here](#).
- World Resources Institute:  
<https://www.wri.org/blog/2018/10/8things-you-need-know-about-ipcc-15-c-report>
- The IPCC's Special Report on Global Warming of 1.5°C: see IPCC report [here](#).
- Fossil CO2 & GHG emissions of all world countries, 2017:  
[http://edgar.jrc.ec.europa.eu/overview.php?%20v=CO2andGHG1970-2016&dst=GHGpc%20\(opens%20in%20a%20new%20window\)](http://edgar.jrc.ec.europa.eu/overview.php?%20v=CO2andGHG1970-2016&dst=GHGpc%20(opens%20in%20a%20new%20window))
- Scope 1, 2 and 3 of the Greenhouse Gas Protocol explained:  
<https://www.carbontrust.com/error.html?aspxerrorpath=/resources/faqs/services/scope-3-indirect-carbon-emissions>.



# Penrith Town Council

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

## **FULL COUNCIL 20 MAY 2019**

### **ITEM 27**

#### **MATTER: STATUTORY CONSULTATION - EDEN SPEED LIMIT CONSOLIDATION 2019**

To consider amendments to speed limits in Carleton and Pategill wards. As proposed by Cumbria County Council.

**Note: EMAIL RECEIVED 18 APRIL 2019 – EXTENSION TO REPLY REQUESTED DUE TO PURDAH**

#### **EMAIL EXTRACT**

Dear sirs,

Please find attached the relevant documentation relating to the Eden Speed Limits Consolidation Order statutory consultation.

If you wish to object to or comment upon the proposed Order you should write to the undersigned or email .....@cumbria.gov.uk, by **11 May 2019**, marking your correspondence with reference KB/4.4.1019.

**Traffic Management Officer | Highways, Transport & Fleet**

**Economy & Highways Directorate | Cumbria County Council**

**Skirsgill Depot | Penrith | CA10 2BQ**

**THE COUNTY OF CUMBRIA (VARIOUS ROADS, DISTRICT OF EDEN)**  
**(CONSOLIDATION AND PROVISION OF TRAFFIC REGULATIONS) ORDER**

**20><**

**Statement of Reasons.**

Cumbria County Council considers that it is expedient to propose to make the above order, which, it is proposed will introduce the following speed limits, for avoiding danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising: -

**High Bankhill Kirkoswald**

Following concerns raised by residents and the Parish Council a proposal to introduce a new 30mph restriction through the village was developed.

**Hackthorpe**

The local Member requested the existing 40mph restriction be extended on the south approach to the village to include the Hackthorpe Hall Business Centre access.

**Pategill, Penrith.**

The local Member requested the 20mph Zone be extended to include the whole of the Pategill Estate.

**Renwick**

The village was identified by highways officers as meeting the criteria for a 30mph restriction as part of their annual speed limit review.

**Bampton**

A proposal was developed to extend the existing 30mph restriction approx. 300m in a north easterly direction to include several properties which are currently located outside the restriction.

**Kaber**

Following discussions between highways officers and the Parish Council a proposal to introduce a new 30mph restriction through the village was developed.

**A686 Carleton Penrith**

The local Member requested the 40mph be extended on the A686 for approx. 250m in an easterly direction with the existing 50mph restriction being reduced accordingly.

THE COUNTY OF CUMBRIA (VARIOUS TOWNS AND VILLAGES IN THE DISTRICT OF EDEN) (CONSOLIDATION AND PROVISION OF SPEED LIMITS) ORDER 20><

1. The Cumbria County Council hereby give notice that it proposes to make the above Order under Sections 84(1) and (2) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984.
2. The effect of the proposed Order will be to consolidate the provisions of The County of Cumbria (Various Towns and Villages in the District of Eden) (Consolidation and Provision of Speed Limits) Order 2018 and introduce the following restrictions, into one concise order: -

