



Penrith Town Council

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

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

DATE: 06 July 2021

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of **PENRITH TOWN COUNCIL** will be held on **13 July 2021**, at **6.00pm** and you are hereby **SUMMONED** to attend to transact the business as specified in the agenda and reports hereunder.

The meeting will be held at **Penrith Methodist Church, Ullswater Room.**

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

Mr I. Parker, Acting 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 MEETING OF FULL COUNCIL 13 JULY 2021

PART I

1. Apologies for Absence

Receive apologies from Members.

2. Minutes

a) Committee Minutes

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

- i. Planning Committee: 07 June 2021
- ii. Finance Committee: 28 June 2021
- iii. Planning Committee Extra Ordinary Meeting: 05 July 2021

b) Confirmation of Full Council Minutes

Authorise the Chair to sign, as a correct record, the minutes of the meeting of the Annual Meeting of Penrith Town Council held on Monday 24 May 2021 and agree they be signed by the Chair.

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.

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

- i. The Chair will read out any questions, petitions or statements received in advance of the meeting from District or County Councillors.
- ii. 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. Parking and Movement Study

Note the written report.

10. Devolution Transfer of Assets

Note the written report from the Lead Member, Cllr Jackson.

11. Rural Services Network Market Town Group

Note there have been no further meetings.

12. Omega Proteins Liaison Group

Note there have been no further meetings.

13. A66 Community Liaison Group

To receive a verbal update on meetings attended from Cllr C. Shepherd.

14. Assets of Community Value

- i. Note that Eden District Council's Executive on the 20 April 2021 considered the Council's nomination for Robinson School to be registered as an Asset of Community Value. The nomination was approved, and Robinson School will be included in the List of Assets of Community Value maintained by Eden District Council.
- ii. Note that Eden District Council's Executive on the 18 May 2021 considered the Council's nomination for the Penrith Town Hall to be registered as an Asset of Community Value. The nomination was approved, and the Town Hall will be included in the List of Assets of Community Value maintained by Eden District Council.

15. Matters from Finance Committee

Ratify item a. following approved recommendations from the Council's Finance Committee from their meeting held on Monday 28 June 2021. This matter has been considered and approved by the members of the Council's Finance Committee, and the Committee Chair, Cllr. Burgin has requested that the matter be brought to the Full Council for ratification. Note item B.

a. Budgetary Control Statement

Ratify the budgetary control statement for the period 31 May 2021.

b. Investment of Funds with CCLA

Note the withdrawal of £300,000 from the HSBC account to be deposited in the CCLA Public Sector Deposit Fund account.

New Business

16. Ethical Decision Making, Code of Corporate Governance

To consider and approve the draft Code of Corporate Governance.

17. Equality and Diversity Policies

To consider and approve the draft Equality and Diversity Policies, including:

- i. Equality and Diversity Policy
- ii. Equality and Diversity Policy: Employment.
- iii. Equality and Diversity Policy: Service Delivery.

18. Anonymous Communications Policy

To consider and approve the draft Anonymous Communications Policy.

19. Sustainability and Climate Change

To consider signing the Council up to:

- i. The Greening Campaign – Eden Parishes.
- ii. The Great Big Green Week

20. Motion from Councillor Jackson supporting 'Together with Refugees'

'How we treat refugees is about who we are. At our best, we are welcoming and kind to those facing difficult times. If any one of us feared for our lives or the lives of our loved ones, we'd want to know that others would help us to safety.

Through this motion and the campaign Together with Refugees we are calling for a better approach to supporting refugees that is more effective, fair and humane. This means standing up for people's ability to seek safety in the UK no matter how they came here and ensuring people can live in dignity while they wait for a decision on their asylum application. It means empowering refugees to rebuild their lives and make valuable contributions to our communities. And it means the UK working with other countries to do our bit to help people who are forced to flee their homes.'

As a Town Council it would be a positive statement if we could show our support to refugees. Penrith has welcomed families to live in the town, enabling those families to rebuild their lives, after escaping persecution and war. In July it will be the 70th Anniversary of the signing of the Refugee Protocol by UNHCR.

Councillor Jackson proposes that Penrith Town Council resolves:

- i. To sign Penrith Town Council up to being part of the Together with Refugees campaign.
- ii. That Penrith Town Council sends a letter to Neil Hudson MP to request that the rewriting of the Immigration Bill does not discriminate against refugees and ensures that refugees are treated fairly.

21. Transport for the North – Decarbonisation Strategy Consultation.

To note that Transport for the North are consulting on a new Decarbonisation Strategy that sets out a pathway to near zero emissions by 2045, and to approve for officers to prepare a draft response to the Transport for the North, Decarbonisation Strategy Consultation and circulate to Members for comments prior to the deadline for submissions of the 31 August 2021.

22. Motion from Councillor Davis – 20mph Speed Limit Order

To call on Cumbria County Council as the Highway Authority to create a Speed Limit Order to set a Penrith wide 20mph speed zone.

23. Next Meeting

Note the next meeting is scheduled for Monday 27 September 2021 at 6.00pm, with the venue to be determined.

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.gov.uk



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Item 2b

Draft Minutes of the meeting of

ANNUAL MEETING OF THE TOWN COUNCIL

Held on **Monday 24 May 2021**, at 6.00 pm, at Penrith Leisure Centre

PRESENT

Cllr. Bowen	Pategill Ward	Cllr. Hawkins	East Ward
Cllr. Burgin	South Ward	Cllr. Jackson	North Ward
Cllr. M. Clark	South Ward	Cllr. Lawson	Carleton Ward
Cllr. Davies	West Ward	Cllr. M. Shepherd	North Ward
Cllr. Donald	North Ward	Cllr. C. Shepherd	East Ward
Cllr. Fallows	East Ward		

Acting Town Clerk

Deputy Town Clerk

Responsible Finance 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.

MINUTES FOR THE MEETING OF THE ANNUAL MEETING OF THE TOWN COUNCIL 24 May 2021

PTC21/01 Election of Chair

Members considered and voted for the election of the Chairman of the Council.

RESOLVED THAT:

Councillor C. Shepherd be elected Chairman for the 2021-2022 municipal year. Cllr. C Shepherd assumed the Chair and Town Mayor roles and made a declaration of acceptance of office in the prescribed form.

PTC21/02 Appointment of Vice Chair

Members considered and voted for the appointment of the Vice Chairman of the Council.

RESOLVED THAT:

Councillor Snell be appointed Vice-Chairman for the 2021-2022 municipal year. In the absence of Councillor Snell, the Declaration of Acceptance of office will be completed as soon as practicable.

