



Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR
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Minutes of the meeting of

DRAFT PENRITH TOWN COUNCIL

Held virtually via video conference on **Monday 29 March 2021**, at 6.00 p.m.

PRESENT

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

Town Clerk
Service and Contracts Manager
Deputy Town Clerk

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.

MINUTES FOR THE MEETING OF

DRAFT FULL COUNCIL

29 March 2021

PART I

PTC20/114 Apologies For Absence

- i. Apologies for absence were received from Cllr. Donald.
- ii. Cllr. Hawkins did not submit apologies.
- iii. Cllr. S. Clarke holds a dispensation for virtual meetings.

PTC20/ 115 Minutes

a) Members noted that the minutes from the following committees had been circulated, and published on the Council website since the previous ordinary meeting:

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

b) Members were asked to authorise the Chair to sign, as a correct record, the minutes of the meeting of Full Council held on Monday 25 January 2021.

RESOLVED THAT:

The Chair be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on Monday 25 January 2021 and that they be signed as such, when permissible.

PTC20/115 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.

- i. Cllr. Clark declared an interest in item 20 as a Member of the District Council.
- ii. Cllr. Davies declared an interest in item 21 as the Council's representative for Omega Proteins Ltd Community Liaison Group.

PTC20/116 Public Participation

a) Public Representations

Members were informed that questions had been received from members of the public prior to the meeting:

Question 1

The minutes from a recent meeting regarding the Neighbourhood Plan, showed comments from the Independent Planning Examiner which we found concerning. He mentioned, 'potential for small scale tourist development such as forest lodges/ pods or glamping facilities' on the Beacon Forest.

We feel the examiner may not have taken on board the huge strength of feeling that was shown in 2018 during the Masterplan engagement exercise, when the overwhelming majority of responses asked for the Beacon forest to be protected and preserved as a wild space. Its beauty, tranquillity and its wildlife were all felt to contribute greatly to our physical and mental well-being. With lockdown this has been even more important to us and we are grateful to Lowther for keeping the whole forest open during this difficult time.

In addition, the forest has immense biodiversity, yet the examiner only mentions 'it is home to red squirrels'. So again we feel that the examiner has perhaps not looked at the evidence Friends of Penrith Beacon sent in 2018 of the numerous species that inhabit the forest.

Will the Town Council take account of and respect this strength of feeling for protecting and preserving the whole Beacon forest in any discussions on the future of the forest and ensure that all participants in the process are aware of how important the forest is to so many of us?

Town Council Response from Cllr. Jackson Planning Committee Chair

In response to the question may I first say thank you for this question and for all the emails that we have received from residents regarding the Beacon following posts on social media.

Can I reiterate that the Beacon is privately owned and has one permissive path to the Beacon itself from Beacon Edge, none of the other paths are either permissive or public footpaths and cross commercial forestry.

The Town Council has no plans for housing on the Beacon. The Council does not have the ownership of the land, the power to designate land usage or indeed the desire to see any development on the Beacon.

PTC20/116 Public Participation Continued

Previous housing plans for the Beacon that have been referred to in some emails were as part of Eden District Council's masterplan for the area which was shelved in 2019.

If any plans were to come forward they would have to be made by the landowner or their representative and be subject of a separate planning application that Eden District Council would consult upon and consider. It has always been the intention of the Town Council to try to protect the front of the Beacon by trying to designate it as local green space in the Neighbourhood Plan. To be satisfied for designation, greenspace has to fulfil set national criteria, it must be:

1. In close proximity to the area it serves
2. Considered to be demonstrably special and
3. Not an extensive tract of land.

At the public examination, the independent planning inspector had seen the responses to our previous consultations and the report from the Masterplan Consultation. The Planning Inspector gave examples of the biodiversity on the Beacon and the sorts of developments that he suggested MIGHT be suitable for part of the Beacon. He was assured and indeed satisfied that the first two points were met. However, he had serious concerns about the size of the area and whether it met the Secretary of State's basic conditions, as it would be by far the largest piece of local green space in the country.

The Inspector could see how special the area was to the people of Penrith and suggested that rather than trying to designate it as Local Green Space (which may fail) suggested that perhaps it would be better if the Town Council set a policy within the NDP for the Beacon in its own right. At the present time all of this privately owned land already falls under policies defined by Eden District Council's Local Plan. The Planning Inspector asked that the landowners and Town Council meet, facilitated by EDC, to explore the possibility of drafting such a policy which would be put to the Inspector as a recommendation that could be made in his report to afford some it some protection. It must be stressed that this would only be in relation to the front of the Beacon and not the commercial private forestry behind.

To date there has been one meeting with EDC and representatives of the Lowthers' to gather information.