The restrictions are as follows: -

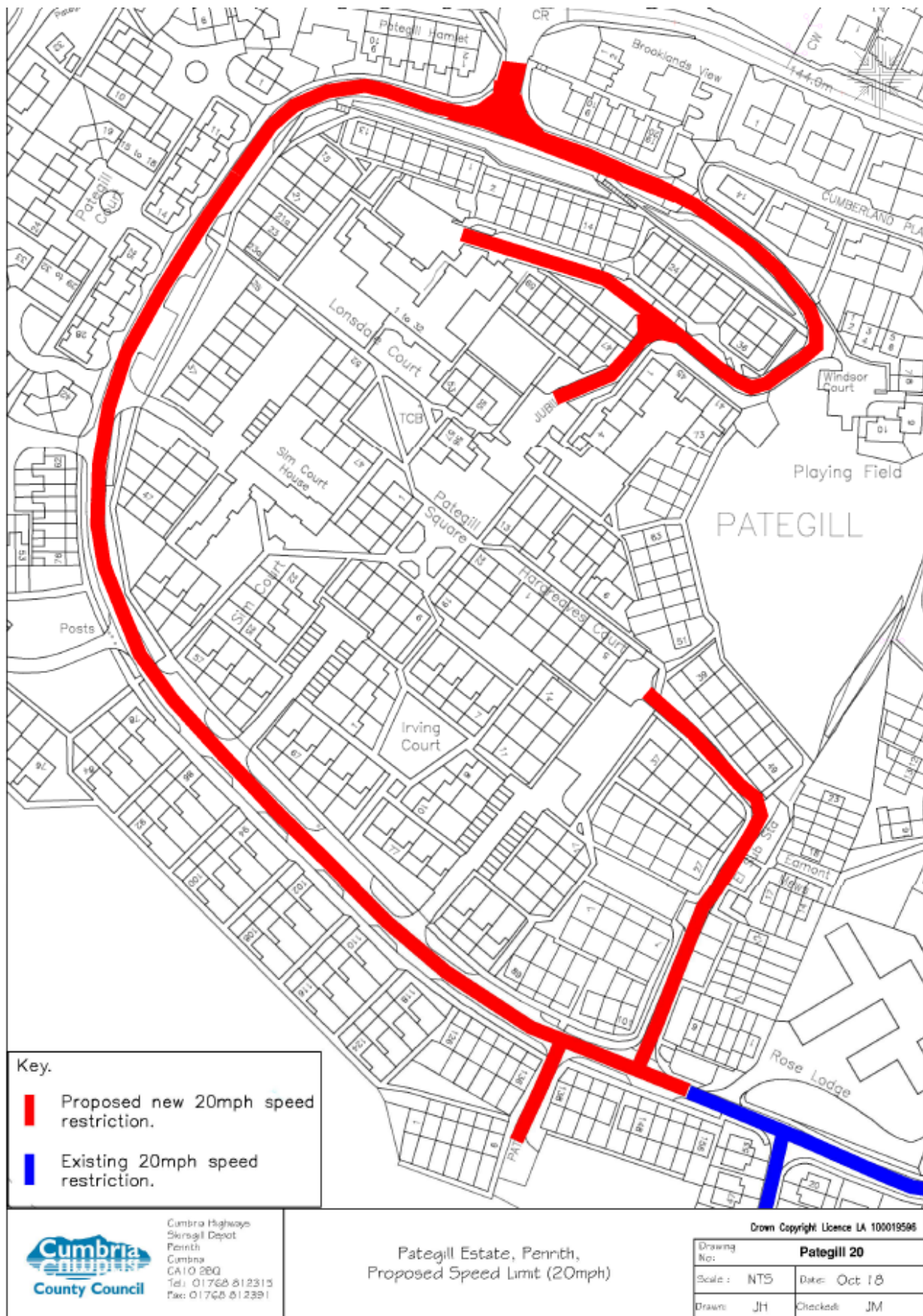
- (a) To introduce a new 30 mph speed limit through High Bankhill, Kirkoswald;
  - (b) To extend the existing 40 mph speed limit on the south approach to Hackthorpe, to include the Hackthorpe Hall Business Centre access;
  - (c) To extend the 20-mph speed limit zone to include the whole of Pategill Estate, Penrith;
  - (d) To introduce a new 30 mph speed limit in the village of Renwick;
  - (e) To extend the existing 30 mph speed limit in Bampton by approximately 300m in a north-easterly direction;
  - (f) To introduce a new 30 mph speed limit in the village of Kaber;
  - (g) To extend the existing 40 mph speed limit on the A686 Carleton, Penrith, by approximately 250m in an easterly direction; and
  - (h) To reduce the existing 50 mph speed limit on the A686 Carleton, Penrith, by approximately 250m.
3. Full details of the proposed Order, together with plans showing the lengths of road concerned, a statement of the Council's reasons for proposing to make the Order and a copy of the Order to be consolidated and revoked, may be inspected at Cumbria Highways, Skirsgill Depot, Penrith, CA10 2BQ and the offices of the undersigned during normal working hours.
4. If you wish to object to or comment upon the proposed Order you should write to the undersigned or email [kim.baxter@cumbria.gov.uk](mailto:kim.baxter@cumbria.gov.uk), by 11 May **2019**, **marking your correspondence with reference KB/4.4.1019.**