PTC21/03 New Elected Member for Pategill Ward

Members noted that Cllr. Valerie Bowen, the new elected member for the Pategill Ward has signed the Declaration of Acceptance of Office and that it has been received by the Proper Officer.

PTC21/04 Apologies for Absence

Members received apologies from Cllrs. S Clarke, Knaggs and Snell.

PTC21/05 Minutes Approval

- a) The outgoing Committee Members were requested to consider and approve the year-end minutes of the Council's standing committees and authorise the Chair to sign the minutes as a correct record.

RESOLVED THAT:

The Chairman be authorised by the outgoing committee members to sign as a true and accurate record the Minutes of:

- i. Culture, Community and Economic Growth Committee: 26 April 2021
- ii. Finance Committee: 26 April 2021
- iii. Planning Committee: 5 May 2021. March 2019.

PTC21/05 Minutes Approval, continued

- b)** Members were requested to approve the minutes of Full Council and authorise the Chair to sign the minutes as a correct record.

RESOLVED THAT:

The Chairman be authorised to sign as a true and accurate record the Minutes of Full Council for the:

- i. 08 February 2021
- ii. 29 March 2021

PTC21/06 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. M Clark declared that she was an elected Member of Eden District Council.
- ii. Cllr. Davies declared an interest in Agenda Item 16 as a Cumbria member of NALC.

PTC21/07 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.

PTC21/08 Consideration of the recommendations made by a committee; Ratify for recommended approved matters from committees.

a) CCEG Committee

Members were asked to ratify the revised grants scheme and the reallocation of budgets as approved at the CCEG Committee meeting held on the 15 February, Minute CCEG21/55

RESOLVED THAT:

The revised grants scheme and reallocation of budgets be ratified.

b) Finance Committee

i Governance and Accountability for Smaller Authorities

Members were asked to note the publication of the Practitioners' Guide 2021, which is mandatory for 2020/21, and to adopt its provisions for 2020/21.

RESOLVED THAT:

The publication of the Practitioners' Guide 2021 be noted and the Council adopted its provisions for 2020/21.

PTC21/08 Consideration of the recommendations made by a committee; Ratify for recommended approved matters from committees, continued

ii. Asset Register 2020/21

Members were asked to approve the Asset Register as of 31 March 2021, which has been reviewed by Finance Committee. The statement shows the full asset register and a reconciliation of transactions during 2020/21. For accounting purposes, assets have been valued in accordance with the Council's Valuation Policy and total £124,363.28; this figure is summarised in the AGAR Accounting Statements. The insurance value for the same assets is £622,238.

RESOLVED THAT:

The Asset Register as of 31 March 2021 be approved.

iii Finance Outturn Report – Year ended 31 March 2021

Members were asked to approve the Final Outturn report for the year ended 31 March 2021, which has been reviewed by Finance Committee, and the transfers to the General and Devolution Reserves.

RESOLVED THAT:

The Finance Outturn Report for the year ended 31 March 2021 and transfers to the General and Devolution Reserves be approved.

iv. Internal Audit 2020/21 & 2021/22

- a) Members received the Council's Internal Auditor's final narrative report for 2020/21 and her formal opinion as stated in Page 3 of the Annual Governance & Accountability Return.
- b) Members noted that Finance Committee, having reviewed the effectiveness of the Internal Audit provision during 2020/21 and concluded that it has operated effectively, has re-appointed Mrs Jean Airey as the Council's Internal Auditor for 2021/22.
- c) Cllr Jackson wished to put on record his thanks to the officers for their work in receiving such a positive audit.

v. Review of the System of Internal Control and Annual Governance Statement 2020/21 (Section 1 of the Annual Governance and Accountability Return (AGAR))

- a) Members noted that the Town Council must carry out an annual review of the effectiveness of the system of internal control prior to the completion of the Annual Governance Statement. A full review was carried out by Finance

Committee and ratified by Council on 29 March 2021. The review confirmed that the Council's system of internal controls operating during 2020/21 is effective; the review of the effectiveness of internal audit provides further support for that assessment.

v. Review of the System of Internal Control and Annual Governance Statement 2020/21 (Section 1 of the Annual Governance and Accountability Return (AGAR)), continued

b) Members were asked to approve the Annual Governance Statement for 2020/21 and to authorise the Chair of the meeting and the Acting Town Clerk to sign it on behalf of the Council.

RESOLVED THAT:

The Annual Governance Statement for 2020/21 be approved and Members authorised the Chair and the Acting Town Clerk to sign it on behalf of the Council.

vi. Annual Governance and Accountability Return (AGAR) 2020/21: Accounting Statements

Members were asked to approve the Accounting Statements 2020/21 (Section 2 of the AGAR) and authorise the Chair of the meeting to sign them on behalf of the Council.

RESOLVED THAT:

Members approved the Accounting Statements 2020/21 (Section 2 of the AGAR) and authorised the Chair of the meeting to sign them on behalf of the Council.

vii. Bank Reconciliation

Members were asked to ratify the Bank Reconciliation for the HSBC Bank account for the period ending 31 March 2021.

RESOLVED THAT:

The Bank Reconciliation for the HSBC Bank account for the period ending 31 March 2021 be ratified.

viii. Banner and Advertisement Policy

Members were asked to ratify the approved amendments to the Banner and Advertisement Policy.

RESOLVED THAT:

The amendments to the Banner and Advertisement Policy be ratified.

ix. Fees and Charges

Members were asked to ratify the approved amendments to the Fees and Charges for 2021/22.

RESOLVED THAT:

The amendments to the Fees and Charges for 2021/22 be ratified.

PTC21/09 Financial Regulations

Members noted that the Financial Regulations were reviewed by Finance Committee on the 21 September 2020 and ratified by Full Council on 28 September 2020 Minute Ref: PTC20/69.

PTC21/10 Insurance

Members noted that the Council's Finance Committee had reviewed the insurance arrangement for the council at its meeting on 26 April 2021 and had resolved that the Council accepts the insurance policy provided by Came and Company and enter into a three-year binding agreement with Hiscox, Minute FIN20/99.

RESOLVED THAT:

Members accepted the insurance provided by Came and Company and that the Council enter into a three-year binding agreement with Hiscox.

PTC21/11 Grants in 2020/21

Members noted the grants that were approved in 2020/21.

PTC21/12 Scheme of Delegation

Members were asked to adopt the reviewed Scheme of Delegation and the terms of reference to committees, sub committees, staff and other local authorities.

RESOLVED THAT:

The reviewed Scheme of Delegation and the terms of reference to committees, sub committees, staff and other local authorities be approved and adopted.

PTC21/13 Committee Membership

Members considered the appointment of Members to serve on the under mentioned Committees.

