



Penrith Town Council

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

DATE: 23 March 2021

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of **PENRITH TOWN COUNCIL** will be held on **29 March 2021**, at **6.00pm** and you are hereby **SUMMONED** to attend to transact the business as specified in the agenda and reports hereunder.

Due to the current Government Covid-19 restrictions, this meeting will be a virtual meeting via video conferencing and will not take place in a physical location. The meeting link is available on the Town Council website.

To assist in the speedy and efficient dispatch of business', Members should read the agenda and reports in advance of the meeting. Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the relevant officer **PRIOR** to 9.00am on the day of the meeting.

Members are asked to indicate if they wish to speak on an item **PRIOR** to the meeting (by 1.00pm on the day of the meeting at the latest) by emailing office@penrithtowncouncil.co.uk

FULL COUNCIL MEMBERSHIP

Cllr. Burgin	South Ward	Cllr. Jackson	North Ward
Cllr. Clark	South Ward	Cllr. Kenyon	North Ward
Cllr. S. Clarke	Carleton Ward	Cllr. Knaggs	West Ward
Cllr. Davies	West Ward	Cllr. Lawson	Carleton Ward
Cllr. Donald	North Ward	Cllr. M. Shepherd	North Ward
Cllr. Fallows	East Ward	Cllr. C Shepherd	East Ward
Cllr. Hawkins	East Ward	Cllr. Snell	West Ward

Mrs V. Tunnadine, Town Clerk

Members of the public are welcome to attend. Details about how to attend the meeting remotely, and how to comment on an agenda item are available on the Town Council Website.

The Town Council resolved 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.

AGENDA FOR THE VIRTUAL MEETING OF FULL COUNCIL 29 MARCH 2021

WELCOME

The Chair will welcome everyone to the Full Council meeting and will take a roll call of attendees. Each person in turn will be invited by name to confirm they are in attendance:

Cllr. Burgin	Cllr. Fallows	Cllr. C. Shepherd
Cllr. Clark	Cllr. Hawkins	Cllr. M. Shepherd
Cllr. S. Clarke	Cllr. Jackson	Cllr. Snell
Cllr. Davies	Cllr. Kenyon	
Cllr. Donald	Cllr. Knaggs	

The Chair will advise the meeting which officers are in attendance.

Officers of the Council will provide procedural advice and manage the virtual meeting process. We are unable to guarantee that each participant will remain connected to the meeting.

The Chair will ask attendees to:

- To have their microphones on mute.
- To adhere to the Councils Code of Conduct, General Standing Orders and the Meeting Etiquette Guidance to support the chair as he or she manages the meeting.
- Only unmute when you have been invited in to speak.
- Speak clearly and look into the camera.
- Turn phones to silent.
- Be aware of time lags and allow time for participants to respond.
- Introduce themselves when raising a point.
- The Chair will ask officers if any members wish to speak on each item. Officers will introduce each member who wishes to speak
- Respond to the Chair when their name is called.
- Be aware that some attendees may join by telephone

PART I

1. Apologies for Absence

Receive apologies from Members.

The Chair will read out any apologies received in advance of the meeting from Members of the Council. Members are asked to send apologies prior to the meeting by midday on the day of the meeting at the latest to office@penrithtowncouncil.co.uk

The Chair will ask each Member in turn if they accept Members apologies:

Cllr. Burgin	Cllr. Fallows	Cllr. C. Shepherd
Cllr. Clark	Cllr. Hawkins	Cllr. M. Shepherd
Cllr. S. Clarke	Cllr. Jackson	Cllr. Snell
Cllr. Davies	Cllr. Kenyon	
Cllr. Donald	Cllr. Knaggs	

2. Minutes

a) Committee Minutes

Note that the minutes from the following committees have been circulated and published on the Council website since the previous ordinary meeting:

- i. Planning Committee: 1 March 2021
- ii. Finance Committee: 22 March 2021
- iii. Culture, Community and Economic Growth Committee: 15 February 2021

b) Confirmation of Full Council Minutes

Authorise the Chair to sign, as a correct record, the minutes of the meeting of Full Council held on Monday 25 January 2021 and agree they be signed as such, when permissible.

- The Chair will read out and propose that Members approve the minutes for Virtual Full Council held on 25 January 2021 as a true and accurate record and agree they be signed as such, when permissible.
- The Chair will ask a fellow councillor to second the motion.
- The Chair will seek to move the motion that the minutes of the meetings be approved and adopted, asking each Member in turn by name to vote orally registering "For", "Against" or "Abstain":

Cllr. Burgin	Cllr. Fallows	Cllr. C. Shepherd
Cllr. Clark	Cllr. Hawkins	Cllr. M. Shepherd
Cllr. S. Clarke	Cllr. Jackson	Cllr. Snell
Cllr. Davies	Cllr. Kenyon	
Cllr. Donald	Cllr. Knaggs	

3. Declarations of Interest and Requests for Dispensations

Receive declarations by Members of interests in respect of items on this agenda and apply for a dispensation to remain, speak and/or vote during consideration of that item.

- The Chair will read out any declarations of interests received from Members in respect of items on this agenda and apply for a dispensation to remain, speak, and/or vote during consideration of that item. Members are asked to declare any interests by midday on the day of the meeting to office@penrithtowncouncil.co.uk. If a Member remembers an interest during the meeting, they should declare it when asked if they have a question on the agenda item in question.
- The Chair will ask each Member in turn if they have any interests or dispensations:

Cllr. Burgin

Cllr. Clark

Cllr. S. Clarke

Cllr. Davies

Cllr. Donald

Cllr. Fallows

Cllr. Hawkins

Cllr. Jackson

Cllr. Kenyon

Cllr. Knaggs

Cllr. C. Shepherd

Cllr. M. Shepherd

Cllr. Snell

ADVICE NOTE:

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests that have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.) Members may, however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests that they have already declared in the Register, as well as any other registrable or other interests. 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 Monitoring Officer at least 24 hours in advance of the meeting.

4. Public Participation

Receive any questions or representations which have been received from members of the public. A period of up to 15 minutes for members of the public to ask questions or submit comments.

a) Receive public representations

The Chair will read out any questions, petitions or statements received in advance of the meeting from Members of the Public.

b) Receive reports from District and County Councillors

- The Chair will read out any questions, petitions or statements received in advance of the meeting from District or County Councillors.
- The Chair will invite District and County Councillors present to report to the meeting.

ADVICE NOTE:

Members of the public may make representations, answer questions and give evidence at a meeting that they are entitled to attend in respect of the business on the agenda. The public must make a request in writing to the Town Clerk **PRIOR** to the meeting, when possible. A member of the public can speak for up to three minutes. A question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.

5. EXCLUDED ITEM: Public Bodies (Admissions to Meetings) Act 1960

Determine whether item/s should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, as publicity relating to that (any of those) matter/s may be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for the other special reasons noted in relation to that matter on the agenda.

Routine Business Matters**6. Report from the Council Chair**

Note the duties undertaken by or on behalf of the Town Mayor.

7. Reports from Members

Receive and note oral reports from Councillors regarding meetings that they have attended as representatives of the Town Council and an opportunity for members to bring matters of interest to the attention of the Council for information or future discussion.

8. Resolutions Report

Note the written report.

9. Neighbourhood Plan

Note that the Independent Planning Inspector has suggested that the Town Council considers an alternative to designating the front of the Beacon as protected green space by coming to a mutual agreement with the landowners on a policy specifically for that area. This is underdevelopment and the examination is in abeyance until the Inspector has all the relevant information.

10. Newton Rigg College

Note that The Land-based Strategy Group no longer meets having completed their task of supporting Mr A. Banford with his commission from the University of Cumbria to write a strategy document on Land-based education, i.e. Cumbria Strategy for Post-16 Land-Based Education, Skills & Knowledge Transfer. There have been no meetings since the last report to Council. Members can seek further information can be found on UOC website under the headline: University of Cumbria Establishes Steering Group to Develop a Land-based Skills Strategy.

11. Devolution Transfer of Assets

Note the written report supported by the Lead Member, Cllr Jackson.

12. A66 Community Liaison Group

Note that both the Council and the A66 Community Liaison Group received a presentation on the delivery plans for the A66 improvements and there have been no further meetings.

Note that consultants acting on behalf of Highways England are undertaking a mammal survey at Thacka Beck field from 15 March 2021 with daily visits for a further 21 days, and that a topographical survey is also to be undertaken in the coming weeks.

13. Rural Services Network Market Town Group

Note there have been no meetings since the last report to Council.

14. Parking and Movement Study

Note the informal update report.

15. Matters from Finance Committee

Ratify the following approved recommendations from the Council's Finance Committee from their meeting held on Monday 22 March 2021. These matters have been considered and approved by the members of the Council's Finance Committee, and the Committee Chair, Cllr. Burgin has requested that these matters be brought to the Full Council for ratification.

- The Chair will propose the following matters a) to e) be ratified.
- The Chair will ask a fellow councillor to second the motion.
- The Chair will read out to the meeting, any questions received in advance meeting.
- The Chair will seek to move the motion asking each Member in turn by name to vote orally registering "For", "Against" or "Abstain":

Cllr. Burgin

Cllr. Clark

Cllr. S. Clarke

Cllr. Davies

Cllr. Donald

Cllr. Donald

Cllr. Fallows

Cllr. Hawkins

Cllr. Jackson

Cllr. Kenyon

Cllr. Knaggs

Cllr. Knaggs

Cllr. Shepherd

Cllr. M. Shepherd

Cllr. Snell

- The Chair will announce the result of the vote.

a. Internal Audit Report

Ratify the Internal Auditors Interim Audit Report for the period 01 April 2020 to 31 December 2020.

b. Annual Review of Fees and Charges

Ratify the fees and charges for 2021/22.

15. Matters from Finance Committee Continued

c. Policy Review

Ratify the approved amendments to the following policies:

- i. Banner and Advertisement Policy**
- ii. Memorial Seat Policy**

d. Review of Internal Control 2020/21

Ratify the review of the Council's system of Internal Control for the current financial year.

e. Brackenber Allotment Drainage

Ratify the recommendation of the Finance Committee to approve a budget of £10,000 from the Devolution Reserve to meet the costs of a drainage scheme at Brackenber allotments.

16. Matters from Planning Committee

New Policy Developer Engagement Policy

Consider the following approved recommendation from the Council's Planning Committee from their meeting held on Monday 1 March 2021. This matter has been considered and approved by the members of the Council's Planning Committee, and the Committee Chair, Cllr. Jackson has requested that the matters be brought to the Full Council for ratification. The Chair will propose the policy for Developer Engagement be ratified.

- The Chair will ask a fellow councillor to second the motion.
- The Chair will read out to the meeting, any questions received in advance meeting.
- The Chair will seek to move the motion asking each Member in turn by name to vote orally registering "For", "Against" or "Abstain":

Cllr. Burgin

Cllr. Clark

Cllr. S. Clarke

Cllr. Davies

Cllr. Donald

Cllr. Donald

Cllr. Fallows

Cllr. Hawkins

Cllr. Jackson

Cllr. Kenyon

Cllr. Knaggs

Cllr. Knaggs

Cllr. Shepherd

Cllr. M. Shepherd

Cllr. Snell

- The Chair will announce the result of the vote.

17. Coronation Garden Asset of Community Value

Note that Eden District Council's Executive on the 19 January 2021 considered the Council's nomination for Coronation Garden to be registered as an Asset of Community Value. The nomination was approved and Coronation Garden has been included in the List of Assets of Community Value maintained by Eden District Council.

New Business

18. Cumbria County Council Covid 19 Recovery Strategy

Note the Covid-19 Recovery Strategy which is out for consultation and is owned by the Cumbria Strategic Recovery Group (SRCG) as part of the Local Resilience Forum. The consultation will be open until 5pm on Wednesday 31 March. The consultation is available to view using the underlined link below and everyone is encouraged to participate. For more information use the following underlined link:

<https://cumbriacovidrecovery.org/>

19. Climate and Ecological Emergency Bill

Consider declaring support for the Climate and Ecological Emergency (CEE) Bill.

- The Chair will ask a fellow councillor to second the motion.
- The Chair will read out to the meeting, any questions received in advance meeting and seek questions or comments from Members.
- The Chair will seek to move the motion asking each Member in turn by name to vote orally registering "For", "Against or "Abstain":

Cllr. Burgin

Cllr. Clark

Cllr. S. Clarke

Cllr. Davies

Cllr. Donald

Cllr. Donald

Cllr. Fallows

Cllr. Hawkins

Cllr. Jackson

Cllr. Kenyon

Cllr. Knaggs

Cllr. Knaggs

Cllr. Shepherd

Cllr. M. Shepherd

Cllr. Snell

- The Chair will announce the result of the vote.

20. Local Government Reorganisation Consultation

Consider the draft response to the Ministry of Housing, Communities and Local Government consultation for proposals for locally-led reorganisation of local government in Cumbria. Councils in Cumbria have submitted proposals for the reorganisation of local government in their area by creating a single tier of local government. The consultation closes at **11:45pm on 19 April 2021**.

The proposals can be viewed using the underlined link below:

<https://www.gov.uk/government/consultations/proposals-for-locally-led-reorganisation-of-local-government-in-cumbria-north-yorkshire-and-somerset/consultation-on-proposals-for-locally-led-reorganisation-of-local-government-in-cumbria-north-yorkshire-and-somerset>

The consultation is available to view using the underlined link below and everyone is encouraged to participate:

<https://consult.communities.gov.uk/governance-reform-and-democracy/cumbria/>

- The Chair will ask a fellow councillor to second the motion.
- The Chair will read out to the meeting, any questions received in advance meeting and seek questions or comments from Members.
- The Chair will seek to move the motion asking each Member in turn by name to vote orally registering "For", "Against" or "Abstain":

Cllr. Burgin

Cllr. Clark

Cllr. S. Clarke

Cllr. Davies

Cllr. Donald

Cllr. Donald

Cllr. Fallows

Cllr. Hawkins

Cllr. Jackson

Cllr. Kenyon

Cllr. Knaggs

Cllr. Knaggs

Cllr. Shepherd

Cllr. M. Shepherd

Cllr. Snell

- The Chair will announce the result of the vote.

21. Environment Agency Omega Proteins Limited, EPR/HP3238AF/V002: environmental permit consultation

Consider the draft response to the Environment Agency Consultation for Omega Proteins Ltd - Application for changes or additions to existing activities:

- Changes to the following processes - blood drying, poultry offal processing.
- Installation of a replacement, multi-fuel, thermal oxidiser.
- Replacement of two existing thermal oxidisers with one unit of the same design

Use the underlined link below to view the consultation:

https://consult.environment-agency.gov.uk/psc/ca11-0bx-omega-proteins-limited/?fbclid=IwAR3KVVVCc4fN52t2hsB4kLaoGYGX6zVoUNEghd40_F15Rz3Y0pEy7VoTgj4

- The Chair will ask a fellow councillor to second the motion.
- The Chair will read out to the meeting, any questions received in advance meeting and seek questions or comments from Members.
- The Chair will seek to move the motion asking each Member in turn by name to vote orally registering "For", "Against or "Abstain":

Cllr. Burgin	Cllr. Fallows	Cllr. Shepherd
Cllr. Clark	Cllr. Hawkins	Cllr. M. Shepherd
Cllr. S. Clarke	Cllr. Jackson	Cllr. Snell
Cllr. Davies	Cllr. Kenyon	
Cllr. Donald	Cllr. Knaggs	
Cllr. Donald	Cllr. Knaggs	

- The Chair will announce the result of the vote.