The Town Council's position has not changed but when any policy written by the Town Council comes forward it would need to be reviewed and approved by the Town Council before going to the Planning Inspector.

PTC20/116 Public Participation Continued

Supplementary Question

In the report on the post analysis of the Masterplan engagement, it suggested any future discussions on the Beacon forest involve the local community including interested groups. Will the town council be involving local community groups, such as Friends of Penrith Beacon and others, as part of these discussions?

Town Council Response from Cllr. Jackson Planning Committee Chair

The Masterplan was drawn up by Eden District Council and shelved in 2019. They suggested that any future discussion about this area would be included within the revisions of the Local Plan. It will be up to Eden District Council to involve local groups as well as the Town Council in any such discussions.

b) Reports from District and County Councillors

Members received the following reports:

County Councillors

- i. County Cllr. Bell informed the meeting about traffic calming measures that were being implemented in Penrith and thanked Lowther Estates for enabling the public to access the Beacon during Lockdown and asked that the Town Council use its influence to encourage the landowners to maintain access to the Beacon.
- ii. County Cllr. Carrick informed the meeting of consultations for junction improvements and that she had received a complaint about speeding in Wordsworth Street that had been an area of concern in the past. Cumbria County Council were opening a new children's residential home in Huntley Avenue and Penrith Library was due to open with the lifting of Covid 19 restrictions.

District Councillors

- i. District Cllr. Holden discussed traffic calming measures and highways improvements. Cllr. Holden informed the meeting that she was looking at footpath improvements in Penrith with fellow councillors and interested parties that would facilitate circular routes and tourist trails. She highlighted that some footway lighting required reviewing for improved safety and suggested that the Council could consider a footway lighting policy for new development as part of the planning process. Cllr. Holden asked for requests for sites for waste bins as she had successfully arranged for a bin to be installed at Arthur Street as part of her casework management.
- ii. District Cllr. M. Clark informed the meeting that the independent group at the District Council had split and that there was now an Independent Group and an Independent Alliance.

PTC20/117 EXCLUDED ITEM: Public Bodies (Admissions To Meetings) Act 1960

Members were informed that there were no items on the agenda that 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.

ROUTINE BUSINESS MATTERS

PTC20/118 Report from the Council Chair

Members noted that there Mayor had not undertaken any duties due to Covid however Cllr. Lawson he asked everyone to shop and buy local when businesses re-opened in Penrith. Cllr. Lawson encouraged everyone to get the Covid-19 vaccination.

PTC20/119 Reports from Members

Members noted oral reports from Councillors regarding meetings that they have attended as representatives of the Town Council and matters of interest to the attention of the Council for information or future discussion:

- i. Cllr. Kenyon reported that there was concern regarding car-parking issues around Fairhill on Salkeld Road and confirmed that the speeding issues in Wordsworth Street that he had reported were being investigated. Cllr. Kenyon reported that he was in discussions with Councillor colleagues about footpath improvements
- ii. Cllr. Clark asked the meeting and the community to inform her of any speeding concerns in South Ward and in particular Castle Drive.

PTC20/120 Resolutions Report

Members noted the written report.

PTC20/121 Neighbourhood Plan

Members noted that the Independent Planning Inspector had suggested that the Town Council considered 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 under development and the examination is held in abeyance until the Inspector has all the relevant information.

PTC20/122 Newton Rigg

Members noted 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. Further information can be found on UOC website under the headline: University of Cumbria Establishes Steering Group to Develop a Land-based Skills Strategy.

PTC20/123 Devolution Transfer of Assets

Members noted the written report.

PTC20/124 A66 Community Liaison group

Members noted 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.

Members noted that consultants acting on behalf of Highways England were 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 was also being undertaken in the coming weeks.

PTC20/125 Rural Services Network Market Town Group

Members noted that up until the date of the meeting there had been no meetings since the last report to Council. Cllr. Davies informed the meeting that he had attended a meeting on the day of the Full Council meeting and would report back in due course.

PTC20/126 Parking and Movement Study

Members noted an informal update report.

PTC20/127 Matters from Finance Committee

Members were asked to consider and ratify the following recommendations which had been approved by Council's Finance Committee at their meeting held on Monday 22 March 2021.

- a) Internal Audit Report for the period 1 April 2020 to 31 December 2020.
- b) Annual Review of Fees and Charges for 2021/22.
- c) Policy Review:
 - i. Banner and Advertisement Policy
 - ii. Memorial Seat Policy
- d) Review of Internal Control 2020/21 financial year.
- e) Brackenber Allotment Drainage approving a budget of £10,000 from the Devolution Reserve to meet the costs of a drainage scheme at Brackenber allotments.

RESOLVED THAT:

Matters a) to e) be ratified.