RESOLVED THAT:

The appointment of Members and Standing Deputies be approved as follows:

i. Planning Committee:

Cllr M. Clark
Cllr Jackson

Cllr Kenyon
Cllr C. Shepherd
Cllr M. Shepherd
Cllr Snell

PTC21/13 Committee Membership, continued

ii. Finance Committee:

Cllr Burgin
Cllr Davies
Cllr Hawkins
Cllr Jackson
Cllr Kenyon
Cllr C. Shepherd

iii. Culture, Community and Economic Growth Committee:

Cllr Davies
Cllr Donald
Cllr Hawkins
Cllr Jackson
Cllr Knaggs
Cllr Snell
Cllr M. Clark Standing Deputy

PTC21/14 Election of Committee Chair

Members were requested to elect a Chair to serve on the under mentioned Standing Committees.

RESOLVED THAT:

The following members be elected as Chair:

- i.** Planning Committee: Cllr Jackson
- ii.** Finance Committee: Cllr Burgin
- iii.** Communities, Culture & Economic Growth Committee: Cllr Davies

PTC21/15 Meetings

a) Members were asked to determine the date and time of ordinary meetings of the Council up to and including the next annual meeting of the Council.

RESOLVED THAT:

The dates and times of ordinary meetings of Council are:

Full Council 6:00pm

- 12 July 2021

- 27 September 2021
- 29 November 2021
- 24 January 2022 - Precept
- 28 March 2022
- 11 April 2022 Annual Town Meeting
- 23 May 2022 - Annual Meeting of the Town Council

PTC21/15 Meetings, continued

b) Members were asked to ratify the dates and start time of committee meetings of the Council up to and including the next annual meeting of the Council noting that the proposed dates have been agreed by the respective committees:

RESOLVED THAT:

i. The dates for the CCEG and Planning Committee and the start time for the first meeting be ratified as:

CCEG Committee 2:00pm

- 19 July 2021
- 11 October 2021
- 13 December 2021
- 28 February 2022
- 16 May 2022

Planning Committee 1:00pm

- 7 June 2021
- 5 July 2021
- 6 September 2021
- 4 October 2021
- 15 November 2021
- 6 December 2021
- 10 January 2022
- 7 February 2022
- 7 March 2022
- 4 April 2022
- 9 May 2022

ii. The dates for the Finance Committee and the start time for the first meeting be ratified, with the approved amendment to move the meeting in November to the 08th of the month.

Finance Committee 6:00pm

- 28 June 2021
- 20 September 2021
- 08 November 2021

- 10 January 2022
- 21 March 2122
- 25 April 2022

iii. The Committees be permitted to review and agree a new start time following the first meeting of Committee in order to best accommodate Members availability.

PTC21/16 Standing Orders

a) Members noted that the standing Orders have been reviewed and required updating to align with the 2020 NALC model template. The template was amended by NALC to align with legislative changes. The Standing Orders before Council follow the new model template.

b) Members were asked to approve the Standing Orders.

RESOLVED THAT:

- Standing order 3.x be amended to read 'A meeting shall not exceed a period of 2 hours without a proposal approved to extend a meeting by those present.'
- The Standing Orders be approved.

PTC21/17 External Bodies

a) Members noted that Full Council 25 January 2021 approved representation on to new external bodies, minute reference PTC20/113, A66 Community Liaison Group and PTC 20/114, Borderlands Place Plan Town Team.

b) Members were asked to approve that the representation on external bodies remains unchanged.

RESOLVED THAT:

The representation on external bodies remains unchanged.

PTC21/18 Subscriptions

a) Members noted that the Councils subscriptions are considered annually by the Town Clerk and renewed when required.

b) Members were asked to approve SLCC membership for the Services and Contracts Manager, which will cost £317 and be funded from the subscriptions budget.

RESOLVED THAT:

SLCC membership for the Services and Contracts Manager be approved.

PTC21/19 Complaints Procedure

Members noted that the annual review of the Council's Complaints Procedure has identified that no changes are required.

PTC21/20 Freedom of Information and Data Protection

Members noted that the annual review of the Council's policies, procedures and practices in respect of its obligations under Freedom of Information and Data Protection legislation has identified that no changes are required.

PTC21/21 Press and Media Policy

Members noted that the annual review of the Council's policy for dealing with the Press and Media has identified that no changes are required.

PTC21/22 Employment Policies

Members noted that the annual review of Employment Policies has identified:

a) Disciplinary and Grievance arrangements

- i. Members noted that the policy has been reviewed and does not require amending.
- ii. Members were asked to agree that the review date be re-set for 2025 unless there are legislative changes, or a new model is issued.

RESOLVED THAT:

The review date for the Disciplinary and Grievance policy be re-set for 2021 unless there are legislative changes, or a new model is issued.

PTC21/23 New Policies

Members noted that the following policies are in development and will be reported to the next meeting of Full Council.

- i. The Anonymous Correspondence Policy
- ii. The Corporate Governance Framework
- iii. The Equal Opportunities Policy
- iv. Equality and Diversity Statement

PTC20/24 NEXT MEETING

Members noted that the next meeting was scheduled for 12 July 2021 at 6.00pm, in a venue to be determined.

CHAIR:

DATE:

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

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FULL COUNCIL

13 JULY 2021

Matter: Resolutions Report

Purpose of Report:

To note the progress against previous resolutions

Item no: 8

Author: Services and Contracts Manager

Recommendations

Members are asked to NOTE the progress on resolutions agreed at Full Council on 29 March 2021 and the Annual Meeting of Penrith Town Council on 24 May 2021.

Minute Ref	Matter Title	Progress
PTC20/132	Local Government Reorganisation Consultation Council submits its response to the Ministry of Housing Communities and Local Government consultation for locally led reorganisation of local government in Cumbria.	Completed
PTC20/133	Environment Agency Omega Proteins Limited Environmental Permit Consultation Environment Agency consultation for Omega Proteins Limited, Environmental Permit consultation EPR/HP3238AF/V002	Completed

PTC21/08iii	Finance Outturn Report Transfers to the General and Devolution reserves	Completed
PTC21/08v	Annual Governance Statement Chair and Acting Town Clerk to Sign Section 1 of the AGAR	Completed
PTC21/08vi	Annual Governance Statement Chair to Sign Section 2 of the AGAR	Completed
PTC21/10	Insurance The Council accepts the insurance policy provided by Came and Company and enter into a three-year binding agreement with Hiscox	Completed
PTC21/16	Standing Orders Standing order 3.x be amended to read 'A meeting shall not exceed a period of 2 hours without a proposal approved to extend a meeting by those present.'	Completed
PTC21/18	Subscriptions The Services and Contracts Manager – SLCC Membership	Completed