22. Next Meeting

Note the next meeting is scheduled for the Annual Town Council Meeting Monday 24 May 2021 at 6.00pm, venue to be determined or will be held via video conferencing.

PART II Private Section

There are no items in this part of the Agenda.

FOR THE INFORMATION OF ALL MEMBERS OF THE TOWN COUNCIL

Access to Information

Copies of the agenda are available for members of the public to inspect prior to the meeting. Agenda and Part I reports are available on the Town Council website.

Background Papers

Requests for the background papers to the Part I reports, excluding those papers that contain exempt information, can be made to the Town Clerk between the hours of 9.00 am and 3.00 pm, Monday to Wednesday via office@penrithtowncouncil.co.uk



Penrith Town Council

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

DRAFT Minutes of the meeting of

PENRITH TOWN COUNCIL

Held virtually via video conference on:

Monday 25 January 2021, at 6.00 p.m.

PRESENT

Cllr. Jackson	North Ward	Cllr. M Clark	South Ward
Cllr. Knaggs	West Ward	Cllr. Davies	West Ward
Cllr. Lawson	Carleton Ward	Cllr. M Shepherd	East Ward
Cllr. Fallows	East Ward	Cllr. C Shepherd	East Ward
Cllr. Hawkins	East Ward	Cllr. Snell	West Ward

Services and Contracts Manager
Deputy Town Clerk
Responsible Finance Officer
Solicitor
Economic Development Officer

The Town Council resolved 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.

**DRAFT MINUTES FOR THE MEETING OF
FULL COUNCIL**

25 JANUARY 2021

PART I

PTC20/100 Late Item

The Chair proposed a late item relating to the Borderlands Place Plan Town Team be considered as part of the agenda as a decision was required before the next full Council meeting.

RESOLVED THAT:

The Borderlands Place Programme Town Team late item be approved and considered at item 14.

PTC20/101 Apologies for Absence

Apologies for absence were received from Cllrs. Donald and Kenyon.

Cllr Kenyon joined the meeting at 18:35.

PTC20/102 Minutes

Members were asked authorise the Chair to sign, as a correct record, the minutes of the meeting of Full Council held on Monday 30 November 2020

RESOLVED THAT:

An amendment to correct an inaccuracy in the draft minutes reference PTC20/85 Reports from Members, item v. was agreed at the end of the sentence 'which received a positive response.'

The minutes of the meeting be approved with the agreed amendment and to be signed when permissible.

PTC20/103 Public Participation

a) Public Representations

Members noted that there were no questions or representations that had been received from members of the public prior to the meeting.

b) Reports from District and County Councillors

Members received the following reports:

District Councillors

There were no District Councillor reports. District Cllr. Virginia Taylor submitted apologies in advance of the meeting.

PTC20/103 b Public Participation Continued

County Councillors

County Cllr. Bell thanked the Town Council for objecting to the recent Persimmon Homes planning application to vary the conditions of the planning consent.

In May, Cumbria County Council plan to commence footpath improvements in the Scaws area of Penrith.

County Cllr. Bell requested that Town Cllr. Davies contact her to discuss the proposed demolition of the Greengarth building.

County Cllr. Carrick thanked the Town Council for responding to the Traffic Regulation Order consultations at Salkeld Road and Portland Place. Following the comments received in relation to the proposed improvements to the Salkeld Road and Inglewood Road junction, the County Council were redesigning the scheme and a further consultation would be brought forward.

PTC20/104 Declarations of Interest and Requests for 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. No interests or dispensations were received.

PTC20/105 EXCLUDED ITEM: Public Bodies (Admissions to Meetings) Act 1960

Members considered whether any items on the agenda should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, and agreed that there were no applications to be considered without the press or public present.

RESOLVED THAT:

No items were to be considered in private session, and that item 10.iii may remain in PART 1 providing salary scale grades were not discussed in the public domain.

ROUTINE BUSINESS MATTERS

PTC20/106 Report from the Council Chair

Members received a report from the Chair =which encouraged people to shop local. Cllr. Lawson informed Members of the Donate a Device Scheme being managed by Ullswater Community College and advised people who may be suffering with mental health concerns to contact the support services available. Cllr. Lawson reported that he had been contacted by residents concerned about the amount of light pollution in Penrith.

PTC20/107 Reports from Members

Members noted oral reports from Councillors regarding meetings that they had attended as representatives of the Town Council:

Cllr. C. Shepherd reported that Eden District Council had accepted Coronation Garden as an Asset of Community Value, and reported that many voluntary organisations were helping Eden District Council to improve the maintenance of the garden.

Cllr. Fallows reported that residents who were pleased that the Council had opposed the Persimmon Homes planning application had contacted him.

Cllr. Hawkins reported that the Donate a Device scheme was doing excellent work cleaning up devices for reuse by local children. A resident had raised concern about the level of litter in the bins on the Scaws estate.

Cllr Snell reported that further to the installation of a new bench on Norfolk Road she had been contacted by a local resident who wished to pass on their thanks to the Council.

PTC20/108 Resolutions Report

Members noted the written report.

PTC20/109 Neighbourhood Plan

Members noted an oral report from the Lead Member, Councillor Knaggs.

Matters from Finance Committee

PTC20/110 Proposed Council Budget and Precept 2021/22

Members were asked to consider and ratify the following approved recommendations from the Council's Finance Committee held on Monday 11 January 2021. The Chair of the Committee had requested that these matters be brought to Full Council for ratification. (Mayors motion and budget report appended)

RESOLVED THAT:

The proposed budget, Reserves and Investments Policies and the Precept for the financial year commencing 1st April 2021 be ratified. Members approved the:

- i. Forecast Outturn expenditure for 2020/21 of £422,574.
- ii. Proposed Budget 2021/22 with total expenditure of £515,214.
- iii. Staff salary payments for 2021/22.
- iv. Allocation of the amount of £53,800 available for financial growth in 2021/22 to the items set out in the report.
- v. Addition to the establishment of a part time officer on scale SCP3 at 21 hours per week on a five-year fixed term from 1 April 2021, with the post being filled as soon as possible after that date.

PTC20/110 Proposed Council Budget and Precept 2021/22 Continued

- vi. Budgeted transfers to and from financial reserves and the level of financial reserves.
- vii. Annually reviewed Reserves Policy and Investment Strategy for 2021/22.
- viii. Advice of the Responsible Finance Officer in relation to the robustness of estimates and the adequacy of reserves.
- ix. Medium-Term Financial Plan.
- x. Application and formal request to Eden District Council to pay the sum of £450,069 to Penrith Town Council as its precept for the year 2021/22, representing a nil increase in Council Tax.

PTC20/111 Motion from Cllr. Davies Assets of Community Value

Members were asked to ratify the motion from Cllr. Davies to nominate Penrith Town Hall and Robinson School as Assets of Community Value as approved by Finance Committee.

RESOLVED THAT:

The nominations be approved and go forward to Eden District Council.

New Business

PTC20/112 Services and Contract Manager CiLCA Qualification

Members noted and congratulated the Services and Contracts Manager for successfully attaining the Certificate in Local Council Administration (CiLCA) qualification.

PTC20/113 A66 Community Liaison Group

- a) Members noted that an officer had been invited to attend the A66 Community Liaison Group.
- b) Members considered the appointment of a councillor to represent the Council the A66 Community Liaison Group.

RESOLVED THAT:

Cllr. C. Shepherd be nominated as the Council representative on the A66 Community Liaison Group with Cllr. Snell as the standing deputy.

PTC20/114 Borderlands Place Plan Town Team

Members considered the appointment of three councillors to represent the Council on the Borderlands Place Plan Town Team which will be a Project Group of the Penrith Town Working Group.

RESOLVED THAT:

Cllrs Davies, Kenyon and Knaggs be nominated as the Council's representatives on the Borderlands Place Programme Town Team.

PTC20/115 Next Meeting

Members noted that the next meeting was scheduled for 29 March 2021 at 6.00pm, Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR or that the meeting may be convened on this date via video conferencing.

PART II PRIVATE SECTION

There were no further items in this part of the Agenda

CHAIR:

DATE:

**FOR INFORMATION FOR ALL
MEMBERS OF THE TOWN COUNCIL**

2021/22 Proposed Budget

Introduction for Mayor

I am very pleased to present this budget report to the Town Council.

The past twelve months have been difficult for both the Council and its community. We have had to adapt to new ways of working to keep our services running and to play our part in supporting the Town's residents during the pandemic. While many of the activities that we sponsor and assist with grants have not been able to proceed, we have successfully completed a major improvement scheme to the play area at Fairhill and are progressing an Arts and Cultural Strategy.

Although the effects of the pandemic will continue to affect next year, the proposed budget for 2021/22 provides the framework for the Council to continue the progress it has made since its inception and enables it to plan for a sustainable financial future. The proposed funding will give the Council the resources and capacity to deliver both existing services and new developments that will benefit our residents and visitors.

In May 2019, the Council declared a Climate and Ecological Emergency and it has developed a strategy to make Penrith carbon neutral by 2030. The budget provides £35,300 for the initial costs of delivering this exciting initiative, including the creation of an in-house specialist officer post dedicated to Climate Change. A further £18,500 of new finance will be directed towards implementing the recommendations of the Arts and Cultural Strategy, together with projects and initiatives to benefit the Town.

Since its inception, the Town Council has successfully taken over several assets and services from Eden District Council. The Council continues to discuss with the district council the further transfer of assets and services and we intend to play a key role in the expected re-organisation of local government and welcome its challenges.

Next year's proposed precept of £450,069 represents a nil increase in Council Tax. Given the problems of the past year, we feel that an increase would be inappropriate and have managed our finances to meet that aim. A typical household in Penrith, with a property valued in Band B, will see the Town Council's full Council Tax maintained at £64.63, representing about £1.24 per week. The Town Council's share of the overall Council Tax bill is about 4%, however we believe that we have a far greater impact on the quality of life in Penrith than this would suggest.

Over the coming five years, the Climate Change Strategy will require a total investment of around £189,000. To ensure that this will be affordable, a robust and sustainable financial plan has been developed, based on modest rises in

Council Tax, which will grow our services and increase reserves to improve our resilience.

The budget process involves a good deal of work and I would like to thank Councillor Burgin, the members of the Finance Committee and Council Committees and officers for their contributions in developing the budget.

This budget enables the Council to continue providing quality services for the Town and for it to develop its priorities from a sound financial footing.

I therefore propose all the recommendations in the budget report and commend them to you.



Penrith Town Council

BUDGET REPORT 2021-22

RECOMMENDATIONS

Council is recommended to ratify the proposed budget, Reserves and Investments Policies and the Precept for the financial year commencing 1st April 2021:

- i. Approve the Forecast Outturn expenditure for 2020/21 of £422,574.
- ii. Approve the Proposed Budget 2021/22 with total expenditure of £515,214.
- iii. Approve Staff salary payments for 2021/22. PINK CONFIDENTIAL PAPER- (NOTE – this matter may remain in PART1 providing salary scale grades are not discussed in the public domain.)
- iv. Confirm the allocation of the amount of £53,800 available for financial growth in 2021/22 to the items set out in the report.
- v. Approve the addition to the establishment of a part time officer on scale SCP3 at 21 hours per week on a five-year fixed term from 1 April 2021, with the post being filled as soon as possible after that date.
- vi. Agree the budgeted transfers to and from financial reserves and the level of financial reserves.
- vii. Agree the annually reviewed Reserves Policy and Investment Strategy for 2021/22.
- viii. Have regard to the advice of the Responsible Finance Officer in relation to the robustness of estimates and the adequacy of reserves.
- ix. Approve the Medium-Term Financial Plan.
- x. Request Eden District Council to pay the sum of £450,069 to Penrith Town Council as its precept for the year 2021/22, representing a nil increase in Council Tax.

1. LAW

Sections 41 and 50 of the Local Government Finance Act 1992 require the Council to calculate its annual budget requirement and its resulting precept by 28 February. The precept is issued to the billing authority, Eden District Council, to collect the income on behalf of the Town Council.

2. LINKS TO COUNCIL PRIORITIES

The annual budget should reflect and support the Council's priorities for the financial year ahead.

3. REPORT DETAILS

3.1 Introduction

Draft estimates for 2021/22 were considered by the Budget Working Group on 7 December 2020. The Working Group proposed a nil increase in Council Tax for next year, in view of the current circumstances and the relatively low rate of inflation (September's CPI was 0.5%), suggesting that a rise next year would be inappropriate. It also acknowledged that reserves would be at a comparatively high level due to underspendings in 2019/20 and 2020/21, giving scope for a release of resources to the annual budget over a period of years to fund new initiatives, notably the implementation of the Climate Change Strategy. It was further recognised that the Strategy would involve a substantial medium term financial investment which would require a sustainable plan to identify the necessary resources.

Proposed estimates were presented to Finance Committee on 11 January 2021; several amendments were made to these figures to reflect the latest estimate of the Council Taxbase notified by Eden District Council. The resulting proposals have been forwarded to this meeting for approval.

This report presents the Proposed Budget for 2021/22 (**Appendix A**) which includes an allowance of £53,800 for growth items (**Appendices C & D**), which can be financed by a nil increase in Council Tax.

The 2021/22 precept requirement of £450,069 is based on a provisional Council Taxbase obtained from Eden DC. There is a small possibility that the actual figure may differ when it is formally notified by the District Council; if this happens, the precept will alter and the budget will have to absorb the resulting changes.

A Medium-Term Financial Plan (MTFP) has been produced alongside the Proposed Budget to demonstrate that budgets can be affordable in the longer term. The Plan summarised at **Appendix B** is based on the following parameters, several of which differ from those in the existing medium-term forecast:

- A nil increase in Council Tax for 2021/22, with 2.0% rises thereafter.
- A reduction in the target percentage for the General Reserve from 50% to 35% as the Council is now a mature organisation with a better appreciation of its financial risks.
- Reductions in the assumed inflation rates for future years.
- Achievement of the Council's target level for its General Reserve by 31 March 2025, a year later than previously assumed. It is considered that the existence of the Devolution and Acquisitions Reserves provide a sufficient "buffer" for the delay in reaching the target not to be detrimental to the Council's finances.

Adoption of these parameters indicates that the Council will be able to set sustainable budgets for subsequent years, which will incorporate further financial growth in services and meet its target reserve level, with modest annual tax increases.

3.2 Proposed Budget 2021/22

Appendix A

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

- a) The Actual Outturn income and expenditure for 2019/20, for comparison purposes.
- b) The Approved Budget for 2020/21, as agreed by Council on 27 January 2020.
- c) The Forecast Outturn for the current year, which includes the effect of decisions made by Council to date, proposals for redirection of estimates and budget reductions. Members will appreciate that 2020/21 has been a difficult year with the budget having to respond to the Covid-19 pandemic while, at the same time, spending on many regular services has been curtailed. The forecast takes account of the revised budget adopted in September 2020 but is not bound by its amendments: the forecast is some £19,000 lower than the revised budget, principal reductions being in Planning £2,000, Covid-19 Response £5,000, Corporate Communications £5,000, and Finance Committee £7,000.