PTC20/128 Matters from Planning Committee

Members were asked to ratify the Developer Engagement Policy as approved by the Council's Planning Committee on Monday 1 March 2021.

RESOLVED THAT:

The policy be ratified.

PTC20/129 Coronation Garden Asset of Community Value

Members noted that Eden District Council's Executive had considered the Council's nomination for Coronation Garden to be registered as an Asset of Community Value at their meeting on 19 January. 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

PTC20/130 Cumbria County Council Covid 19 Recovery Strategy

Members noted the Covid-19 Recovery Strategy that was out for consultation and was owned by the Cumbria Strategic Recovery Group (SRCG) as part of the Local Resilience Forum.

PTC20/131 Climate and Ecological Emergency Bill

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

RESOLVED THAT:

The Climate and Ecological Emergency (CEE) Bill be noted.

PTC20/132 Local Government Reorganisation Consultation

Members considered the draft response to the Ministry of Housing, Communities and Local Government consultation for proposals for locally led reorganisation of local government in Cumbria. Cllr. Davies thanked officers for the development of the response.

RESOLVED THAT:

The response, be approved as appended.

PTC20/133 Environment Agency Omega Proteins Limited, EPR/HP3238AF/V002: environmental permit consultation

Members considered 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.

RESOLVED THAT:

The response as appended be approved.

PTC20/134 NEXT MEETING

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

CHAIR:

DATE:

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

Dear Robert Jenrick MP

Penrith Town Council supports Cumbria County Council's proposal for a single unitary authority.

This proposal simplifies the structure of local government across Cumbria. The single unitary proposal meets the government's population criteria, creating a unitary council within the population range of 300,000 to 600,000.

A single unitary proposal will deliver greater savings than a two unitary proposal as evidenced in both the County Council and District Council submission documents. The projected savings are significant in the one County proposal. Services will be delivered more efficiently by a single unitary council and provide a more effective 'customer experience' for local people.

The Cumbria County Council proposal would ensure easier development and delivery of countywide planning strategies for housing, transport infrastructure, essential infrastructure improvements, climate change mitigation and economic growth. This being delivered by one central organisation having strategic oversight of Cumbria.

On a service level, it could be assumed that a County Council would be better placed to subsume the district functions and contracts more readily than the opposing way, particularly as the County Council is currently responsible for complex services such as Highways, Social Care, Public Health and Fire and Rescue.

To fragment the expertise and strategic planning and delivery of these services could be detrimental to the Cumbria population as a whole. In fact harmonising services under a one county arrangement whilst expected to be more efficient, will be able to offer the public consistency in services such as recycling, waste management and leisure service provision, which at present differs vastly dependent upon where you live.

Cumbria County Council has provided a successful, collaborative and dynamic approach to supporting communities throughout the Covid-19 pandemic and clearly demonstrated that they have positive and effective relationships with stakeholders, community groups and local councils. Such local leadership was also in evidence following Storm Desmond. During these unprecedented events the County Council effectively coordinated their emergency response across all the districts of Cumbria. Cumbria County Council deployed resources, support and services where they were needed most.

Their officers worked closely with local parish councils, communities and volunteers, bringing multiple services together including the Police, Health, Social Services and the voluntary sector to support the population of Cumbria.

The unitary proposal must empower local people, and provide tailored, effective responsive services. Cumbria County Council, town and parish Councils will have a common purpose: to do the best for the people they represent. A constituted committee structure will support effective decision-making, transparency and value for money.

Cumbria County Council already uses Local Area Committees to administer their Council activities across the county. This structure should be enhanced allowing parish and town councils to have greater influence on both the implementation and ongoing function of the new authority.

The continuance and development of the Local Area Committees will make democracy more responsive and overcome people's concerns around the possible dilution of political representation. Cumbria County Council Local Area Committees have a central role to play within the single authority and should:

- Deliver the economies of scale that are expected.
- Deliver the significant remodelling benefits and aspirations.
- Provide greater integration with other public bodies such as Health and Police.
- Develop a comprehensive locally based service model to ensure that the County Council is more in touch with local communities not less.
- Unlock and devolve the physical assets, services and resources so that they can be available to the community in their area.
- Where there is a keen appetite for town or parish councils to accept devolved services and assets, this should be supported and encouraged. Cumbria County Council should provide resources, systems and officers to assist in the smooth and swift transfer of assets, services and responsibilities.
- Consortiums created for parish and town councils who do not have the capacity for devolution, led by local councils that do have the capacity and expertise. The consortiums will empower local decision-making, collective bargaining and corporate purchase power.
- Create new partnerships in unparished areas and build community capacity.
- Divide capital and costs to create new opportunities and fund devolution.
- Develop a parish charter that would set out a framework to support partnership working between town and parish councils and Cumbria County Council. Within the charter, agree communication, reporting and scrutiny mechanisms so that the unitary council and local councils can liaise with each other effectively. Employ dedicated parish liaison officers to deliver the charter objectives and to regularly report to the Area Local Committees.
- Create agency agreements to enable Town and Parish Councils to undertake work on behalf of the County Council when full devolution is not possible.
- A cross sector planning partnership developed with representatives from parish and town councils, and key members and officers, to participate and consider planning consultations, local planning policy and the adoption the Community infrastructure Levy throughout the county.