Penrith Parking and Movement Study Implementation Group

Update report: April 2021

1) 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

2) Monthly Activity by area

Package	Latest update	Next Steps
P1 Additional Parking Capacity	<ul style="list-style-type: none"> • Delivery of schemes in this package are dependent on additional need being identified. 	<ul style="list-style-type: none"> • None at present
P2 Long Stay Parking in Penrith	<ul style="list-style-type: none"> • EDC has shared a draft Parking Charter with technically officers inviting comment on its plans to address the schemes within this package. • Pay by phone implemented at the beginning of April • PTC, EDC and CCC officers met to agree the scope of the project to develop Parking signage for the town 	<ul style="list-style-type: none"> • Comments to be returned to EDC from CCC and PTC technical officers • Further Pay by Phone communications • CCC Staff to conduct a signage survey on the agreed routes into town from main entrances
P3 Town Centre Parking	<ul style="list-style-type: none"> • CCC currently creating the new On-street parking protocol. 	<ul style="list-style-type: none"> • Draft to be discussed at the PPMSIG meeting in May 2021
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. 	<ul style="list-style-type: none"> • Develop 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. 	<ul style="list-style-type: none"> • Investigation on how to progress the one scheme that is not included in the Infrastructure Development plan
P6 Addressing Nuisance Parking	<ul style="list-style-type: none"> • COVID had limited activity for enforcement in the Castletown/ Gilwilly area 	<ul style="list-style-type: none"> • Enforcement to restart • Scoping of larger pieces of work to address nuisance parking

	<ul style="list-style-type: none"> • Delivery of schemes in this package are dependent on having an agreed On-street parking protocol. 	<ul style="list-style-type: none"> • Develop parking protocol
P7 Cycling and Walking Connectivity Improvements	<ul style="list-style-type: none"> • Penrith LCWIP inception meeting held, funding is from the Department of Transport, so more focussed on transport rather than leisure • Improvements to pedestrian infrastructure at Pennyhill Park, Foster Street, Robinson Street and Lark Lane progressing • Improvements to pedestrian infrastructure at Cromwell road roundabout progressing • Upgrade to Stricklandgate/Portland Place informal consultation took place in Nov/Dec 2020. • Delivery of several schemes in this package are dependent on S106 funding 	<ul style="list-style-type: none"> • Contractors WSP now gathering area information to progress the project; Project delivery group being planned for April; Cumbria-wide comms going out in Mid-May • Detailed designs to be started in May 2021 • Detailed designs to be started in May 2021 • Formal TRO process (dates tbc)
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. 	<ul style="list-style-type: none"> • Seeking start date with contractor

3) Key messages that can be shared externally

- Penrith Parking and Movement Study was a joint project of Cumbria County Council's Eden Local Committee, Eden District Council and Penrith Town Council.
- The primary objective was to develop a coherent and comprehensive parking and movement strategy, which meets the requirements of residents, businesses, commuters, and visitors, and identifies measures to provide:
 - A suitable parking offer to support the functionality, attractiveness, and viability of Penrith, which addresses current issues and supports future capacity
 - Improved walking and cycling connectivity, within Penrith, focusing on walking and cycling route connections from existing car parking areas to:
 - The town centre,
 - Key employment areas; and
 - The rail and bus stations.
- To deliver several of the schemes/projects highlighted by the Study, CCC is currently working on a Parking protocol, which will be a governing document to guide implementation of improvements
- To deliver several of the schemes/projects highlighted by the Study, EDC is creating a Parking Charter which both explains the off-street parking offer in Penrith and the future development needed

- Several the infrastructure improvements highlighted by the study are dependent on Section 106 funding, which is funding received from Housing Developers to make improvements to the local area.
- Work to deliver improved Parking signage is currently underway, with CCC, EDC and PTC officers working together to deliver.
- Pay by Phone launched in EDC off-street car parks in April 2021.

4) Risks

Description	Deliverable	Status
		➔

5) Decision making

Decision	For whom

6) Member comments / actions

CCC
EDC
PTC

KEY	Direction of travel	RAG rating
↑	Rating is increasing and the current RAG Rating is expected to increase in the near future.	Successful delivery highly likely.
➔	Performance is stable and the current RAG Rating is expected to remain the same in the near future.	Successful delivery appears to be possible.

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FULL COUNCIL

13 JULY 2021

Matter: Devolution Transfer of Assets

Purpose of Report:

To note the updated position relating to Devolution Transfer of Assets

Item no: 10

Author: Services and Contracts Manager

Supporting Member: Cllr. Jackson, Lead Member for Assets

Recommendations

The Committee is recommended to note the updated position with regards to the Devolution Transfer of Assets Project.

Law and legal implications

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.

Link 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 Details

- 1.1 Members considered a report on the progress of the Devolution Transfer of Assets project at the meeting of Full Council on the 29 March 2021. Councillors were provided with an update on the progress against the agreed Council resolutions. This report provides updated information since the meeting of the 29 March 2021.
- 1.2 Full Council 25 November 2019, Minute PTC19/90 agreed 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. The step counters would provide valuable baseline usage data of the toilets and inform future discussion. The step counters were not installed in 2020 due to the Covid 19 pandemic. Eden District Council has now commissioned the order and the step counters are being installed from the 12 July 2021 for a period of 3 months.
- 1.3 Eden District Council at its meeting of Full Council 29 April 2021 considered a Motion on Notice and resolved to:

- i. Immediately rescind the March 2022 deadline for the withdrawal of rural services that Parish and Town Councils have not adopted, as defined in the report considered by Eden District Council in July 2017.
 - ii. Instruct officers to work with Overview and Scrutiny and partners – including Parish and Town Councils and/or their representatives - to develop a new policy that will support devolution of appropriate services to Parish and Town councils for the benefit of the communities we serve, rather than primarily to cut costs for Eden District Council.
- 1.4 The effects of this motion were raised by the Town Council at its Devolution meeting with Eden District Council on the 18 May 2021, where it was recommended for the Town Council to write to EDC to express an interest to be engaged with the development of any new policy. Cllr Jackson sent a letter to Eden District Council on the 29 June expressing an interest to be involved in the development of any new policy and set out an invitation to EDC to liaise and meet with the Town Council should it choose to do so.

2. Risk Assessment

- 2.1 There is a reputation risk to the Council if it does not progress Devolution of Assets in a positive manner and as such it is important to continue to participate in the project, particularly with the potential for local government reorganisation.
- 2.2 There is a financial risk to the Council if any progress on the Devolution of Assets is not undertaken without having obtained and considered all cost, service implication and liability costs in advance. As such it is essential to continue a process of due diligence as is the case with the installation of the toilet step counters.