Total outturn expenditure for 2020/21 of £422,574 is forecast to decrease by £68,880 from the Approved Budget, mainly due to the inability to deliver services due to the Covid-19 pandemic. The major differences can be summarised as follows:

	£	£
Expenditure per Approved Budget 2020/21		491,454
Net reduction in Planning Committee expenditure	(7,000)	
Underspending on Town Projects growth item	(15,000)	
Creation of Covid-19 Response budget	20,000	
Reduced take up of Events Grants	(20,000)	
Return of 2019/20 Greening grant from Penrith BID	(6,300)	
Underspending of Community Grants budget	(22,000)	
Reduced expenditure on Community Engagement	(14,330)	
<ul style="list-style-type: none"> • Creation of interim Climate Change budget 	6,500	
April 2020 staff pay award lower than budgeted	(2,520)	
Reduced Member and Officer Training and Conference costs	(4,670)	
Additional net IT costs, including replacement printer/photocopier	2,000	
Amendments to Website for cookie consents	1,450	
Net decrease in Other Overheads	(1,320)	
Reduction of Contingency budget to part-year provision.	(3,500)	
Other minor variations (net)	(2,190)	
		(68,880)
Forecast Outturn Expenditure 2020/21		422,574

d) The Proposed Budget for 2021/22, which 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 and to include the estimated costs of contractually committed changes to expenditure or income; inflationary increases have only been allowed where necessary. Growth items (service development proposals) are identified separately from the continuation service budgets. The proposed budget provides an allowance of £53,800 to fund growth items; the items proposed to utilise this funding are described in **section 3.6**. The proposed precept for 2021/22 is £450,069; the decrease of £4,164 from the 2020/21 figure can be explained as follows:

	£	£
2020/21 Precept		454,233
Net reductions in Planning Committee (£5,000) and CCEG (£3,000) expenditure	(8,000)	
<ul style="list-style-type: none"> • Removal of one-off addition to Town Projects budget 	(15,000)	
Ongoing budget for Covid-19 Response	5,000	
Removal of one-off budget for preparation of Arts & Cultural Strategy	(7,500)	
Re-assessment of Corporate Communications budget	(1,830)	
Staffing:		
<ul style="list-style-type: none"> • Over-provision for April 2020 pay award (£2,660) • Anticipated 1.0% pay award April 2021 £2,380 • Incremental advances £5,180 • Re-assessment of Conference costs (£1,500) 	3,400	
Reduced Members' Training costs	(1,020)	
Reduction in Contingency provision	(3,500)	
2021/22 Allowance for Growth Items	53,800	
Increase in contribution from General Reserve	(27,883)	
Other minor variations (net)	(1,631)	
		(4,164)
Proposed Precept 2021/22 (provisional)*		450,069

*The precept for 2021/22 is dependent on the Council Taxbase, which has not yet been confirmed by Eden DC.

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, representing a nil increase in the Council Tax for 2021/22.

3.3 Medium Term Financial Plan (MTFP)

Appendix B

For planning purposes, **Appendix B** shows a summary of projected income and expenditure for the years 2021/22 to 2025/26, based on the figures in the 2021/22 Proposed Budget. These have been adjusted for planned variations, with pay and price inflation being allowed for as global figures. The Plan includes the ongoing effect of 2021/22 growth items and an allowance for further developments in subsequent years; aspirations beyond this allowance would have to be funded by larger Council Tax increases or by the reduction or redirection of budgets.

3.4 Detailed Budgets

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

a) Income

The precept income for 2021/22 is based on a 0.0% increase in Council Tax and the provisional Council Taxbase of 5,416.64 obtained from Eden DC; the actual taxbase is not expected to change from this figure. The MTFP projects tax income which will allow sustainable budgets, based on 2.0% increases in subsequent years; this will be sufficient to provide for the General Reserve to maintain its target. The investment income budget has been increased from its previous value, however there is some uncertainty about the forecast level being achieved.

b) Planning Committee

The 2020/21 Forecast Outturn reflects Officers' estimate of the reduced spend of £8,000 this year, while the Proposed Budget and longer-term commitment is expected to be £10,000 pa. The budget is recorded in a single line, Planning Consultancy, although expenditure may be analysed in more detail.

c) CCEG Committee

Reductions of £1,000 have been made in each of the 2021/22 budgets for Events, Greening and Community Grants.

Town Projects

The Approved Budget for 2020/21 included a one-off amount of £15,000 for Town Projects; it has not been possible to progress this expenditure, so the Forecast Outturn and subsequent years' estimates maintain the basic budget of £15,000.

Covid-19 Response

Council has approved a 2020/21 budget of £20,000 for its response to the pandemic; this amount is repeated in the Forecast Outturn with a £5,000 provision for next year.

Arts & Entertainment

The Forecast Outturn includes an additional £2,500 to increase the funds to complete the Arts and Cultural Strategy; this is offset by a reduction in Officer Support.

The pandemic has severely limited the Events which could be held; as a result, the Forecast for this year is a reduction of £20,000.

Environment: Greening

Despite the pandemic, Officers believe that the full £15,500 budget can be spent this year; the Forecast shows a reduction of £6,300 due to a grant returned from Penrith BID.

Community Grants

Applications and approvals have been scaled back because of the pandemic; the Forecast assumes expenditure of £10,000 after receipt of a £1,429 grant from Penrith BID.

Corporate Communications

2020/21 expenditure has been significantly affected by the pandemic, with only £2,500 of this year's £16,830 budget expected to be spent by year-end. A net reduction of £1,830 is planned for 2021/22 onwards.

d) Climate Change

Pending the establishment of governance arrangements for Climate Change initiatives, a separate budget heading records the Forecast Outturn of £6,500 which repeats the revised budget for 2020/21. The 2021/22 Budget and Medium-Term Plan currently contain a nil estimate as aspirations are the subject of a growth bid; once agreed, the budget heading will be amended to record the approved budget.

e) Finance Committee

Staffing

The 2021/22 Forecast Outturn for Staff costs follows the budget other than the April 2020 pay award being lower than expected, saving £2,520. All staff appraisals this year have been satisfactory and so Officers will be due incremental progression on 1 April 2021, where appropriate. The accompanying Part 2 confidential report shows the recommended salary points for each member of staff. The Proposed Budget includes increments, £5,180, and an allowance of 1.0% for the April 2021 pay award.

This percentage acknowledges the recent spending review decision to freeze most public sector pay; although local government salaries are not directly set by central government, it has an influence on pay settlements. Future years' pay awards are provided as a global sum alongside price inflation.

The pandemic has prevented face to face training so that events have either been cancelled or provided virtually at a lower cost. Training, conferences, and staff expenses have been reduced in both years to reflect this.

Accommodation

The office accommodation rental has been fixed at its existing level, removing the need for an anticipated £750 increase in 2020/21 onwards.

Cost of Democracy

Training and expenses show a reduction as events have been cancelled or provided virtually at a lower cost. The MTFP includes £6,000 in 2023/24 for the next election.

IT

The Forecast Outturn shows an increase of £2,000; although underlying expenditure has reduced, allowance has been made for the purchase of a new printer/photocopier and improved remote connectivity.

Website

An increase of £1,450 in the Forecast Outturn relates to the need to add cookie consent statements to web pages.

Devolved Services

The Forecast Outturn for 2020/21 and the Proposed Budget 2021/22 provide for the latest estimated costs and grant income for assets already transferred from Eden DC, while the Medium-Term Plan also includes those which could reasonably be transferred in the period. Coronation Gardens will not now transfer, while the earliest that Play Areas and Toilets could come across is 2022/23. Service expenditure forecasts have been reviewed in the light of operating experience and are continued into future years, with grant tapering out on a phased basis.

- Allotments
The budget includes the cost of asset maintenance, boundary repairs and hedge cutting.
- War Memorial
The area is now turfed, reducing maintenance expenditure by around £600 from 2021/22 onwards.
- Benches & Bus Shelters
A one-off provision of £5,000 was made in the 2020/21 Budget for a shelter at Sandgate taxi rank; it has not been possible to proceed with this scheme, which has been re-programmed for 2021/22, replacing an agreed £3,500 for a second shelter.
- Bandstand
The 2021/22 Proposed Budget increases expenditure by £600 for street cleaning costs, while grant from EDC reduces by £800.
- Fairhill Park
For 2021/22, grant income reduces by £3,310, while it is expected that the costs of a renewed grass cutting contract can be met from the existing budget.

- **Toilets & Play Areas**
The 2020/21 Budgets for Toilets and Play Areas included £1,200 for step counters and software and £1,500 towards Eden DC's inspections respectively, in advance of the potential transfer of these assets. The former was obtained early, in 2019/20, while the latter is shown as slipping to 2021/22.
- **Fairhill UU Planting Maintenance**
Although the net budget is shown as £nil, the Council has received £4,000 income from United Utilities, which it is assumed will be used in instalments to meet the estimated £650 annual expenditure.
- **Fairhill Site Improvements**
The 2020/21 Budget included grant income of £62,190 to part fund the scheme costs of £71,690. This has been completed successfully within budget.
- **Thacka Beck**
The transfer of this asset has recently been completed, with legal fees charged to that budget. The Forecast Outturn provides for £1,250 survey and signage costs, with income of £4,420 easement and £200 legal fees from Northern Gas Networks. The Proposed Budget introduces a "starter" estimate of £3,000 for grounds maintenance, gates, and fences.
- **Signage**
The Forecast Outturn includes £1,000 for a new notice board.
- **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 was increased to £46,344 because of the Signage budget being added to the Devolved Services heading. In each of the years to 2024/25, 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. From 2025/26, 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.

Other Overheads

Printing, Postage and Stationery budgets are reduced to reflect current operation. The Insurance budget rose in 2020/21 due to new assets being covered; the contract is due for renewal in 2021 when savings should be possible. Accountancy and Legal Fees budgets both show reductions although expenditure is subject to demand. There is a net increase in the Licences and Subscriptions budgets to reflect current trends.

Repairs & Renewals

For three years from 2019/20, the normal £3,000 budget has been enhanced by £5,000 pa for a programme of bench replacements.

f. Inflation

Anticipated pay and price inflation has been included in the detailed budgets for 2021/22. The Medium-Term Plan allows for simple inflation as a global figure from 2022/23 onwards: pay awards on staff costs at 2.0% pa and other expenditure at an average 0.5% pa. The latter projection is lower than previously adopted and reflects the reality that inflationary increases will not be necessary on all budget headings, particularly if the recent trend for substantial underspendings continues.

g. Contingency

The contingency provision is reduced to £1,000 for the remainder of 2020/21 and subsequent years.

h. Allowance for Growth Items

The forecast level of reserves on 31 March 2021 and the parameters adopted for the preparation of the Proposed Budget and the Medium-Term Financial Plan have freed up £53,800 of resources in 2021/22 to fund new service development proposals; further discussion on this is contained in Section 3.6 below.

3.5 Reserves

General Reserve

The Council has worked to a target of increasing the Reserve to a balance equivalent to 50% of its forecast net expenditure for 2023/24. This target has been reset in two ways: the Proposed Budget and Medium-Term Plan now assume that the target is reduced to 35% and achieved by 31 March 2025. This change can be justified in that the Council is now a mature organisation and more aware of its risks. A fuller rationale for the changes is given in the draft Reserves Policy.

The 35% target for 31 March 2025 of £176,900 can be met, as shown in Appendix B; the 2025/26 projection assumes that the target is revised to 35% of that year's expenditure, i.e., £182,700.

Devolution Reserve

As noted above, the Reserve is being built up from contributions from the Devolved Services budget heading until the total annual cost of those services reaches £46,344, which is projected to be in 2025/26. Appendix B shows that the final contribution will be in 2024/25, when the Reserve will have a balance of £187,194. 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.

Acquisitions Reserve

The reserve was established in 2018/19 with a contribution of £50,000. No use of this money has been budgeted or predicted, however it will be available when required for expenditure associated with acquisitions.

3.6 Service Development Proposals (Growth Items) Appendices C & D

During the budget process, Committees, individual Councillors and Officers were asked to propose growth bids, which would improve services, for inclusion in the 2021/22 Budget. The most significant proposal is for a major initiative to tackle Climate Change, which involves a five-year commitment. The Medium-Term Plan projections have been formulated to ensure that this initiative can be sustained with modest increases in Council Tax over the life of the Plan.

The Proposed Budget provides for £53,800 of financial growth in 2021/22, including £35,300 for the Climate Change Strategy; full details of the individual items are shown at **Appendix C (i)**.

The Climate Change proposal includes the proposed employment of a part-time officer on a fixed term contract. The business case to support the establishment of this post is provided at **Appendix D**.

The table in **Appendix C (ii)** projects the costs of the 2021/22 growth proposals forward (using illustrative figures where necessary) and makes a further modest allowance for new growth introduced in each budget year. This projected expenditure, which totals £236,900 over five years, has been made possible by a combination of the high level of reserves on 31 March 2021, due to previous underspendings, and the adoption of changed parameters for the Medium-Term Financial Plan. It should be noted that these parameters are not set in stone and could be varied in future by the Council, provided that its forward plans remain affordable.

If agreed by Council, the 2021/22 proposals will be incorporated into the approved budget.

3.7 Council Tax

The tax calculations in the proposed budget are based on a provisional Council Taxbase of 5,416.64 for 2021/22 obtained from Eden DC. This represents a decrease of around 1% from the 2020/21 figure, understood to be due to more households being entitled to reductions ("rebates") in their Council Tax bills as a result of the pandemic.

The current year's Band D Council Tax is £83.09 per property, which would remain unchanged under the budget proposals, although the lower taxbase will reduce the overall income and the Council's precept.

The Medium-Term Plan indicates that tax increases of 2.0% pa in subsequent years, similar to forecast inflation, would produce sustainable budgets which would allow significant financial growth (or a reduction in the tax if the growth were to be foregone).

3.8 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 2021/22 Budget are sufficiently robust to enable the Council to set its precept 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;
- A prudent allowance has been made for inflationary pay scale increases and incremental advances effective from 1 April 2021;
- Appropriate allowance has been made for potential future non-pay inflation;
- A small contingency provision has 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 drawn to the following risk factors:

- Although the proposed salaries budget allows for the forecast effects of the 2021 pay award, additional demands made on staff which cannot be accommodated within their contractual working week are 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 £1,000, which would be used before resorting to the re-direction of unspent estimates or a withdrawal of funds from reserves.

Finally, the RFO advises that the Council’s budgeted reserves, being consistent with the Reserves Policy, are adequate for the 2021/22 financial year and as the basis for subsequent years, when the Council’s target level of reserves can be met by modest increases in Council Tax. The overall picture is therefore one of a sound financial position.

4. FINANCE IMPLICATIONS

This report is concerned solely with financial management.

5. RISK MANAGEMENT

RISK	CONSEQUENCE	CONTROLS REQUIRED
The Council sets an invalid or inadequate budget.	An inability to raise a valid precept or insufficient resources to deliver the Council's objectives. Overspendings leading to unwelcome curtailment of other spending programmes; possible unpalatable council tax increase; potential reputational damage.	A sound budget process will address these risks.

To view appendices below for this report please refer to the councils website Full Council 25 January 2021 agenda or contact the Council Office.

2021/22 Proposed Budget:

- Budget Summary
- Medium Term Financial Plan
- Service Development Proposals
- Business Case for New Officer Post
- Reserves and Investments Policies



FULL COUNCIL

29 MARCH 2021

MATTER: RESOLUTIONS REPORT

ITEM 8

Members are asked to NOTE the progress on resolutions agreed at Full Council on 25 January 2021.

Minute Ref	Matter Title	Progress
PTC20/110	x. Application and formal request to Eden District Council to pay the sum of £450,069 to Penrith Town Council as its precept for the year 2021/22, representing a nil increase in Council Tax.	Completed
PTC20/111	Nominate Penrith Town Hall and Robinson School as Assets of Community Value	Completed



FULL COUNCIL
29 MARCH 2021

MATTER: Devolution of Assets

To note the progress against the Council resolutions relating to the Devolution of Assets.