Of all the proposals that have been presented to government only the County Council's gives any insight as to how the vision for working with Town and Parish Council's will develop. Their proposal sets out to strengthen town and parish councils, empowering local places to take on more powers and responsibilities and play a greater role in local decision-making and service design and delivery.

Parish Councils have already proven that they are adaptable and open to change and can make decision making local. Since 2010 and the introduction of 'austerity' measures, parish councils have had to do more. Principal authorities have seen their budgets cut on average by over 25%. Central Government grants have decreased by almost 50%. In rural areas, parish councils have had to deliver local services for their communities: operating libraries, maintaining local park facilities, toilets, community transport schemes, lunch clubs, youth services, tourist information centres, shops, post offices and even pubs.

Parish councils have been delivering services that the principal authorities have ceased providing, and have delivered them more effectively, efficiently through local engagement, and partnership working. Where there is no parish council or limited capacity, the communities should be resourced and supported by the larger authority working in partnership with other bodies to deliver these essential services.

Parish councils have the power to tax their residents to support their operations and to deliver local projects. While currently there are no limits to the amount of precept that can be raised, the money can only be raised for a limited number of purposes, defined in the 1894 Act and subsequent legislation.

Currently Parish Councils have limited statutory powers, which are limited to the management of allotments, footpaths and other local open spaces. There are clear restrictions on how any parish precept can be spent. Most parish councils provide a restricted range of services and three dominate their expenditure: parks/open space, village/community halls and footpath maintenance. Parish councils can deliver on issues with the principal authority via partnership co-ordination.

In direct response to the proposals presented by the districts across Cumbria, Penrith Town Council is concerned that there was no consensus amongst the districts regarding the boundaries for unitary councils. When agreement cannot be demonstrated at this early stage of the process, how going forward, are the delivery of services and the deployment of resources going to be equitably determined to meet the needs of the community by the districts?

It was noted that each of the district proposals included an option for a directly elected Mayor as part of a Combined Authority. Whereas a Mayor may be in a position to make decisions more quickly, this may at the same time undermine the democratic decision-making processes and scrutiny of decision making that a cabinet or committee structure provides to the electorate.

At a time where the process of local government reorganisation is seeking to simplify the layers of local government, a Mayoral Combined Authority is in fact maintaining an unnecessary layer of bureaucracy and cost.

Penrith Town Council expects comprehensive engagement with parish meetings, parish and town councils in Phase 1 Post Decision Mobilisation as described in the County proposal.

As a large Town Council, we are keen to accept devolved assets and services and work in partnership with the new unitary council to provide better quality services for our residents. We are keen to support the government decision, our neighbouring parishes, and stakeholders throughout this process.

Omega Proteins Limited is a large employer in the area and an important part of the agricultural chain, processing animal carcasses and waste into by products such as pet food, fertiliser etc. In the past, there have been major problems with offensive odour emissions. The incidents persist but appear to have decreased, we understand due to investment into new more efficient plant and technology.

Without sector specific technical knowledge and expertise, it would appear that the proposed new oxidiser fulfils the current technical requirements, and is considered best practice. It would also appear that the new oxidiser generates electricity for the site to mitigate climate change. The documents do not cover practices during the 1-2 week annual maintenance period, we would hope that the plant would be shut down for annual maintenance as is the requirement in other large industries.

The Council is aware of complaints about bad odours from members of the public who live in the Castletown area, and sometimes further afield in the town. However we also recognise that some reported bad odours are not from Omega but from other processers in the area.

It is imperative that there are rigorous and robust reporting and enforcement methods to ensure that any odour complaints are investigated immediately (both internally and by the Environment Agency with others as appropriate) to minimise and manage odour emissions as rapidly as possible. These reporting methods should be easily available to the public as should the details of the actions to be taken if emissions exceed permitted levels.

There is no data in the documentation that suggests that there will be more vehicular journeys to and from the site. If the proposed changes increase capacity and traffic flow there should be a traffic management plan to and from the site to lessen the impact on the surrounding area.

The site should be suitably screened using appropriate planting as the size of the buildings dominate the view from that side of Penrith, Beacon Hill and the Lake District fells and boundary of the National Park.