3. Financial Implications

- 3.1 The costs of the installation of the step counters are being met from the Devolved Services budget, which was approved at Full Council 25 November 2019, Minute PTC19/90.
- 3.2 There are no other costs associated with this report.

4. Legal Implications

- 4.1 There are no direct legal implications associated with this report.

Appendices

No appendices

Background Papers

Previous reports to Council.

FULL COUNCIL

13 JULY 2021

**Matter: Budgetary Control Statement 2021/22:
Expenditure to 31 May 2021**

Purpose of Report:

Consider the budgetary control statement for the two-month period to 31 May 2021

Item no: 15

Author: Jack Jones, RFO

Supporting Member: Cllr Roger Burgin, Committee Chair

This is a public report

Recommendations

The Committee is recommended to ratify:

- i. the budgetary control statement.

Law and legal implications

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 Local Government Act 1972 requires the Council to have sound financial management.

Link to Council Priorities

Robust budgetary control supports the Council in its delivery of priorities within the approved budget framework.

1. Report Details

A. Budgetary Control Statement (Appendix A)

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

- The full year's Approved Budget for 2021/22, which was ratified by Council on 25 January 2021.
- The Latest Budget for the full year; the only changes made from the Approved Budget relate to the transfer of budgets agreed by Council on 24 May 2021 to allocate resources for the implementation of the new Grants scheme.
- The budget to date, based on the latest budget for the year. This proportion is the anticipated budget for the first two months of the year, based on a forecast of the expected pattern of income and expenditure, known as the budget profile. For most

headings, this profile will be a simple pro-rata of the annual budget (ie 2/12ths for the current period), however more detailed profiles have been used for several budget headings (eg Greening expenditure is weighted towards the first half of the year).

- Actual income and expenditure to 31 May, based on the matching principle, which means taking account of all income and expenditure which relates to the period, irrespective of when it is paid/received. An exception to the general matching rule is that grants approved but not yet paid at the end of the period are included as expenditure, on the basis that this gives a truer view of expenditure against budget.
- The variance between the actual income and expenditure and the profiled latest budget for the period. Variances are expressed as favourable (positive) where there is an underspending or increased income, and as adverse (negative and bracketed) where there is an overspending or reduced income.
- The position on the Council's three reserves: its General Reserve, Devolution and Acquisitions Reserves, at the end of May. To give a truer view of the General Reserve, it is assumed that contributions to the Devolution Reserve are made during the year at each month-end.

B. Commentary

Many budget headings show spending broadly in line with the budget to date, however overall expenditure is lower than profiled. This is usual at this stage in a financial year, while the current staffing situation will mean that several spending programmes are not progressing as quickly as planned.

B.1 Income

Overall income of £76,311 is just below the profiled budget of £76,409.

- The full year's precept and CTRS grant income has been received from Eden DC; the appropriate proportion of each has been allocated to this period.
- It is already clear that lower investment returns will fail to meet the budget target, which now looks quite optimistic.

B.2 Planning Committee

Expenditure of £83 is shown against the profiled budget of £1,667, an underspending of £1,584.

- The £1,584 variance arises solely from Planning services, expenditure on which is difficult to profile.
- The Climate Change annual budget of £13,300 excludes the staffing costs, which are reported in the Finance Committee. The profiled budget is shown as nil as it assumes there will be no expenditure in the first quarter of the year, prior to the Sustainability Officer taking up post.

B.3 CCEG Committee

Net spend of £7,071 is shown against the profiled budget of £10,000, an underspending of £2,929.

- There has been little expenditure on Town Projects, including Covid-19 Response, reflected in the £2,912 underspending against budget.
- Staff time of £749 has been charged to the Arts & Cultural Strategy rather than Officer Support; this could be re-allocated if the Strategy budget is under pressure. Overall, Arts & Entertainment shows an underspending of £1,751.
- The Greening budget is currently overspent by £2,262, the main item of expenditure being £3,723 on summer planting. It is expected that this overspend will reduce as the year progresses.
- All Grants budgets are profiled as nil for the period, and there has been no expenditure, because the new grant scheme only took effect from 24 May.
- The Corporate Communications budget, which includes Community Engagement, is currently underspent by £528; this is likely to increase in the next few months.

B.4 Finance Committee

Net expenditure of £53,804 is shown against the budget to date of £55,280, an underspending of £1,476. The main variances are as follows:

- The approved Staffing budget allows for the salary of the Sustainability Officer from 1 July, so the profile currently excludes the associated costs. There are two main reasons for the overspend of £1,309 on Staffing: the allowance being paid to the Acting Town Clerk and untaken annual leave paid to the Community Engagement Officer on her leaving. These variances from budget will reduce over the course of the year.
- Civic Regalia shows an overspend of £545 due to the £485 purchase of a press and seal, while the Annual meeting overspent by £102; these can be offset against administrative cost underspendings.
- The IT budget is currently underspent by £1,113; it is too early to say if this indicates an ongoing trend.
- Devolved Services budgets are underspent by £2,824 in total, which is mirrored by a similar variance on the amount contributed to the Devolution Reserve.
- Expenditure on Other Overheads is £1,254 below the profiled budget, due mainly to Accountancy Fees for the final quarter of 2020/21 being lower than expected and there being no spend on Legal Fees.
- Repairs and Renewals show an underspending of £500 to date as there has been no call on the budget.

B.5 Contingency

- The profiled portion of the contingency provision, £167, is shown as fully underspent as any unforeseen expenditure is allocated to the correct budget heading.

B.6 Total Expenditure & Increase/Decrease in General Reserve

- The individual variances result in an underspending of £6,156 against the profiled total expenditure budget of £67,114. As there is £98 less income, there is a net variation of £6,058 on the profiled amount transferrable to the General Reserve.

B.7 Reserves

- The Actual to date column includes the actual General Reserve balance at 1 April 2021 of £340,432 which was £63,945 higher than forecast in the Approved Budget because of underspendings in 2020/21.
- The profiled budget assumes that the Reserve should increase by £9,295 in the period, resulting in a balance of £285,782 at 31 May. The actual balance on the reserve at the month end is £355,785, which is £70,003 higher than expected.
- The Devolution Reserve opened the year with a balance of £135,948, which was £14,070 higher than the Approved Budget. As noted above, the actual transfer into the Devolution Reserve of £6,935 is £2,824 higher than profile, resulting in a total of an additional £16,894 in the Reserve.
- The Revised Budget assumes that no use will be made of the £50,000 held in the Acquisitions Reserve during 2021/22, although this money will be available if required.