ITEM NO: 11

AUTHOR: Services & Contracts Manager

SUPPORTING MEMBER: Cllr Jackson
Lead Member for Devolution and Assets

RECOMMENDATIONS:

Note the current progress and position with regard to the Council's resolutions relating to the Devolution of Assets approved at Full Council on the 25th November 2019.

LAW

The Town Council resolved 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.

LINKS TO COUNCIL PRIORITIES

At its meeting on the 27 November 2017 the Council agreed its Devolution Plan for 2017-22 and devolution remains an overarching theme within the Council's Business Plan.

1. REPORT

- 1.1 Eden District Council initiated devolution discussions with Penrith Town Council in 2015, where the district council was keen to enable the Council to assume responsibility for assets and services and to work collaboratively to ensure that the devolution process was a success.
- 1.2 Penrith Town Council has sought to have; local services transferred and has supported the devolution project in order that assets and services are preserved in the town for the use and benefit of residents.
- 1.3 Devolution meetings are held with the District Council and attended by the Lead Member for Devolution and the Services and Contracts Manager. These meetings are intended to progress the devolution of assets in accordance with Council approvals.
- 1.4 Full Council, 25 November 2019, Minute PTC19/90 agreed the following resolutions in order to progress Tranche 2 Devolution of Assets:
 - i. In principle approval for grass cutting to be transferred to the Council from 01 April 2022, with the caveat that the outcome of Eden District Council's desk top research exercise be completed in 2020.
 - ii. A budget of £1500 be allocated for independent Play Area Inspection reports from the Devolved Services budget which will be commissioned by Eden District Council in 2020.
 - iii. The play area at Bowscar be transferred to the Council along with the other play areas contained within this report.
 - iv. A budget of £1200 be allocated from the Devolved Services budget, to meet the shared costs of the installation of step counters and accompanying software at Blue Bell and Sandgate toilets for a period of 3 months, which will be commissioned by Eden District Council in 2020, with the caveat that a quotation be sought for a survey period longer than 3 months. If the value of the quotation is by no more than 25% or £300 the Services and Contracts Manager can proceed.
 - v. In principle approval for the transfer of the District Council flower beds

1.5 The table below sets out the current position against each of the resolutions.

Resolution	Position
i)	<p>Eden District Council’s desk top research exercise which was intended to set out the land it cuts in its ownership, land it cuts that it does not own, and land it cuts on behalf of others has not been completed. This does not allow the Town Council to progress the discussions for the devolution of grass cutting any further.</p> <p>The desktop exercise was to be the first element of the fact-finding and due diligence in relation to the service. Eden District Council reported at the Devolution meeting on the 31 October 2019 that the transfer of grass cutting would require Council approval, and so far, it is understood this has also not been progressed.</p> <p>Eden District Council at the Devolution meeting held on the 10 February 2021 reported that this matter could now not be progressed any further until EDC had determined the future of its blue-collar contracts.</p>
ii)	<p>The Town Council included a budget allocation of £1500 in its 2020/21 Devolution Services budget to meet the shared costs of an independent play area inspection report. Eden District Council at the Devolution of Assets meeting held on the 10 February 2021 reported that they had not yet commissioned the report and they will do so in March 2021.</p> <p>The report is intended to set out what if any defects there are on the play areas as part of the due diligence process. In line with the devolution methodology; assets are required to transfer in a fit for purpose condition and the report will provide a condition report on each individual item of equipment, surfacing and fencing, with any defects expected to be made good prior to agreement of any transfer.</p> <p>It should be noted that the play areas are to be transferred on the basis of the associated area of open space transferring at the same time, which is linked with the progress of resolution i).</p>

1.5 Continued

Resolution	Position
iii)	<p>There has been no progress on the transfer of the play area at Bowscar as resolution i) and ii) has not progressed.</p>
iv)	<p>The Town Council included a budget allocation of £1200 in its 2020/21 Devolution Services budget to meet the shared costs of step counters and accompanying software at Sandgate and Blue Bell toilets.</p> <p>A quotation was sought for a survey period longer than 3 months however the quotation was in excess of 25% or £300 above the £1200 budget.</p> <p>Eden District Council commissioned the order, however prior to installation of the step counters the Covid 19 pandemic took effect and the toilets were closed to the public and the order put on hold. The Council has paid to £1200 to Eden District Council as the order was raised.</p> <p>It has been agreed that the order remains open for which the company has agreed too, and an installation period is to be agreed with Eden District Council once lockdown restrictions ease. It is therefore anticipated that the installation may proceed in the summer of 2021 for a period of 3 months.</p>
v)	<p>The Council has received flowerbed locations, size of each bed and current EDC costs for these beds, however there has been no information on ownership confirmation from Eden District Council.</p> <p>Eden District Council reported at the Devolution meeting held on the 16 January 2020 that EDC would need to report on the devolution of flowerbeds to their Executive to get approval for the matter to proceed. This has not occurred. It was agreed to await the EDC approval prior to the Town Council reporting further to its Full Council.</p> <p>Eden District Council at the Devolution meeting held on the 10 February 2021 reported that this matter could now not be progressed any further until EDC had determined the future of its blue-collar contracts.</p>

- 1.6 Members are reminded to note that the Devolution of Assets project is an Eden District Council policy and it is expected that they lead the delivery of the policy. As set out in the table above, progress on Tranche 2 Devolution of Assets has not progressed sufficiently to allow the Town Council to consider any further reports on individual assets and services.
- 1.7 Eden District Council at the Devolution meeting on the 31 October 2019 reported that the new administration was still able to continue to work within their current Council resolutions. Eden District Council reported that they would continue to deliver on Devolution where Parish/Town Councils are keen to engage. This position was again confirmed at following meetings, and where the lead Member for Devolution at the Town Council was able to express the Council's continued commitment to the project. Meetings have been less frequent during 2020 as result of the pandemic.
- 1.8 Members will note that the Council at its meeting of Full Council, 30 November 2020, Minute PTC20/89 resolved to re-submit an expression of interest to Eden District Council requesting the devolution of the assets.
- 1.9 Members are aware that the Government is currently consulting on proposals for locally led reorganisation of local government in Cumbria. The County and District Councils have submitted proposals to Government, which are currently subject to public consultation. The consultation will close on the 19 April 2021.
- 1.10 If proposals on Local Government Reorganisation are to be implemented, it is expected that new unitary councils be established from as early as 2022-23 on a transitional basis and taking on a full council role from 2023.
- 1.11 The Local Government Reorganisation for Cumbria may alter the services and assets that the Town Council is responsible for. As was set out in the CALC Interim Statement on Local Government Reorganisation under the empowerment of Town Council's is the mention of the opportunity for Town Council's to take on responsibility for the management of local services, facilities and land.
- 1.12 Members should note that the Local Government Reorganisation might determine the allocation of future assets and services that the Town Council will be responsible. This possibility reinforces the importance of the resolution as set out in paragraph 1.8.

2 LEGAL IMPLICATIONS

- 2.1 There are no legal implications associated with this report as it is bringing Members up to date with the latest progress against Council resolutions. Any decision to consider the transfer of any of the assets and services set out in this report will require further reports to Council at which legal implications will be stated.

3 FINANCE IMPLICATIONS

3.1 There are no financial implications associated with this report as it is bringing Members up to date with the latest progress against Council resolutions. Any decision to consider the transfer of any of the assets and services set out in this report will require further reports to Council at which the financial and budgetary implications will be stated.

4 RISK MANAGEMENT

RISK	CONSEQUENCE	CONTROLS REQUIRED
Reputation	To not progress Devolution in a positive manner may affect reputation of the Council	Participate in the Devolution project
Policy	Failure to progress resolutions may prevent Council achieving its devolution plans.	Meetings with EDC Update reports to Council.
Local Government Reorganisation	This may halt the devolution project until decisions are made.	Engage in the LGR process. Continue meetings with EDC. LGR may present an opportunity.

5. APPENDICES ATTACHED TO THIS REPORT

There are no appendices to this report.

FULL COUNCIL 29 MARCH 2021

ITEM 14

Penrith Parking and Movement Study Implementation Group Informal Update Report: February 2021

The Penrith Parking and Movement Study (PPMS) is a jointly funded project between Cumbria County Council, Eden District Council and Penrith Town Council. WSP, a multi-disciplinary company with specialisms in Transport Planning, were commissioned to prepare the study. Project Management was undertaken by Cumbria County Council, whilst a Project Delivery Board and Project Delivery Group ensured robust governance.

The Penrith Parking and Movement Study Implementation Group has formed bringing together officers from CCC, EDC and PTC to scope and plan the implementation of the study. Work is underway to build a timeline for projects, identify funding pots, and creating a communication plan to ensure that residents are consulted and kept up to date with developments

A subgroup was established to scope and plan the proposed Cycling and Movement interventions and create a LCWIP (Local Cycling Walking and Movement Infrastructure Plan) for Penrith with workshops and consultation being held in the next few months.

Key deliverables

Code	Deliverable	Scheme Delivery Range
P1	Additional Parking Capacity	6 months to 2 years
P2	Long Stay Parking in Penrith	6 months to 2 years
P3	Town Centre Parking	6 months to 2 years
P4	On-street Parking (Residential)	6 months to 2 years
P5	Penrith Town Centre Improvements	6 months to 3 years
P6	Addressing Nuisance Parking	6 months to 1 year
P7	Cycling and Walking Connectivity Improvements	6 months to 3 years
P8	Travel Demand and Technology Improvements	6 months to 2 years

Monthly Activity by area

Package	What has been delivered in the last month
P1 Additional Parking Capacity	<ul style="list-style-type: none"> • Delivery of schemes in this package are dependent on additional need being identified.
P2 Long Stay Parking in Penrith	<ul style="list-style-type: none"> • EDC creating a Parking Charter that takes direction from the PPMS and will look to address the schemes within this package. Draft is expected in May 2021 for the PPMSIG to discuss. • Pay by phone has been approved by EDC, working with PBP (parking services company). Looking for delivery in Car Parks by April 2021.
P3 Town Centre Parking	<ul style="list-style-type: none"> • CCC currently scoping the new On-street parking protocol.
P4 On-street Parking (Residential)	<ul style="list-style-type: none"> • Delivery of schemes in this package are dependent on having an agreed On-street parking protocol.
P5 Penrith Town Centre Improvements	<ul style="list-style-type: none"> • Delivery of the schemes in this package are dependent on S106 funding.
P6 Addressing Nuisance Parking	<ul style="list-style-type: none"> • Delivery of the schemes in this package are dependent on having an Agreed On-street parking protocol and the emerging EDC Parking Charter.
P7 Cycling and Walking Connectivity Improvements	<ul style="list-style-type: none"> • Penrith LCWIP funding is now secured, currently commissioning consultants, with a view to initial concept meeting in late February. • Upgrade to Stricklandgate/Portland Place currently out for consultation. • Delivery of several schemes in this package are dependent on S106 funding
P8 Travel Demand and Technology Improvements	<ul style="list-style-type: none"> • EDC is currently working on the delivery of Electronic Vehicle Charging points at Penrith Leisure centre and Drovers Lane car parks, with a view to launch in the summer. • A scheme in this package is included in the emerging EDC Parking Charter

ITEM 15 a

INTERIM AUDIT REPORT BY THE INTERNAL AUDITOR TO PENRITH TOWN COUNCIL 1ST APRIL 2020– 31ST DECEMBER 2020 FINANCIAL YEAR ENDING 31ST MARCH 2021

Introduction

The Town Council has a statutory responsibility to provide an adequate and effective Internal Audit by engaging an Internal Auditor. The role of the Internal Auditor is to provide an independent review and appraisal of the Council's system of internal control.

Penrith Town Council reviewed and formally approved

- a. the effectiveness of the internal controls at the meeting held on 18^h May 2020 – Minute PTC20/09 fii/gi.
- b. the appointment of Internal Auditor – Minute PTC20/09 f.iii
- c. the Internal Audit Plan 2020/201 at the meeting held on 25th November 2019 – Minute FIN COM 19/29

Sct 26 & 27 of The Local Audit and Accountability Act 2014 and The Accounts and Audit (England) Regulations 2015 requires a Council to publish, as soon as reasonably practicable, after the conclusion of the audit, a statement on the website that the audit has been completed.

The Town Clerk has undertaken the requirement. The Annual Governance and Accountability Return, (AGAR) with all attendant information was publicly displayed (dated 7th. September) having been received from the External Auditor – on the Council website www.penrithtowncouncil.co.uk ensuring compliance with all aspects of the Regulations.

The Council received an unqualified audit report from the External Audit. It is confirmed the Accounts and all governance documents fulfilled the requirements of the Account and Audit Regulations. The receipt of the AGAR was notified to Council at the meeting held on the 28th September 2020. Minute No. PTC20/69 I.

I confirm I have, on the 8th February 2021 undertaken an internal audit for the period 1st April – 2020 -31st December 2020 in accordance with the Account and Audit Regulations (England) 2015 as outlined in the schedule previously circulated and approved by Council and incorporating any new requirements as outlined in "Governance and Accountability for Smaller Authorities in England" March 2020

To comply with Government guidance and social distancing regulations during the Covid 19 pandemic, the Audit was conducted by examining documents sent by e-mail by the Responsible Financial Officer, information displayed on the Council website, and the provision of additional information for clarification, in response to queries.

All meeting papers had been forwarded throughout the year for inspection and the Council website was regularly monitored to ensure compliance with the Local Government Transparency Code 2015

Proper Bookkeeping

The Council operates a commercial accounting package – Sage, which is comprehensive and fulfils the requirements needed to complete all monthly and cumulative Income and Expenditure accounts as required by the Regulations. All payments and receipts are coded to the Council’s budgeted headings, allowing immediate identification of spending in each budget sector and enables quarterly management accounts to be prepared. There is the additional security of an internal checking system to monitor the accuracy of the data input into the computerised accounts. Daily backup procedures are undertaken by means of external hard drives, which are stored off the premises in secure conditions. Additionally the hardware provider operates separate security.

Policies and Procedures - Financial Regulations, Standing Orders

A significant review of governance documents is carried out annually

The checks undertaken confirmed the adoption of the following documents at the Council meeting held on 20th September 2020 – Minute No PTC20/69 f

- i. Procurement Policy
- ii. Financial Regulations

Standing Orders for virtual Meetings were advised, received and approved at the Meeting held on 18th May 2020. Minute No. PTC20/01

The Council reviews and approves required documentation in a systematic way throughout the year, which ensures no policy is omitted and facilitates the accurate completion of the Annual Governance Statement (AGAR) with assurance.

Insurance Renewal/Asset Register

Checks confirmed renewal of Insurance Policies, commencing the third Year of the 3 year loyalty agreement approve 18th May 2020 Minute PTC 20/09 ii. The Asset Register for the financial year 2019/20, was adopted 18th May 2020 Minute PTC 20/09 i. It will be further reviewed in the current financial year to reflect any acquisitions and disposals and ensuring accuracy for the completion of the 2020/21. AGAR.

Transparency Code 2015

Penrith Town Council is fully compliant with all Transparency Code requirements. The published information is clearly displayed ensuring the required information is presented in a clear and understandable format and easily accessible to the viewing public.

Invoice Procedure/Internal Financial Controls

A thorough check on all invoices displayed on the website was undertaken. Invoices, which exceeded £2000 were noted Those in excess of £5,000 were correctly listed on the website under Council Finance – Contracts and Tenders.

All payments adhered to the procedures as outlined in the Town Council's Financial Regulations.

The electronic payment system which is carried out weekly ensures that local suppliers receive prompt payment of their accounts.