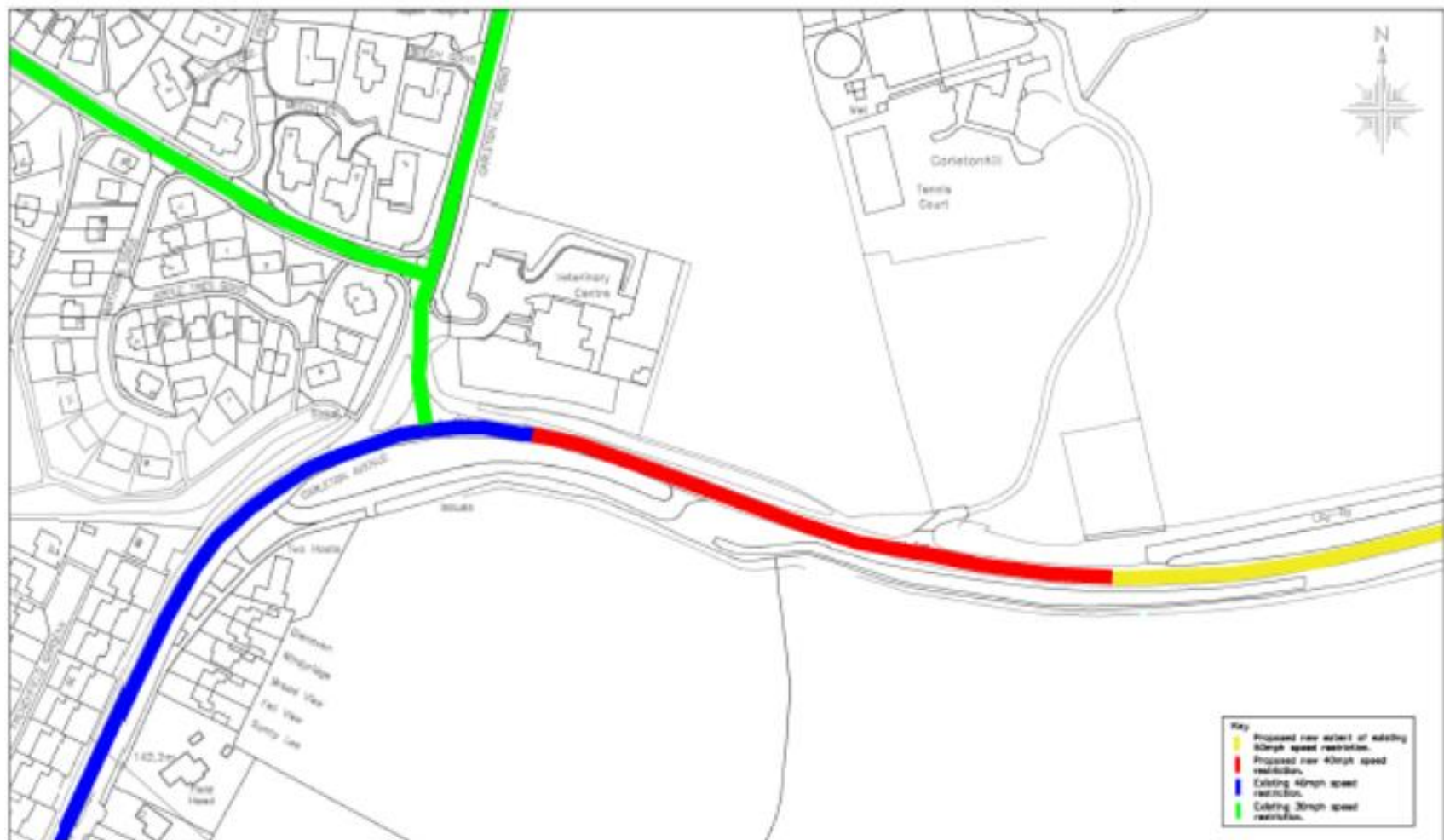
Dated 20 April 2019

Chief Legal Officer, Cumbria House, 117 Botchergate, Carlisle, CA1 1RD.

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CUMBRIA HIGHWAYS  
 Skinsgill Highways Depot  
 Skinsgill,  
 Penrith,  
 CA10 2BQ  
 Tel: (01768) 612315 Fax: (01768) 612381

## A686 Carleton, Penrith Proposed 40mph Speed Limit Extension

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Drawing No:	CHP 40	
Scale:	NTS	Date: Oct 18
Drawn:	JBM	Checked: DC

**FOR THE ATTENTION OF ALL MEMBERS OF THE TOWN COUNCIL**