C. Balance Sheet (Appendix B)

Appendix B shows the Council's balance sheet as at 31 May 2021. The following points may be noted:

- The investment balances are unchanged from 2020/21.
- The main debtor balance is May's VAT of £2,826 which has been reclaimed from HMRC.
- Prepayments of £15,968 include adjustments for insurance, office rental, licences, subscriptions and maintenance agreements.
- The HSBC Bank balance stands at £491,348, largely as a result of Eden DC paying the full annual precept and grants in April; it is proposed to transfer surplus funds to the CCLA account following this meeting.
- Accruals of £9,087 represent goods and services received before 31 May, where the payment was not made by that date. Individual items include £3,723 Greening, £775 for accommodation, £700 Community Caretaker invoices, £460 for printing and £2,340 audit and accountancy fees.

- The Payroll Control balance of £8,872 relates to deductions calculated in the May payroll; the total is due to HMRC for income tax and national insurance and to Cumbria Pension Fund for superannuation.
- The Receipts in Advance figure comprises £386,236 income for June 2021 to March 2022, already received from Eden DC as precept or devolved services grants, together with £2,129 from United Utilities for planting maintenance.

D. Conclusion

The budgetary control statement shows that overall spending to the end of May was around £6,000 below the Latest Budget for the period. It is normal to see an underspend at this early stage in the year and it is too soon to predict any trends for future months, although the current position on staffing suggests that some spending programmes may not progress as quickly as intended.

Finally, there are no issues arising from the Council's balance sheet at 31 May.

2. Options Analysis including risk assessment

Risk & Consequences

The Council may fail to receive expected income or may incur unexpected overspending, potentially leading to the curtailment of planned expenditure.

Adverse criticism of over or underspending.

Controls Required

A sound budgetary control system with regular reporting and identification of issues.

3. Financial and Resource Implications

This report is concerned solely with financial management.

Appendices

- Appendices - Income & Expenditure and Balance Sheet statements

Background Papers

- Transaction and trial balance reports from the Sage accountancy system
- Budgetary control working papers



Penrith Town Council

BUDGETARY CONTROL STATEMENT: TWO MONTHS ENDED 31 MAY 2021

Approved Budget 2021/22	Latest Budget 2021/22	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£	£		£	£	£
		INCOME			
450,069	450,069	Precept: Council Tax	75,012	75,012	0
7,700	7,700	EDC - CTRS Grant	1,283	1,258	(25)
670	670	Other Income: Investment Income	112	41	(71)
10	10	Miscellaneous Income	2	0	(2)
458,449	458,449	TOTAL INCOME	76,409	76,311	(98)
		EXPENDITURE			
		PLANNING COMMITTEE:			
		Planning:			
}	}	Officer Support		0	}
10,000	10,000	Planning Consultancy	1,667	83	1,584
}	}	Consultation		0	}
10,000	10,000		1,667	83	1,584
		Climate Change:			
5,000	5,000	Community Consultation	0	0	0
2,000	2,000	Internal Business Plan	0	0	0
1,000	1,000	Carbon Footprinting: High level baseline	0	0	0
500	500	Carbon Footprinting: Calculator licence	0	0	0
3,000	3,000	BIG STEP	0	0	0
800	800	Staff Development/Exceptional Expenses	0	0	0
1,000	1,000	Carbon Literacy Training	0	0	0
13,300	13,300		0	0	0
23,300	23,300	Planning Committee Total	1,667	83	1,584
		CCEG COMMITTEE:			
		Town Projects:			
15,000	15,000	Town Projects	2,500	229	2,271
5,000	5,000	Covid-19 Response	833	192	641
20,000	20,000		3,333	421	2,912
		Arts & Entertainment:			
5,000	7,500	Officer Support	1,250	0	1,250
7,500	7,500	Arts & Cultural Strategy	1,250	749	501
29,000	0	Events Grants	0	0	0
41,500	15,000		2,500	749	1,751
		Environment:			
14,500	5,000	Greening	1,667	3,929	(2,262)
31,000	0	Community Grants	0	0	0
		Grants:			
	15,000	Small Grants	0	0	0
	15,500	Grow Nature Grants	0	0	0
	36,500	Large Grants	0	0	0
0	67,000		0	0	0
		Corporate Communications:			
12,500	12,500	Community Engagement	2,083	1,022	1,061
2,500	2,500	Press Support	417	950	(533)
15,000	15,000		2,500	1,972	528
122,000	122,000	CCEG Committee Total	10,000	7,071	2,929

Approved Budget 2021/22	Latest Budget 2021/22	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£	£		£	£	£
		FINANCE COMMITTEE:			
		Staffing:			
195,170	195,170	Salaries	29,469	30,741	(1,272)
16,910	16,910	National Insurance	2,637	2,835	(198)
34,120	34,120	Superannuation	5,221	5,334	(113)
1,000	1,000	Recruitment Expenses	167	58	109
950	950	Staff Training	158	214	(56)
1,500	1,500	Conferences	250	131	119
700	700	Staff Expenses	117	15	102
250,350	250,350		38,019	39,328	(1,309)
		Accommodation:			
7,500	7,500	Rent	1,250	1,250	0
1,700	1,700	Heat, Light & Water	283	250	33
920	920	Service Charges	153	130	23
230	230	Room Hire	38	0	38
380	380	Insurances	63	(31)	94
(10)	(10)	Letting Income	(2)	0	(2)
10,720	10,720		1,785	1,599	186
		Civic Functions:			
400	400	Civic Functions	67	0	67
700	700	Mayoral Expenses	117	0	117
300	300	Deputy Mayor's Expenses	50	0	50
100	100	Civic Regalia	17	562	(545)
1,500	1,500		251	562	(311)
		Cost of Democracy:			
200	200	Annual Meeting	200	302	(102)
1,000	1,000	Members' Training	167	39	128
200	200	Members' Expenses	33	0	33
200	200	Notice/Honours Board	33	95	(62)
1,600	1,600		433	436	(3)
21,000	21,000	IT	3,500	2,387	1,113
2,050	2,050	Website	342	296	46
		Devolved Services:			
(1,400)	(1,400)	Bring Site	(233)	(233)	0
1,550	1,550	Allotments	258	(680)	938
400	400	War Memorial	67	0	67
790	790	Benches	132	(35)	167
5,410	5,410	Bus Shelters	68	390	(322)
1,700	1,700	Bandstand	284	(103)	387
420	420	Musgrave Monument	70	(29)	99
1,200	1,200	Fairhill Park	200	82	118
1,500	1,500	Play Areas	250	0	250
0	0	Fairhill United Utilities Planting Maintenance	0	0	0
3,000	3,000	Thacka Beck	500	0	500
300	300	Signage, etc	50	0	50
8,800	8,800	Community Caretaker	1,467	1,397	70
3,000	3,000	Local Government Re-organisation: Action Plan	500	0	500
19,674	19,674	Contribution to/(from) Devolution Reserve	4,111	6,935	(2,824)
46,344	46,344		7,724	7,724	0
		Council Projects:			
3,000	3,000	Officer Support	0	0	0
8,000	8,000	Project Budget	0	0	0
11,000	11,000		0	0	0
		Other Overheads:			
1,800	1,800	Printing, Postage & Stationery	300	38	262
1,700	1,700	Audit Fees	283	210	73
4,000	4,000	Insurance	667	601	66
100	100	Bank Charges & Interest	17	16	1
2,800	2,800	Accountancy Fees	467	(100)	567
2,500	2,500	Legal Fees	417	0	417
450	450	Licences	75	67	8
3,000	3,000	Subscriptions	500	640	(140)
16,350	16,350		2,726	1,472	1,254
8,000	8,000	Repairs & Renewals	500	0	500
368,914	368,914	Finance Committee Total	55,280	53,804	1,476