There is robustness in the internal financial controls by the scrutiny of members and officers of submitted invoices. There is a clear audit trail from invoices, schedule of payments, bank reconciliations and bank statements all of which are included in reports to Finance Committee for approval.

Bank balances are carefully checked prior to the expenditure being incurred.

Competitive Tendering Procedures

Robust systems are encompassed in Financial Regulations to ensure compliance with current legislation and the principle of Best Value.

VAT

Vat reclaims are submitted monthly. It is confirmed that the amounts claimed reconcile to the schedule of payments.

Repayments are made by BACs to the Council's account.

Sct 137/ General Power of Competence/Grants

The Council is a General Power of Competence Council therefore Sct 137 is not applicable. All grants are correctly recorded with the appropriate spending power.

Minutes

These are correctly numbered and paginated and a master copy kept securely in a secure fireproof cabinet.

Risk Management Documentation

The following risk assessments having been approved by the Finance Committee were ratified at the Council meeting held on 28th. September 2020 Minute PTC20/69 i. – xvi.

Allotments

Bus Shelters

Business Continuity

Risk Management Documentation(cont)

Cornmarket Bandstand
Fairhill Playing Field
Finance
Fire
Governance
General Data Protection Regulations
Information Technology and Website
Lone Working
Musgrave Monument
Office
Recycling Bring Site
Seats
St Andrews War Memorial

Budget Control

The budget is set in time to comply with the District Council's timetable. There is

Officers' comprehensive reports highlight any variances to set budgets ensuring openness and transparency in the management of public money and enabling the Council to make the necessary virements, which are recorded in the minutes, if required or appropriate.

Cash Reserves/Investment Policy

It is a function of the Internal Audit to give an opinion on whether cash reserves are adequate or excessive as recommended by External Audit (i.e. a working balance of six to twelve months expenditure) Penrith Town Council has taken action to ensure healthy reserves are built up steadily.

Income Controls

Income from all sources is promptly banked. No cash income.

Bank Cards

All expenditure is regularly reported and allocated to budget heads with VAT Identified. The expenditure is paid in full on receipt of statements to meet credit term deadlines. Security measures are in place to ensure appropriate use by permitted officers.

Payroll Control, PAYE, HMRC

All payments reflect salary scales approved by Council. Returns to HMRC are processed by the external accountant. All records will be fully checked at the conclusion of the financial year 31st March 2021.

Bank Reconciliations

Bank reconciliations are prepared monthly by the RFO and presented to the Finance Committee, together with the appropriate bank statements for approval and the signature of the Committee Chair on both documents as per Financial Regulation 2. 2.1.

I conclude and report that the Clerk, the Responsible Financial Officer (RFO) the Service and Contracts Manager and all Officers have maintained a high standard of recordkeeping, which has simplified the audit process. The Council's control systems are efficient and effective and give the appropriate level of confidence, that the financial statements and reports reflect a true and accurate account of the Council's finance and governance records. There are no matters to bring to the attention of the Council for implementation.

I would like to thank the team for their assistance in presenting immaculate records, which provides a clear, understandable audit trail.

J. Airey

Internal Auditor
9th February 2021



FULL COUNCIL

29 MARCH 2021

MATTER: Annual Review of Fees and Charges

RATIFY the Fees and Charges for 2021/22.

AUTHOR: Ian Parker - SCM

SUPPORTING MEMBER: Cllr Roger Burgin -
Chair of Finance Committee

ITEM NO: 15b

RECOMMENDATIONS:

Ratify the Fees and Charges for 2021/22 and recommend these go forward for ratification by Full Council.

LAW

The Town Council resolved 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.

LINKS TO COUNCIL PRIORITIES

This report aligns with the strategic priority for Core Business to ensure that the Council is led in a lawful and business-like manner.

1. REPORT DETAILS

- 1.1 The Council approved its current scale of Fees and Charges for the year 2020/21 at the meeting of the Finance Committee held on the 09 March 2020, Minute FIN19/74.
- 1.2 This report sets out the proposed Fees and Charges for the 2021/22 municipal year. The proposed Fees and Charges are shown in Appendix A.
- 1.3 It is proposed that the scale of Fees and Charges remain the same as the previous year, albeit with one addition to the fees for the Cornmarket Bandstand area
- 1.4 Previously, there has been no fee chargeable for use of the Cornmarket area by market or street traders. The area has been previously used by market and street traders and in the absence of an agreed fee no charge has been made. A comparison has been made with Eden District Council who charge market traders £1.25 per foot per day. It is considered more straightforward for the Council to agree a set daily fee, therefore a fee of £15.00 per day is proposed. All users of the area must contact the Council prior to use.
- 1.5 Members are minded to note that at the meeting of the Finance Committee held on the 16 November 2020 it was resolved that the hire fees for all uses of the Cornmarket Bandstand be waived up to the 31 March 2021. It was also resolved that the Services and Contracts Manager be given delegated authority to approve the permission for use of the Cornmarket Bandstand area for the remainder of 2020 and through 2021, and a list of uses up to the 31 March 2021 be reported.
- 1.6 In the period from 16 November 2020 there have no uses or requests for use of the Cornmarket and Bandstand area, other than the placement of the Christmas tree and lights.
- 1.7 The Services and Contracts Manager under delegated authority has given in principle approval for the Board and Elbow Public House to use the area to the front of the bandstand for the provision of outdoor hospitality. The arrangements will be confirmed once guidance for COVID-19 safe opening has been published by the Government, but permission will be based on:
 - i. Permission to use an area 8mx6m within the Cornmarket area.
 - ii. The period of permission be from 12 April 2021 to 30 September 2021.
 - iii. A fee of £500 will be charged.
 - iv. The Council will be the sole arbiter when determining whether any other hires of the area will take priority and as such the Board and Elbow will be informed to relocate to another agreed area or postpone use during such designated periods.
 - v. The Board and Elbow to ensure that the area is cleaned after use and items such as food waste, litter are disposed of.
 - vi. The Board and Elbow to provide a copy of its Public Liability insurance to the Council.

vii. Days and times to be confirmed in accordance with licensing permissions which are set by Eden District Council.

2. FINANCE IMPLICATIONS

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

3. RISK MANAGEMENT

RISK	CONSEQUENCE	CONTROLS REQUIRED
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 lead to criticism from the public and other stakeholders.	Officers to monitor usage and affordability and compare with other local authorities or providers.

APPENDICES ATTACHED TO THIS REPORT

Fees and Charges – Appendix A

Appendix A – Proposed Fees and Charges 2021/22

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
	Market or Street Traders	£15.00 per 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 with a branch within the parish of Penrith	No charge
Boardroom and Meeting Room	Local groups affiliated to the Town Council: Penrith Community Gardeners & In Bloom Fairhill Community Group Penrith Allotment Association PECCAN Group	No Charge
Seats	New bench with plaque including 10 years maintenance	£1,000
	Plaque fixed to existing new style bench including 10 years maintenance	£200
	Renewal of seat/plaque including maintenance for further 10 years	£200

ITEM 15 C i

BANNER AND ADVERTISEMENT POLICY

1. Introduction

- 1.1 Penrith Town Council has adopted this policy to facilitate members of the public if they wish to advertise on Council land and assets.
- 1.2 This policy relates to the administrative area covered by Penrith Town Council only.

2. Objectives

- 2.3 To respond to requests by members of the public, community groups and charities wishing to advertise and promote events, fairs and community associated outcomes.
- 2.4 To contribute to the overall amenity of the town by providing a policy which prevents adhoc marketing and promotion on the Council's assets.

3. Locations

- 3.1 The only locations permitted for banners and posters relating to the policy are on land under the ownership and management responsibility of the Town Council.
- 3.2 For the purpose of this policy this includes:
 - a. Fairhill Playing Field
 - b. Cornmarket Bandstand
 - ~~c. Musgrave Monument~~
 - d. Thacka Beck Field

4. Type of advertising

- 4.1 We will permit banners and posters on any of the aforementioned sites on the condition that they cause no obstruction or safety concern for members of the public, staff or contractors.
- 4.2 We will permit banners and posters which are advertising events and activities in the parish of Penrith only.
- 4.3 We will permit banners and posters to be displayed by community groups, charities, public sector organisations **and funfairs and circuses**.

5. Exclusions

- 5.1 We will not permit banners and posters to be displayed by private sector or commercial businesses other than for funfairs and circuses.
- 5.2 We will not permit political, religious or inflammatory material to be displayed on our assets, nor will we permit posters advertising the activities of local pressure groups.
- 5.3 We will not permit advertising which is sexual in nature, promotes or is associated with illegal activity or what may be considered inappropriate or offensive.

6. Application

- 6.1 All persons and organisations wishing to display a banner or poster **posters and advertisement** must apply to the Council a minimum of 4 weeks in advance.
- 6.2 Applicants or the Council may be required to check whether any planning consents or **other consents** are required.

7. Proofing

- 7.1 All persons and organisations must submit a draft of the advertisement they are proposing to display a minimum of 3 weeks in advance.
- 7.2 The Council reserves the right to reject or request that the proofs be amended should this be required, **and may also dictate the size of the advertisement**.

8. Installation

- 8.1 Applicants must agree in advance with the Council the location for all advertising.
- 8.2 Applicants are responsible for organising the installation of all publicity, ensuring that the information is placed safely and securely with no sharp edges, or protruding nails, staples and any other item which may cause harm.
- 8.3 Banners must not restrict pedestrian movement, and or vehicle sight lines or persons who may have mobility or disability issues.
- 8.4 The Council may require the applicant to display their advertisement in a designated place as authorised by the Council. The Council may at its discretion outline the permitted sizes of advertising and require that specific fixings and screws are used.
- 8.5 Applicants who require access to higher areas, must undertake a risk assessment and submit this to the Council a minimum of 3 weeks prior to installation. Applicants must comply with their risk assessment and working at height regulations. Applicants must refer to the Health and Safety Executive for guidance.
- 8.6 Applicants must submit a copy of their public liability insurance certificate and a risk assessment prior to installation proceeding.

9. Display period

- 9.1 The Town Council will only permit posters and banners to be in place for a maximum of 21 days. This is to ensure that the town remains neat, tidy and not cluttered.

10. Monitoring

- 10.1 It is the applicant's responsibility to monitor the posters and banners to ensure that they remain in situ. The Council will not replace posters and banners.
- 10.2 The Council may remove and dispose of advertisements should they present a danger to the public, and or become unsightly, damaged or become unstable and loose.

11. Removal

- 11.1 The applicant must remove posters and banners after the 21 days have elapsed or within 7 days following the event.
- 11.2 Failure to remove information may affect future requests for advertisement.

12. Advertising rates

- 21.1 All advertising will be free of charge.

13. Damage

13.1 Any damage caused to the Council's assets through the implementation of this policy by an applicant will in most cases result in the applicant being liable for such damage and the costs of repair. It is therefore recommended that all applicants have suitable insurance cover in place.

Completed application forms must be returned to:

Penrith Town Council

Unit 1 Church House

19-24 Friargate

Penrith

Cumbria

CA11 7XR

Email: scmanager@penrithtowncouncil.co.uk

Telephone: 01768 899773

ADOPTED: 26 NOVEMBER 2018

REVIEWED: March 2021

NEXT REVIEW: November 2028

ITEM 15 C ii

MEMORIAL SEATS POLICY

1. Introduction

- 1.1 Penrith Town Council has adopted this policy to facilitate members of the public if they wish to donate towards:
 - a. A new replacement bench seat with accompanying plaque in memory of a deceased person
 - b. A plaque on its own to be fixed to an existing seat of a new style
- 1.2 This policy relates to the administrative area covered by Penrith Town Council only.

2. Objectives

- 2.1 To respond to requests by relatives and friends of a deceased person to provide some lasting memory of that person.
- 2.2 To contribute to the overall amenity of the town by providing bench seats and securing their maintenance for the future.

3. Background

- 3.1 Penrith Town Council received 45 seats and benches from Eden District Council via an asset transfer on the 19 October 2018. The seats varied in style, age and condition.
- 3.2 The Council in addition to approving a Memorial Seat Policy, had been asked to take into consideration a phased replacement of many of the 45 benches to provide the town with consistency of design and appearance. **The Council has replaced a number of seats across the Town with the new style of seat.**
- 3.3 ~~With the Town Council only recently being responsible for seats and benches then it is considered appropriate at this stage to not increase the number of sites and locations for benches, but instead to seek to replace seats in the existing locations.~~
- 3.4 ~~The Town Council are working with Eden District Council and Cumbria County Council to receive further areas of Public Open Space which will offer the potential for new sites for benches to become available in the future Council has~~
- 3.5 **The Council is now responsible for additional sites including Fairhill and Thacka Beck additional sites which have been are devolved to the Town Council. The Town Council will now consider applications for seats to be installed at these sites. the policy will be reviewed, and a list of new locations and the number of available seat sites will be made available.**

- 3.6 For this policy any application for a memorial seat will be received to provide a replacement seat in an existing location and also at **Fairhill and Thacka Beck** , **thus whilst still enabling** the phased replacement of the old seats, and where there is no current memorial dedication.

4. Conditions

- 4.1 All requests for either new bench seats with plaques or for plaques to be fixed to existing bench seats of the new style must be made on the relevant form, signed and submitted to the Services and Contracts Manager.
- 4.2 New bench seats will be of a type, design and colour approved by the Council to ensure some consistency with existing ones in place throughout the Penrith Parish.
- 4.3 The purchase of each bench seat and/or plaque and their installation will be carried out by the Council.
- 4.4 Once installed the bench seat and plaque will become the property of the Council. It will be maintained for an initial period of 10 years.
- 4.5 After the period of 10 years the Council will endeavour to contact the donor and seek a further agreement for continued maintenance of the plaque and bench seat. This agreement will likely be subject to a further fee being charged. If the donor cannot be contacted for any reason, the Council may at its discretion remove the plaque and allow the bench to be available to new donors.
- 4.6 Where an existing memorial plaque is in place, and should that bench be replaced, the memorial plaque will be replaced with the same inscription detail for a period of 10 years from the date of replacement.
- 4.7 The Council will maintain a database of applicants, including the expiry date of 10 years, and any waiting lists that may develop.
- 4.8 The Council will not permit the provision of bench seats and plaques other than as supplied by or through the Council.

5. Location

For this policy:

- 5.1 The provision of seats where there is an existing memorial plaque displayed will require that the existing memorial plaque be replaced with like for like wording for a period of 10 years from the date of installation.
- 5.2 The provision of new seats will be in existing locations and will replace one of the old-style seats that does not currently display a memorial plaque. **The Council will permit applications for new seats at Fairhill and Thacka Beck.**
- 5.3 Where the Council has provided a new style seat as part of its phased replacement and does not display a memorial plaque, then donors can choose to have a plaque installed at this location.

- 5.4 ~~As and when the Council have further public open space devolved to it, only at that point will the Council approve new sites and locations.~~
- 5.5 The Council cannot install bench seats on private land or other areas of public land that it has no control over.

6. Seat design

- 6.1 New bench seats will be of a type, design and colour approved by the Council to ensure some consistency. The chosen seat is:



- 6.2 Where space prevents the preferred seat from being installed, then the Council will select an alternative seat design of its choice.

7. Plaques / inscriptions

- 7.1 Only one memorial plaque measuring 150mm x 40mm is permitted per bench and this will be ordered at the same time as the bench.
- 7.2 Where only a plaque is being ordered the same dimensions apply.
- 7.3 There is no maximum number of characters permitted, however it should be noted that the more wording required the smaller the font will be to accommodate the plaque size. We therefore recommend a maximum of 70 characters.
- 7.4 All wording to be printed on to the plaques must be approved by the Council prior to the order being placed. The Council may determine a consistent font to be used on all plaques.

8. Maintenance

- 8.1 Penrith Town Council will inspect the benches and plaques on a regular basis. Where there are any defects with the benches the Council will instruct its Community Caretaker to undertake any repairs.
- 8.2 Seats may be removed by the Council if they become unsafe or are beyond reasonable repair. The Council cannot replace stolen seats.

8.3 Penrith Town Council cannot guarantee the long-term safety or security of the seat. The Council cannot guarantee against theft or vandalism and may not be able to replace the bench or plaque in this event.

9. End of 10 year term

- 9.1 At the end of 10 years where no renewal fee is paid, the plaque will be returned to donor.
- 9.2 Where the Council is unable to contact the donor, the Council will keep the plaque for 12 months.
- 9.3 When vacated plaque space becomes available the seat will be available to a new applicant or the next person on the waiting list.

10. Charges

Description	(£)
New bench seat with plaque, including 10 years maintenance fee.	£1000
Plaque fixed to existing new style bench seat, including 10 years maintenance fee. See Note 1	£200
Renewal of seat/plaque, including maintenance fee after initial 10 years expires. Price is for a further 10 years. See Note 2	£200

Note 1 - No new plaques can be fixed to any of the old-style benches

Note 2 - Cost for additional 10 years or when seat/plaque reaches the end of its meaningful life, or whichever is soonest.

- 10.1 The charges will be reviewed by the Council annually to be effective from the 01 April each year.
- 10.2 Once the location of the seat and wording for the plaque has been agreed and any necessary consents are approved, the Council will raise an invoice to the donor.
- 10.3 Once payment has been received in full the Council will arrange for the order and installation to proceed. The Council will install the benches.

11. Exclusions

- 11.1 Penrith Town Council cannot be held responsible or liable for any decisions or amendments made to any of the benches prior to the 19 October 2018, which was the date that the benches were devolved to Penrith Town Council.

Adopted: 2018
Reviewed March 2021
Next Review: 2028



FULL COUNCIL
29 MARCH 2021

MATTER: REVIEW OF THE SYSTEM OF INTERNAL CONTROL 2020/21

Ratify the review of the Town Council's system of internal control for the current financial year.

AUTHOR: Jack Jones - RFO

SUPPORTING MEMBER: Cllr Roger Burgin -
Chair of Finance Committee

ITEM NO: 15 d

RECOMMENDATIONS:

Ratify the review of the Council's internal control framework, which concludes that the adopted controls are adequate, appropriate and effective and that they have operated consistently throughout the financial year and forward the report to full Council for ratification.

LAW

The Town Council resolved 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. The Accounts and Audit Regulations 2015 further require the Council to maintain a sound system of internal control, which includes its full range of governance arrangements.

LINKS TO COUNCIL PRIORITIES

Strong governance arrangements and sound internal controls underpin all of the Council's activities and support the delivery of its priorities.

1. REPORT DETAILS

Governance Requirements

a) Under the Accounts and Audit Regulations 2015, the Town Council must ensure that it has a sound system of internal control which:

- facilitates the effective exercise of its functions and the achievement of its aims and objectives;
- ensures that the financial and operational management of the authority is effective; and
- includes effective arrangements for the management of risk.

Additionally, each financial year, the Council must conduct a review of the effectiveness of its system of internal control and prepare an annual governance statement, in accordance with proper practices. This report provides that review.

Internal Audit

b) The Regulations also state that the Council must 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. The Council last reviewed its internal audit arrangements in May 2020, when it concluded that those arrangements were effective for the financial year 2019/20. The same arrangements apply to the current year, so it is reasonable to assume that they continue to be effective; this opinion will be reviewed formally in May this year.

Internal Control Framework

c) The attached diagram summarises the key governance controls operating within the Council. The list of items is not exhaustive, while the headings are included for convenience only. The diagram demonstrates that the Council has all of the appropriate elements in place to form a sound framework of internal control.

Review of Effectiveness

d) During the year 2020/21, the Council has maintained and updated all its policies and procedures. It has complied fully with all of the controls identified within the framework and has responded appropriately to new responsibilities. For example, during the year to date, the Council has:

- Maintained the General Power of Competence
- Interpreted and implemented the Regulations relating to Coronavirus
- Adapted meeting protocols and operational activities to maintain services during the pandemic
- Regular committee/officer work plan reviews
- Continued implementing the Website Accessibility Regulations
- Progressed its Neighbourhood Plan
- Identified the resources over a five year period to deliver its Climate Change Strategy
- Reviewed all risk assessments, including new assets such as Fairhill Playground and Thacka Beck
- Maintained effective internal control and audit arrangements.

e) The agenda for this meeting includes the separate interim report from the Council's Internal Auditor, which concludes that "The Council's control systems are efficient and effective and give the appropriate level of confidence....". This independent opinion contributes to Officers' own opinion that the controls identified in the framework are adequate, appropriate and effective and that they have operated consistently throughout the 2020/21 financial year to date.

Annual Governance Statement (AGS)

f) The AGS cannot be prepared until after the end of the financial year, prior to approval of the annual accounts, and will be based on the assurance gained from this review of the internal control framework and the final internal audit report.

2. FINANCE IMPLICATIONS

This report has no direct financial implications.

3. RISK MANAGEMENT

RISK	CONSEQUENCE	CONTROLS REQUIRED
Failure to maintain a sound internal control framework.	Potential vulnerability to loss or irregularity across a range of governance areas.	Sound internal controls that are applied consistently and subject to periodic internal and independent reviews of their effectiveness.

4. APPENDICES ATTACHED TO THIS REPORT

- Internal Control Framework

5. BACKGROUND PAPERS

- Accounts and Audit Regulations 2015
- Interim Internal Audit Report 2020/21



Penrith Town Council

INTERNAL CONTROL FRAMEWORK 2020/21

Statutory & Constitutional	Financial Management	Audit	Risk Management	Employees
<ul style="list-style-type: none"> • Legislation: <ul style="list-style-type: none"> ○ Local Government ○ Health & Safety ○ Equalities ○ Information Technology ○ Freedom of Information • Councillors: <ul style="list-style-type: none"> ○ Standing Orders ○ Acceptance of Office ○ Code of Conduct ○ Register of Interests ○ Declaration of Interests ○ Annual Town Meeting • Annual Report • Business Plan • Neighbourhood Plan • Community Engagement • Qualified & experienced Town Clerk • Qualified & experienced In House Solicitor 	<ul style="list-style-type: none"> • Financial Regulations • Financial Procedures • Proper Accounting Practices • Procurement Rules • Approval of Expenditure • Approved Budget • Medium Term Forecast • Budgetary Control • Reserves Policy • Investment Policy • Transparency reports • Asset Register • Qualified & Experienced RFO 	<ul style="list-style-type: none"> • Internal Audit • Government and Accountability for Smaller Authorities • Review of Internal Audit Effectiveness • NAO Code of Audit Practice • External Audit • Public Right of Inspection 	<ul style="list-style-type: none"> • Risk Assessments • Health & Safety advice • Legal advice • IT Security • Business Continuity arrangements • Security of Assets • Insurance cover • Due diligence re asset transfers 	<ul style="list-style-type: none"> • Approved establishment • Contracts of employment • Job Descriptions • Staff Policies & Procedures • Staff Handbook • Performance Appraisals



FINANCE COMMITTEE

22 MARCH 2021

MATTER: **Brackenber Allotment Drainage**
Note the drainage issues at Brackenber Allotments.
Ratify the approved scheme of works.

AUTHOR: Ian Parker Services & Contracts Manager

SUPPORTING MEMBER: Cllr Scott Jackson -
Lead Member for Devolution and Assets

ITEM NO: 15e

RECOMMENDATIONS:

- i. Note the drainage issues at the Brackenber Allotments.
Ratify:
- ii. For the Services and Contracts Manager to develop a scheme of work to alleviate the drainage issues and proceed to obtain quotations.
- iii. A budget of £10,000 from the Devolution Reserve.
- iv. For the Services and Contracts Manager to apply for any grants that the Council may be eligible for, to contribute too and offset the cost of the works.
- v. A request go to the Penrith Allotment Association asking for their consideration of a financial contribution to the cost of the scheme.

LAW

The Town Council resolved 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.

LINKS TO COUNCIL PRIORITIES

This report aligns with the strategic priority for Health and Wellbeing to protect and improve the environment, leisure and recreational community facilities, services and assets.

1. REPORT

BACKGROUND

- 1.1 The allotment site known as Brackenber Allotments, off Gilwilly Road was transferred to the Council from Eden District Council when the Council was established. The allotment site includes 62 plots and 38 hen runs. The Penrith Allotment Association (PAA) manages Brackenber allotment under the terms of a lease.
- 1.2 Since the Brackenber allotment site was transferred to the Town Council, the PAA have reported longstanding issues with poor drainage. It is known the problems persisted prior to the transfer of the asset to the Town Council.
- 1.3 Over the past two years, the PAA has reported that the drainage issues are worsening with standing water on allotment plots, standing water in the hen runs and water run off on the access track, which is thought to be eroding the surface. The standing water on the allotment plots is making them unviable for tenants to cultivate, and there is evidence to show the number of plots affected is increasing. Furthermore, this is affecting the allotment holder's enjoyment of the site and resulting in them seeking to give up their affected plot.
- 1.4 The Services and Contacts Manager has been liaising with the PAA over a period of months to monitor the situation and can confirm that the issue is worsening, and has been particularly evident during the wet autumn months of 2020.
- 1.5 In an attempt to address the cause of the problem, the Council has undertaken desk research including United Utility searches to identify if there is any apparatus beneath the affected areas, which there is not. Contact has been made with EDC to ascertain whether they hold any historical site drainage plans, which they have confirmed they do not and similarly the PAA holds no records.
- 1.6 The Council commissioned a local contractor to dig some trial holes where the drainage issue was problematic. There was no evidence of any broken or damaged drains. A CCTV survey has been undertaken to follow what would be an outlet drain and this drain is found to be in satisfactory condition.

PROPOSAL

- 1.7 This report has set out the drainage problems at Brackenber Allotments and requests approval for the Services and Contracts Manager to develop a scheme of work to alleviate the drainage problem and to obtain quotations.
- 1.8 To meet the costs of the works, it is recommended that a budget of £10,000 be allocated from the Devolution Reserve and that Full Council be asked to approve a budget.
- 1.9 To offset the costs to the Council, it is recommended that the Services and Contracts Manager be given approval to identify whether the Council would be eligible to apply for any grant funds for this project and to make an application where applicable.

- 1.10 To further offset the costs, it is recommended that the Penrith Allotment Association is asked whether it is able to consider making a financial contribution to the scheme. It is however not considered appropriate to state an agreed percentage partnership contribution, nor an agreed figure, yet request whether they are able to assist in meeting the costs from any reserves they may have in order to demonstrate effective partnership working.

2 LEGAL IMPLICATIONS

- 2.1 Penrith Town Council and Penrith Allotment Association have entered into a lease relating to parcels of land at the four allotment sites including Brackenber allotment. The lease term is seven years to 8 November 2027. The terms of the lease are of common form applicable to allotments. The terms reflect the nature of the use and of the Allotment Association.
- 2.2 The lease does require the PAA to keep the internal roadway in good order and repair to the satisfaction of the Council. As set out in paragraph 1.3, there is evidence of erosion of the internal roadway, which may be because of running water arising from the drainage problem. Requesting the PAA to consider making a financial contribution to the overall scheme is considered reasonable in that there will be some works to the roadway as part any drainage project.
- 2.3 The lease requires the PAA to maintain all pipes, water pipes, junction's fittings and supply points. There is no evidence that the current drainage problems are because of any defective water pipes or supply points, but rather from surface or ground water. The lease does not refer to drains and as such, the PAA would consider that there is no requirement for them to provide land drains to alleviate the current problems. The current drainage problems do not appear to be due to any fault or breach of the lease on behalf of the tenant.
- 2.4 The lease reserves to the Council the right to enter the property to repair, maintain or replace any service media or any structure, and for any other purpose connected with the landlord's interest in the property. By undertaking these proposed works the Council as freehold owner would be investing in one of its assets, for the benefit of and to maintain the property and to enable its continued use in future years as an allotment.

3 FINANCE IMPLICATIONS

- 3.1 The Council has committed expenditure of £800 so far in trying to diagnose the drainage problem including the commissioning of a local contractor to dig trial holes and undertaking the CCTV drain survey. The expenditure is awaiting to be invoiced but will be met from the existing allotment budget.
- 3.2 There is no budget provision for any drainage scheme within the approved 2021/22 budget. It is recommended that a budget of £10,000 be approved from the Devolution Reserve and that Full Council be asked to approve the budget. The figure of £10,000 has been identified following discussions with a local contractor.

- 3.3 This report requests approval for the Services and Contracts Manager to identify whether the Council is eligible to apply for any grants that will offset the costs to the Council.
- 3.4 This report requests that the PAA are requested to consider making a financial contribution to the scheme should it have the means to do so.

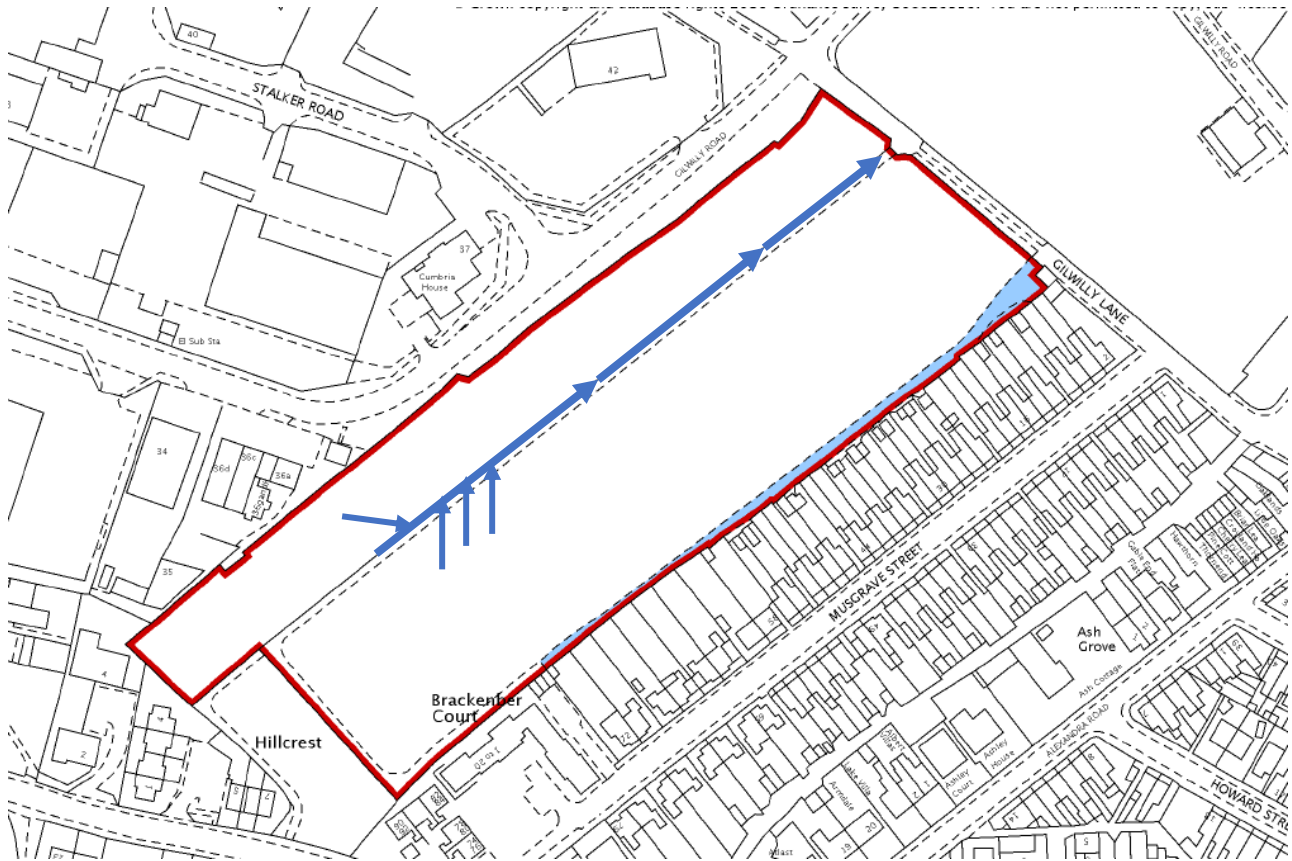
4 RISK MANAGEMENT

RISK	CONSEQUENCE	CONTROLS REQUIRED
Financial	Costs of any project is in excess of the proposed budget allocation	Obtain a minimum of three quotations. Identify whether the council is eligible to apply for partnership funding. Request the PAA to contribute to the scheme.
Reputation	Criticism from the PAA and the allotment tenants if the problem is not rectified	Approve to progress the drainage scheme.
Asset degradation	Continual drainage problems. Erosion of the roadway Problem attracting tenants	Approve to progress the drainage scheme.
Health and Safety	Erosion creating hazards. Water in animal pens creating welfare issue. Uneven surfaces and ponding.	Approve to progress the drainage scheme.