Approved Budget 2021/22	Latest Budget 2021/22	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£	£		£	£	£
1,000	1,000	Contingency	167	0	167
0	0	Transfer to/(from) Acquisitions Reserve	0	0	0
515,214	515,214	TOTAL EXPENDITURE	67,114	60,958	6,156
(56,765)	(56,765)	INCREASE/(DECR) IN GENERAL RESERVE	9,295	15,353	6,058
		RESERVES:			
		General Reserve:			
276,487	276,487	Balance brought forward 1 April 2021	276,487	340,432	63,945
(56,765)	(56,765)	Increase/(decrease) in year	9,295	15,353	6,058
219,722	219,722	Balance carried forward	285,782	355,785	70,003
		Devolution Reserve:			
121,878	121,878	Balance brought forward 1 April 2021	121,878	135,948	14,070
19,674	19,674	Contribution from/(to) 2021/22 Budget	4,111	6,935	2,824
141,552	141,552	Balance carried forward	125,989	142,883	16,894
		Acquisitions Reserve:			
50,000	50,000	Balance brought forward 1 April 2021	50,000	50,000	0
0	0	Contribution from/(to) 2021/22 Budget	0	0	0
50,000	50,000	Balance carried forward	50,000	50,000	0
411,274	411,274	TOTAL RESERVES	461,771	548,668	86,897



Penrith Town Council

BALANCE SHEET AS AT 31 MAY 2021

	£	£
Investments		
Penrith Building Society	85,941	
Cumberland Building Society	84,972	
CCLA Public Sector Deposit Account	<u>273,860</u>	
		444,773
Current Assets		
Debtors	77	
Debtor - VAT	2,826	
Prepayments	15,968	
HSBC Bank Account	<u>491,348</u>	
	510,219	
Current Liabilities		
Creditors	0	
Accruals	9,087	
Payroll Control	8,872	
Receipts in Advance	<u>388,365</u>	
	406,324	
Net Current Assets		103,895
		<u>548,668</u>
Represented by:		
Reserves		
General Reserve		355,785
Devolution Reserve		142,883
Acquisitions Reserve		50,000
		<u>548,668</u>

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FULL COUNCIL

13 JULY 2021

Matter: Ethical Decision Making / Code of Corporate Governance

Purpose of Report:

To consider and adopt the Code of Corporate Governance.

Item no: 16

Author: Solicitor

Supporting Member: Cllr. C. Shepherd

Recommendations

The Committee is recommended to adopt the Code of Corporate Governance.

Law and legal implications

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.

Link to Council Priorities

This report meets the Council Business priority to provide good governance that provides clear and effective decision making and provides a framework for best practice.

1. Report Details

- 1.1 At its meeting on 13th July 2020, Council resolved to develop a framework for ethical decision-making.
- 1.2 It was acknowledged that the Council's current performance was measured through audit reports, the general power of competence, committee work planning, regular reports on priorities and the business plan, public reports, the satisfaction survey and complaint monitoring and staff appraisals.
- 1.3 The decision sought to ensure that the Council's arrangements were open, accountable and ethically strong, whilst promoting high standards of conduct to ensure trust in the Council and its communities. The ethical framework was expected to show that the Council was delivering value for money. The Council should be able to demonstrate that its decisions were:
 - Reasonable
 - Based on the best evidence available
 - Based on ethical principles of procurement, value for money and added value
 - Made in accordance with existing policies and procedures, legal requirements and government guidance

- Made as collaboratively as possible
- Communicated openly and transparently.

- 1.4 The development of an ethical decision-making framework would complement the Council's aspiration to secure Quality Gold status. The framework should have regard to best practice within the sector and aspire to excellence in governance, community leadership and business planning. The application and establishment of the framework on these bases would in accordance with the provisions of the Quality Gold standard.
- 1.5 A Code of Corporate Governance has been prepared in response to the decision of Council. The Code incorporates the principles and features of ethical decision making which the Council wished to establish. The draft code is attached to this report and is recommended for adoption.
- 1.6 The Code derives from the framework which has been established by the Society of Local Authority Chief Executives (SOLACE) and the Chartered Institute for Public Finance and Accountancy (CIPFA) which is aimed at principal authorities. The draft takes account of the versions of the code which exist within parish councils. The draft includes, in addition to the framework, a section on social value which is an ethical issue and fits with the nature and approach of the code.
- 1.7 The Code is in 3 parts. The first part is a general commentary, The second part is a summary of the principles of the SOLACE/CIPFA framework and a brief statement of how they are applied at the Council. The third part is a detailed commentary and provides an evidential background document for officers and Members.
- 1.8 The fundamental purpose of the proposed code of corporate governance is to provide a sound, ethical governance framework which is a feature of and in other local authorities and other bodies and organisations.

2. Options Analysis including Risk Assessment

2.1 Risk

Decisions being made which are deficient in some regard.

2.2 Consequence

Decisions may be defective, invalid or unsound.

2.3 Controls Required

Adherence to proper procedures taking into account of identified, relevant factors. Establishing good practices.

3. Financial Implications

- 3.1 There are no financial implications directly from the report.

Appendices

Draft Code of Corporate Governance.