5. APPENDICES ATTACHED TO THIS REPORT

Site Plan showing proposed extent of the scheme – Appendix A

Appendix A – Site Plan Showing Proposed Drains (Shown in Blue)



ITEM 16

DEVELOPER ENGAGEMENT POLICY

Policy Statement

- 1.1 Penrith Town Council recognises that pre-application discussions can play an important part in major planning applications and welcomes the desire of developers to consult both Penrith Town Council and the public more widely. However, the Council is aware of the importance of public perception in planning and the critical need to avoid any appearance that Penrith Town Council is conducting secretive negotiations or is colluding with developers. It is important therefore that such pre-application discussions are undertaken appropriately and transparently.
- 1.2 This policy is designed to clarify how Penrith Town Council will engage with developers and/or their agents, both prior to, and following, the submission of a planning application within the parish. The policy will inform both Councillors and Officers when arranging discussions with developers.

Scope

- 1.3 This policy applies to:
 - a) All Councillors and Officers of Penrith Town Council as well as third parties and agents of the Council who work and act on behalf of the Council.
 - b) All stages of the development cycle including speculative queries and during the construction phase. Penrith Town Council will not offer any advice on planning policy or provide a formal view at presentations; and
 - c) All meetings with developers, landowners, their employees, and agents that act on their behalf.

Responsibility for Implementation

- 1.4 The Council has overall responsibility for the effective operation of this policy.
- 1.5 All Councillors and employees should ensure that they read and understand it.
- 1.6 Any breach of this policy should be reported to the Town Clerk.
- 1.7 Questions regarding the content or application of the policy should be directed to the Town Clerk in the first instance.

Pre-determination

- 1.8 In all meetings and discussions, developers, Councillors and Officers are reminded of the critical importance of not pre-determining their position on any future application, as this could require them to take no part in the discussion at Committee or Council. It should be noted, that expressing a pre-disposition, for example 'welcome in principle' or 'concerns' is permissible.
- 1.9 Those considering an application must be able to apply an open mind and be willing to consider all material issues before deciding on a particular view of an application.
- 1.10 On occasions, individual Councillors may be approached by developers for informal discussions about an application already within the planning system or regarding possible future applications. Whilst it is up to the individual whether they take part in a discussion, based on the nature of the proposed development and the possible level of controversy, they are advised:
- a) To carefully consider the public perception of such a discussion/meeting.
 - b) To avoid any appearance of collusion in applications.
 - c) To avoid accepting any hospitality or gifts from the developer in connection with such meetings; and
 - d) To advise the Chair of the Planning Committee and Officers of such meetings as soon as possible.
- 1.11 Councillors must not suggest that they are representing Penrith Town Council at such meetings, unless expressly authorised to do so by the Council.

Pre-Application Meeting Guidelines

- 1.12 Penrith Town Council will, where possible, accommodate requests from developers to present their pre-application proposals at a Planning Committee or other arranged meeting on the following conditions:
- a) Full public consultation is either already scheduled or firmly planned.
 - b) The meeting is open to the public to attend and has been reasonably advertised.
- 1.13 The developer must provide information about the proposed development in writing.
- 1.14 If the developer considers that the information provided is sensitive and wishes it to remain confidential, the developer must identify the specific information that they wish to remain confidential and explain the reasons in writing. If the reasons are legitimate, the Council will keep a written record of the confidential and non-confidential issues.
- 1.15 Where possible, specific meetings with developers will normally be held before a meeting of the Planning Committee and, as a preference, be open to the public. Should developers request not to attend a public meeting because of compelling and justifiable reasons (e.g. strong commercial sensitivity), a private meeting may be arranged.

- 1.16 All meetings with developers will be documented and reported to Committee/Council.
- 1.17 Pre-application planning discussions, communications and any comment given by Penrith Town Council, individual Councillors or Officers, will not bind the Council to making a particular decision and any views expressed will be without prejudice and based on the information available at that time.

Pre-Application Public Consultations

- 1.18 Penrith Town Council strongly encourages developers to carry out full public consultation before submitting plans for major developments on the following basis:
- a) Any consultation meeting should be held at an accessible and convenient venue.
 - b) Sufficient publicity should be given to likely interested parties, in good time.
 - c) Appropriate timings should be given to allow as wide a range of people as possible to attend.
 - d) Consultation should be meaningful. Developers should have a genuinely open mind and a willingness to adapt and revise plans in response to feedback.
- 1.19 Councillors are advised not to attend separate private briefings as part of public consultation, but instead to attend with the public.

Monitoring and Review

The Planning Committee shall be responsible for reviewing this policy every two years or sooner if legislation dictates, to ensure that it meets legal requirements and reflects best practice.

Approved: March 2021

Review: 2023

Your Reference:
Our Reference: LT/KE/L28/34
Enquiries to: Mrs L Tremble
Direct Dial: (01768) 212249
Email: dcls@eden.gov.uk
Date: 23 February 2021



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

ITEM 17

By email office@penrithtowncouncil.co.uk

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

Dear Mrs Tunnadine

Notice of Inclusion in the list of Assets of Community Value - Coronation Garden, Penrith

I enclose a Notice of Inclusion of Land in the List of Assets of Community Value. The land concerned is that which was the subject of the application. The effect of the inclusion of the land is shown on the Notice.

The application was considered by the Executive on 19 January 2021. The Executive decided to approve the application and list the premises. The full minutes of the meeting are available on the Council's [website](#).

I have also sent a copy of this Notice to the mayor of the town council and the owner.

Yours sincerely

Lisa Tremble

Enc

Assets of Community Value

Notice of Inclusion in the List of Assets of Community Value

To: Clerk, Penrith Town Council

Of: Unit 1, Church House, 19-24 Friargate, Penrith

I hereby give you notice that the Coronation Garden, Portland Place, Penrith, CA11 1SS is included in the List of Assets of Community Value maintained by Eden District Council

The effect of the inclusion of the property in the List of Assets of Community Value is that the owner cannot dispose of that property unless each of the following conditions is met:

1. The owner has notified the Council of his or her wish to enter into a relevant disposal of the property
2. Either:
 - a) the interim moratorium period of six weeks has ended without the council having received during that period a written request from a community interest group to be treated as a potential bidder in relation to the property; or
 - b) the full moratorium period of six months has ended
3. The protected period of eighteen months has not ended

The full moratorium, the interim moratorium and the protected period begins with the date upon which the Council receives notification in writing of a wish to enter into a relevant disposal of the property. A relevant disposal is defined in Section 96 of the Localism Act 2011. A relevant disposal includes a disposal of the freehold estate with vacant possession or the grant or assignment of a qualifying leasehold interest with vacant possession. A qualifying leasehold interest means an estate which, when granted, has at least 25 years to run.

The owner of the property may ask for a review of the decision to include property in the List of Assets of Community Value. A request for a listing review may be made in writing within a period of eight weeks beginning with the date of this Notice. If the owner asks for a review the request will be determined by the District Council. The owner will be notified of the decision and the reasons for it. If the decision is to remove the property from the List of Assets of Community Value the nominating body will be notified of this and the reasons for that decision.

Dated this twenty-third day of February 2021.

Lisa Tremble
Assistant Director Legal and Democratic Services



FULL COUNCIL
29 MARCH 2021

MATTER: Climate and Ecology Bill
Consider declaring the Councils support for the Bill

Background for members information

ITEM NO: 19

AUTHOR: EXTRACT HOUSE OF COMMONS LIBRARY
UK PARLIAMENT

SUPPORTING MEMBER: Cllr Lawson
Lead Member for Climate Change

The Climate and Ecology Bill aims to set new legally binding environment and climate objectives for the UK and create a Citizen's Assembly to support the Government in meeting those objectives.

The [Climate and Ecology Bill 2019-21](#) was presented by Caroline Lucas as a [Private Members Bill \(Presentation Bill\)](#) on 2 September 2020.

It was originally tabled for second reading on 12 March 2021. However, sittings for Private Members Bills have been suspended until further notice due to current pressure on Parliamentary time. Only a very [small number](#) of Private Member's Bills ever become law, and they are usually those that have Government support.

Climate and Ecological Emergency Campaign

The Bill originates from a campaign by the climate change campaign movement Extinction Rebellion (XR), which has called for a [Climate and Ecological Emergency Bill](#). The UK has legislated for [net zero emissions, by 2050](#) in 2019. However, [Extinction Rebellion's view](#) is that 2050 is not soon enough to avoid serious climate change impacts, and impacts on biodiversity, so is calling for a 2025 target.

A [Climate and Ecological Emergency \(CEE\) Alliance](#) in support of the Bill was [launched](#) in September 2020. The Bill has been covered in articles in [the Independent](#) and [the Guardian](#), and on the [Post Carbon Institute website](#).

The Bill

The [Climate and Ecology Bill 2019-21](#) would:

- Require the Prime Minister to achieve climate and ecology objectives, as set out in the Bill.
- Give the Secretary of State a duty to create and implement a strategy to achieve those objectives.
- Establish a Citizens' Assembly to work with the Secretary of State in creating that strategy.
- Give duties to the Committee on Climate Change regarding the objectives and strategy.

The [Bill was published](#) on 2 November 2020. [An executive summary and briefing](#) for the Bill is available on the CEE Bill Alliance website, (noting that the title of its Bill is different to the one presented by Caroline Lucas). There is also an [Early Day Motion](#) signed by 83 MPs supported by Members from across a number of opposition parties.

There are UK and international strategies and targets for both [climate change](#) and [biodiversity](#), which have been integrated into a range of policies. The Government also published a [25-Year Environment Plan](#) in 2018 and is planning to introduce further targets on the basis of it. A [UK Climate Assembly](#) created jointly by a number of Westminster parliamentary committees published its [Final Report](#) on 10 October 2020, but is not connected to XR's demand for a statutory Citizen's Assembly.

The [Committee on Climate Change](#) (CCC) reports to Parliament every year on Government progress on climate change; the Government is also required to consult the CCC for advice on setting five yearly carbon budgets. The Government also publishes [annual progress reports on Biodiversity targets](#).

Environment Bill: proposed amendments

The CEE Bill Alliance's latest [campaign](#) has focused on securing amendments to the Government's [Environment Bill 2019-21](#), in order to reflect the proposals in the *Climate and Ecology Bill*. The Environment Bill had day one of its Report stage in the House of Commons on 26 January 2021.

A carryover motion secured on the Environment Bill now means that further progress on it is not now expected until the next Parliamentary session.

[Two amendments](#) proposed at Committee Stage on 26 November 2020 were supported by the [CEE Alliance](#) , but were not successful. The first, New Clause 28 set out new statutory environmental objectives and commitments for the Secretary of State and for the new Office for Environmental Protection, which is due to be established under provisions in the Bill. New Clause 29 would have required the Secretary of State to report to Parliament within six months on the “adequacy of environmental legislation and policy for meeting the climate and ecology challenges faced by the United Kingdom and the world.”

A [further amendment](#) was [tabled](#) at [Report Stage](#), New Clause 9. This was the same as New Clause 28 in Committee. It [was also debated](#) on 26 January 2021 and referred to by several Members but not pushed to a division. Transcripts of the [Committee Stage](#) and [Report Stage](#) are available online.

Letter from CEE Bill Alliance to Local Authorities

Dear Chief Executive/Leader of the Council,

May I begin by congratulating your Council for declaring a climate emergency. This is the visionary effort that is needed to find best practices to prevent the planet from heating more than 1.5 degrees °C above pre-industrial levels.

The Climate and Ecological Emergency (CEE) Bill¹ is now before Parliament because we feel that net zero by 2050 is far too late and that the Government needs to listen to the direction that councils across the country are taking. I am writing to ask your Council to declare its support for the CEE Bill, which obliges the Government to develop a strategy with legal obligations to:

- require that the UK takes its fair share of reducing CO2 emissions to ensure that global temperature does not rise above 1.5 degrees C.
- ensure that all the UK's entire carbon footprint (including the manufacture and transportation of goods from overseas) is accounted for and that we are taking full responsibility for our ecological footprint by protecting nature along supply chains
- restore and regenerate the UK's depleted soils, wildlife habitats and species populations to healthy and robust states, and to maximise their capacity to absorb CO2 and optimise their resistance to climate heating
- set up an independent Citizen's Assembly, representative of the UK's population, to engage with Parliament and help develop the national strategy.

I attach a copy of the bill and a flyer on why this bill is essential. I hope your Council will be able to support the CEE Bill, and I look forward to hearing from you.

Your sincerely,

¹ Formally known as the Climate and Ecology Bill

Climate and Ecology Bill

[AS INTRODUCED]

CONTENTS

- 1 Duties of the Prime Minister: climate and ecological emergency objectives
- 2 Duties of the Secretary of State: Climate and Ecological Emergency Strategy
- 3 Principles for the draft strategy
- 4 Citizens' Assembly on the Climate and Ecological Emergency
- 5 Content of the draft strategy and proposed revisions
- 6 Approval and amendment of the strategy by the House of Commons
- 7 Amendments to the Climate Change Act 2008
- 8 Interpretation
- 9 Financial provisions
- 10 Extent, commencement and short title

[AS INTRODUCED]

A

BILL

TO

Require the Prime Minister to achieve climate and ecology objectives; to give the Secretary of State a duty to create and implement a strategy to achieve those objectives; to establish a Citizens' Assembly to work with the Secretary of State in creating that strategy; to give duties to the Committee on Climate Change regarding the objectives and strategy; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Duties of the Prime Minister: climate and ecological emergency objectives

- (1) The Prime Minister must—
 - (a) declare a climate and ecological emergency; and
 - (b) achieve the objectives in subsection (2) ('the objectives') to tackle that emergency. 5
- (2) The objectives in tackling the climate and ecological emergency are to ensure that the United Kingdom—
 - (a) reduces its anthropogenic greenhouse gas emissions ('emissions') at a rate that would be consistent with keeping the global average temperature increase to 1.5 degrees Celsius compared to pre-industrial levels, in accordance with the provisions of the UNFCCC and the Paris Agreement, taking into account—
 - (i) the United Kingdom's greenhouse gas footprint, and
 - (ii) the United Kingdom's and other countries' common but differentiated responsibilities, and respective capabilities, given national circumstances; 15
 - (b) restores and regenerates biodiverse habitats, natural and human-modified ecosystems and their soils;
 - (c) expands natural ecosystems, wherever possible, and enhances agroecosystems for the purposes of safeguarding their carbon sink capacity and their resilience to global heating; 20
 - (d) actively conserves biodiversity and safeguards ecosystem services; and reduces its overall anthropogenic impact on the variety, abundance and health of soils and biodiversity.

- (3) In seeking to achieve the objectives the Prime Minister must consult—
- (a) the Committee on Climate Change,
 - (b) any other public body or other body charged with protecting the environment in—
 - (i) England 5
 - (ii) Scotland
 - (iii) Wales, or
 - (iv) Northern Ireland, and
 - (c) any other public body or other body deemed appropriate by the Prime Minister. 10

2 Duties of the Secretary of State: Climate and Ecological Emergency Strategy

- (1) The Climate and Ecological Emergency Strategy ('the strategy') is a document that sets out the measures intended to achieve the objectives.
- (2) The Secretary of State must—
- (a) prepare a draft strategy that— 15
 - (i) in his or her opinion will achieve the objectives
 - (ii) adheres to the principles in section 3, and
 - (iii) takes into account recommendations of the Citizens' Assembly under section 4, in accordance with section 5;
 - (b) lay the first draft strategy before Parliament no later than three months after the Citizens' Assembly publishes its first report under section 4(7); and 20
 - (c) lay before Parliament a report containing proposals for revisions to the strategy if he or she thinks such revisions are necessary for the objectives to be achieved. 25
- (3) The Secretary of State must seek the consent of—
- (a) the Scottish Parliament;
 - (b) Senedd Cymru; and
 - (c) the Northern Ireland Assembly
- for any proposed measure in, or revision to, the strategy that is within their legislative competence. 30
- (4) The draft strategy is subject to approval by the House of Commons, in accordance with section 6.
- (5) The Secretary of State must take all reasonable steps to implement the measures in a strategy or revised strategy approved by the House of Commons. 35

3 Principles for the draft strategy

- (1) The draft strategy—
- (a) must set out the steps the Secretary of State will take to reduce the United Kingdom's emissions in accordance with section 1(2)(a), distinguishing between emissions reductions to be achieved— 40

- (i) primarily by reducing the anthropogenic greenhouse gas source, and
 - (ii) by actively restoring and enhancing natural climate solutions within the United Kingdom, including both natural and human-modified ecosystems as resilient carbon sinks; 5
- (b) may count the use of carbon sequestration via negative emissions technologies towards achieving the emissions reduction required under section 1(2)(a) only insofar as it—
 - (i) offsets emissions that cannot be eliminated in the cement, steel and agriculture sectors, 10
 - (ii) compensates for the United Kingdom’s cumulative historical emissions, or
 - (iii) mitigates any overshoot above the global average temperature increase of 1.5 degrees Celsius compared to pre-industrial levels; 15
- (c) may only propose the use of negative emissions technologies for carbon sequestration when the deployment of these would not lead to critical impacts in the United Kingdom and abroad, including—
 - (i) critical impacts on biodiverse habitats, natural and human-modified ecosystems and their soils, 20
 - (ii) critical impacts on food production or water availability, or
 - (iii) any other critical social or ecological impact;
- (d) must contain measures to ensure that the variety, abundance and health of the United Kingdom’s ecosystems, and the ecosystem services they generate, are enhanced by— 25
 - (i) active restoration, and
 - (ii) the minimising of adverse impacts of domestic consumption and production on those systems;
- (e) must ensure that all necessary steps are taken so that domestic UK supply chains and the supply chains of UK imports— 30
 - (i) minimise adverse impacts on ecological systems, including inter alia soils and biodiverse habitats overseas, and
 - (ii) implement conditions to protect the health and resilience of those systems;
- (f) must— 35
 - (i) take into consideration the United Kingdom’s present and historical role in global emissions, and comparative economic situation as indicated by the Paris Agreement, and
 - (ii) apply the principles of international equity and intergenerational equity; 40
- (g) must not disproportionately detrimentally affect—
 - (i) deprived communities; or
 - (ii) people with protected characteristics under section 4 of the Equality Act 2010;
- (h) must include proposals for— 45

- (i) financial support and retraining for people who work in emissions-intensive sectors and industries which will be adversely affected by other proposed measures, and
 - (ii) financial and technological support for developing countries.
- (2) Each measure in the draft strategy must include timeframes within which all necessary actions are to commence and be completed. 5

4 Citizens' Assembly on the Climate and Ecological Emergency

- (1) There shall be a Citizens' Assembly comprising a representative cross-section of the United Kingdom population to work in cooperation with the Secretary of State and to recommend measures to be included in, and revisions to, the draft strategy. 10
- (2) That Citizens' Assembly shall be known as the Citizens' Assembly on the Climate and Ecological Emergency ('the Assembly').
- (3) The Secretary of State must—
- (a) within one week of this Act coming into force, issue a call for tenders for a reputable independent body ('the independent body') to carry out the functions in subsection (4); 15
 - (b) within eight weeks of this Act coming into force, appoint the selected independent body.
- (4) The functions of the independent body are to establish, convene and run the Assembly. 20
- (5) The independent body must—
- (a) commence its work in accordance with subsection (4) immediately upon appointment; and
 - (b) convene the first meeting of the Assembly within five months of this Act coming into force. 25
- (6) The functions of the Assembly are to—
- (a) consider information provided by experts, and by any other persons who have submitted evidence to the Assembly;
 - (b) deliberate as to how the objectives can be achieved in ways consistent with the principles in section 3; 30
 - (c) vote on measures proposed for inclusion in the strategy;
 - (d) seek agreement with the Secretary of State on the content of the strategy;
 - (e) propose revisions to the strategy; and 35
 - (f) report to the Secretary of State in accordance with subsections (7) and (8).
- (7) The first report by the Assembly must—
- (a) contain recommendations for measures to be included in the strategy consistent with the principles in section 3 and agreed by at least sixty-six per cent of the members of the Assembly; 40
 - (b) set out the reasons for each such recommendation; and

- (c) be published within six months of the first meeting of the Assembly.
- (8) The Assembly may make further reports containing proposed amendments to the strategy in order for the objectives to be met, which—
 - (a) must contain recommendations for amendments to the strategy consistent with the principles in section 3 and agreed by at least sixty-six per cent of the members of the Assembly; and 5
 - (b) must set out the reasons for each such recommendation.
- (9) The Secretary of State may by regulations made by statutory instrument make provision about—
 - (a) the establishment and governance of the Assembly; and 10
 - (b) the remuneration and expenses of—
 - (i) members of the Assembly, and
 - (ii) witnesses and other persons involved with the Assembly.
- (10) Regulations under this section may not be made unless a draft of the statutory instrument containing them has been laid before, and approved by a resolution of, each House of Parliament. 15

5 Content of the draft strategy and proposed revisions

- (1) The Secretary of State must—
 - (a) include in the draft strategy laid under section 2(2)(b) any recommendation under section 4(7)(a) that is a qualifying recommendation; and 20
 - (b) propose any recommendation under section 4(8)(a) that is a qualifying recommendation as a revision to the strategy.
- (2) A “qualifying recommendation” is one which—
 - (a) was agreed by more than eighty per cent of the members of the Assembly; and 25
 - (b) is not in the category in subsection (5).
- (3) The Secretary of State must consider, and seek agreement with the Assembly with a view to including in the strategy, any recommendation of the Assembly under section 4(7)(a) or 4(8)(a) that—
 - (a) was agreed by more than eighty per cent of the members of the Assembly; and 30
 - (b) is the category in subsection (5).
- (4) The Secretary of State must consider any other recommendation of the Assembly for inclusion in the strategy and lay before Parliament a report explaining his or her reasons for agreeing or disagreeing with it—
 - (a) in the case of a recommendation under section 4(7)(a), no later than the day on which the draft strategy is so laid; and 35
 - (b) in the case of a recommendation section 4(8)(a), no later than one week after that recommendation is made. 40
- (5) The category in this section is a recommendation that has as its main object—
 - (a) disbursing public funds; or

(b) imposing charges upon the people;

- (6) Any question over subsection (5) shall be determined by the Speaker of the House of Commons.

6 Approval and amendment of the strategy by the House of Commons

- (1) A measure forms part of the strategy if a motion containing it of the form in subsection (2) is agreed by the House of Commons. 5
- (2) The form of the motion is “That this House approves [text of measure(s)] to be included in the Climate and Ecological Emergency Strategy”.
- (3) The Secretary of State must move a motion of the form in subsection (2) containing the text of any recommendation under section 4(7)(a) that is a qualifying recommendation as soon as reasonably practicable after laying the draft strategy under section 2(2)(b). 10
- (4) The strategy may be amended if a motion of the form in subsection (5) is agreed by the House of Commons.
- (5) The form of the motion is “That this House amends the Climate and Ecological Emergency Strategy as follows – [text of amendment(s)]”. 15
- (6) The Secretary of State must move a motion of the form in subsection (5) containing the text of any recommendation under section 4(8)(a) that is a qualifying recommendation as soon as reasonably practicable after that recommendation is made. 20

7 Amendments to the Climate Change Act 2008

- (1) The Climate Change Act 2008 (“the 2008 Act”) is amended as follows.
- (2) After section 8(2) (setting of carbon budgets for budgetary periods) insert –
- “(2A) Annual carbon budgets must be set in a manner consistent with –
- (a) meeting the objectives in sections 1 and 2 (duties of the Prime Minister and Secretary of State) of the Climate and Ecology Act 2020, and 25
- (b) complying with the international obligations of the United Kingdom, including the provisions of the United Nations Framework Convention on Climate Change and the Paris Agreement within that treaty.” 30

- (3) After section 34 (advice in connection with carbon budgets) insert –

“34A Advice in connection with the Climate and Ecology Act 2020

- (1) It is the duty of the Committee on Climate Change to carry out the functions in subsections (2) to (5). 35
- (2) Advise the Prime Minister on achieving the objectives in section 1(2) of the Climate and Ecology Act 2020 (“the 2020 Act”).

-
- (3) Formulate and publish separate methodologies, for the United Kingdom, to—
- (a) calculate the carbon sink capacity of natural climate solutions;
 - (b) calculate emissions and projected reductions in emissions—
 - (i) including, and 5
 - (ii) excluding
the effects of natural climate solutions in reducing emissions;
 - (c) calculate the extent to which carbon sequestration via negative emissions technologies may—
 - (i) offset emissions that cannot be eliminated in the cement, steel and agriculture sectors, 10
 - (ii) compensate for the United Kingdom’s cumulative historical emissions, or
 - (iii) mitigate any overshoot above the global average temperature increase of 1.5 degrees Celsius compared to pre-industrial levels; 15
 - (d) measure the health of ecosystems, including measures of species abundance, the quality and scope of biodiverse habitats, and soil quality and contamination; and
 - (e) evaluate the impact of the activities of commercial bodies that issue, commission, facilitate, finance or are otherwise involved in import and export supply chains on ecological systems, including on—
 - (i) the extraction of natural resources, 20
 - (ii) land degradation, including but not limited to deforestation and other depletion or reduction of natural ecosystems, 25
 - (iii) pollution, and
 - (iv) waste.
- (4) Publish annual reports on the progress made by the Secretary of State in implementing the measures in a strategy or amended strategy under section 2(5) of the 2020 Act. 30
- (5) Determine what constitutes “critical impacts” in section 3(1)(c) of the 2020 Act. 35
- (6) In carrying out its work under this section, the Committee on Climate Change must—
- (a) base and seek to develop its advice using—
 - (i) transparent and scientific interpretation of the objectives specified in section 1 of the 2020 Act, 40
 - (ii) the perspectives of the Intergovernmental Science-Policy Platform on Biodiversity, and
 - (iii) the methodologies from the Biodiversity Metric 2.0;
 - (b) acknowledge and abide by the environmental principles, including the precautionary principle, implicit in the objectives in section 1 of the 2020 Act. 45

(7) Terms in this section have the same meaning as in the 2020 Act.”

8 Interpretation

In this Act—

- “agroecosystems” means the set of relationships and interactions between soils, climates, cultivated plants, organisms of different trophic levels, and human groups in areas of agricultural production; 5
- “anthropogenic greenhouse gas source” means any human activities that lead to a release of any greenhouse gas into the atmosphere;
- “anthropogenic impact” means the direct and indirect negative influences of human action on water, soil and biodiversity; 10
- “biodiverse habitats” means land and water habitats that are abundant in the number of living species;
- “carbon sequestration” means the process by which carbon sinks remove carbon dioxide from the atmosphere;
- “carbon sink capacity” means the ability of natural reservoirs including (without prejudice to the generality) woodlands, wetlands, peatlands and soils to absorb more carbon than they emit; 15
- “deprived community” is a community with a high rating of deprivation, according to Government indices of deprivation;
- “ecosystems” includes both natural and human-modified land and water ecosystems, such as agroecosystems and urban ecosystems; 20
- “greenhouse gases” means carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride and any other gas designated as “a greenhouse gas” by the Committee on Climate Change; 25
- “natural climate solutions” means the active restoring and enhancing of both natural and human-modified ecosystems as resilient carbon sinks which include, but are not restricted to, reforestation, sustainable land management, and the restoration of wetlands, peat bogs and coastal ecosystems; 30
- “negative emissions technologies” include, but are not limited to, bioenergy with carbon capture and storage and direct air capture of carbon dioxide and storage that have been independently assessed against standards of quality;
- “the Paris Agreement” is the agreement within the United Nations Framework Convention on Climate Change adopted on 12 December 2015; 35
- “pre-industrial levels” is the global mean temperature over the period 1850-1900;
- “the UNFCCC” is the United Nations Framework Convention on Climate Change adopted on 9 May 1992; 40
- “the United Kingdom’s greenhouse gas footprint” is the sum of—
- (a) all United Kingdom territorial emissions except those generated in the production of goods and services exported from the United Kingdom, 45

- (b) all consumption emissions generated abroad in the production and distribution of goods and services imported to the United Kingdom, and
- (c) all emissions generated from United Kingdom passenger transportation demands related to both personal and commercial passenger travel outside of United Kingdom territory including international aviation, passenger shipping and land-based transport. 5

9 Financial provisions

- (1) *There is to be paid out of money provided by Parliament –* 10
 - (a) *any expenditure incurred under or by virtue of this Act; and*
 - (b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*
- (2) *There is to be paid into the Consolidated Fund any increase attributable to this Act in the sums payable into that Fund under any other Act.* 15

10 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Climate and Ecology Act 2020.

Climate and Ecology Bill

[AS INTRODUCED]

A

B I L L

TO

Require the Prime Minister to achieve climate and ecology objectives; to give the Secretary of State a duty to create and implement a strategy to achieve those objectives; to establish a Citizens' Assembly to work with the Secretary of State in creating that strategy; to give duties to the Committee on Climate Change regarding the objectives and strategy; and for connected purposes.

*Presented by Caroline Lucas
supported by Alex Sobel, Tommy Sheppard,
Wera Hobhouse, Ben Lake, Claire Hanna,
Stephen Farry, Alan Brown, Liz Saville Roberts,
Nadia Whittome and Zarah Sultana.*

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