Background Papers

Council, 13 July 2020 Minute PTC20/48



Penrith Town Council

DRAFT CODE OF CORPORATE GOVERNANCE

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1. Introduction

- 1.1 Penrith Town Council aims to ensure that the Council is run in a lawful and business-like manner, which reflects best practice. It will provide good governance through clear and effective decision-making and by providing clarity about responsibilities and accountability. In applying the principles embodied in this Code of Corporate Governance, it will provide confidence in service delivery and decision-making.
- 1.2 The Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) have published a framework of Corporate Governance in Local Authorities. The Council has considered this framework and applied it in its Code of Corporate Governance. The CIPFA/SOLACE framework is based on the following seven principles:
 - **STANDARDS OF CONDUCT:** Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
 - **COMMUNITY ENGAGEMENT:** Ensuring openness and comprehensive stakeholder agreement.
 - **BENEFITS:** Defining outcomes in terms of sustainable economic, social and environmental benefits.
 - **SERVICE DELIVERY:** Determining the interventions necessary to optimise the achievement of the intended outcomes.
 - **PERFORMANCE MANAGEMENT:** Developing the entity's capacity including the capability of its leadership and the individuals within it.
 - **RISK MANAGEMENT and INTERNAL CONTROL:** Managing risks and performance through robust internal control and strong public financial management
 - **TRANSPARENCY and ACCOUNTABILITY:** Implementing good practices in transparency, reporting and audit to deliver effective accountability
- 1.3 Penrith Town Council is committed to the principles of good corporate governance. Penrith Town Council accepts and is committed to the adoption, development, and maintenance of a code of corporate governance as recommended by the CIPFA/SOLACE Framework *Corporate Governance in Local Government: A Keystone for Community Governance*. The Local Government Association supports the Code.
- 1.4 Penrith Town Council has a key role in leading and governing the community of Penrith. The Code of Corporate Governance will assist the Town Council in fulfilling this role.
- 1.5 The Code has been developed to ensure that the Town Council has, and will continue to have, exemplary standards of governance, which comply with best practice.
- 1.6 Good corporate governance supports effective decision-making. Effective decision-making in a well governed organisation is based on:

- A well-balanced accountability framework that has clear communication and understanding across the organisation of roles and responsibilities
 - Robust performance, financial, risk and information management systems
 - High standards of conduct
- 1.7 The Council will carry out regular assessments to monitor the application of the Code and ensure that it is applied in practice.
- 1.8 The Council will produce an annual statement setting out how the Code is being met; how its effectiveness is, being monitored and what changes are intended to be made, if any, in the future. The annual statement will be considered formally by the Council as an integral part of the end of year Annual Governance Statement.
- 1.9 The Appendix to this code records the Council's progress against each of the seven principles of the CIPFA/SOLACE framework and how they are applied in practice.

2. Governance

- 2.1 The CIPFA/SOLACE Framework's approach to corporate governance is:

"To ensure that resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision making and that there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities."

"The Framework position the attainment of sustainable economic, societal, and environmental outcomes as a key focus of the governance processes and structures. Outcomes give the role of local government its meaning and importance...Local authorities have responsibilities to more than their current electors as they must take account of the impact of current decisions and actions on future generations."

- 2.2 Good governance leads to good management, good performance, the proper stewardship of public money, ethical behaviour, effective public engagement and, ultimately, good outcomes for residents and service users. Good governance enables councils to pursue their visions effectively as well as underpinning their vision with mechanisms for control and the management of risk.

- 2.3 The Town Council is committed to the seven principles of good governance and thus ensuring it has and applies appropriate standards of governance.
- 2.4 The Town Council is committed to the Local Council Award Scheme and the standards contained within the Scheme for the Gold Standard. The commitment to the Local Council Award Scheme and the Gold Standard complements the Code of Corporate Governance. The attainment of the Gold Standard is indicative that the Town Council:
- a) Is at the forefront of best practice;
 - b) Has achieved excellence in governance, community leadership, and council development;
 - c) Provides leadership;
 - d) Brings people together;
 - e) Has excellent business planning processes;
 - f) Ensures value for money;
 - g) Is seeking new innovations and opportunities to improve; and
 - h) Is achieving for its communities.
- 2.5 The Town Council makes decisions, which can affect and have an impact on individuals, communities and the environment now and in the short, medium and long terms. The Town Council's decisions should be sound, proper and reasonable. In making its decisions the Town Council will adhere to the Code of Corporate Governance and be able to demonstrate that its decisions are reasonable, evidence based, ethically sound, provide value for money, are made in accordance with its policies and procedures and legal requirements, are made as collaboratively as possible and are communicated openly and transparently.

3. Social Value

- 3.1 In applying the Code of Corporate Governance, the Council will take account of and apply the principles expressed in the Public Services (Social Value) Act 2012. Under the Act, consideration is given as to how services should be commissioned and how procurement might improve the social, economic and environmental well-being of the area.
- 3.2 The Council will seek to bring people together and achieve for its communities. The Council will show and provide leadership and commit to seeking continuous improvement in the delivery of services. The Council's approach will reflect and be based upon what is best in the interests of the Council, the town and the residents of Penrith.
- 3.3 The impact of the Council's spending decisions will be considered so that the best possible outcomes are secured for the locality and residents. The Council will seek to apply ethical principles in procurement and the highest practicable standards will be sought.
- 3.4 The Council procures goods and services. If goods and services can be purchased locally, skill levels can be raised employment can be maintained and environmental impacts can be lessened. The Council will commit to playing an active role in the community whilst protecting the environment and minimising waste and energy consumption.
- 3.5 If resources are used wisely, sustainability can be promoted. The environment can be protected and enhanced together with ensuring the efficient use of resources and delivering value for money. The long-term costs and impacts of decisions should be considered whenever possible.

4. The principal systems, processes and elements of the council's governance arrangements

- 4.1 The Mayor, Deputy Mayor, the Chairs and Vice Chairs of all its committees, its Members and all officers have responsibility for ensuring that there is good governance within Penrith Town Council.
- 4.2 The systems and processes in place to provide good governance are:
- The Council has approved policies and procedures.
 - The Council's internal Finance and Governance Schedule.
 - The Council's internal Policy and Procedures Review Schedule
 - The Internal Review mechanisms
 - The Risk Management Policy
 - The Internal Control Policy
 - The preparation and application of Risk Assessments
 - The commissioning and undertaking of Audits, both internal and external.
- 4.3 The key elements of the corporate governance arrangements are:
- Council Standing Orders
 - Financial Regulations
 - The Audit arrangements
 - The Scheme of Delegation
 - The Publication Scheme
 - The Members Code of Conduct
 - The Officers' code
 - Business planning
 - Performance management.
- 4.4 The Finance Committee is responsible for maintaining and reviewing the effectiveness of the governance arrangements through the committee reporting process and audit reports.
- 4.5 Actions taken, or actions planned to address significant governance issues will be considered initially by the Finance Committee. The Finance Committee makes recommendations to Full Council on governance issues for consideration and adoption.

5. Monitoring and review

- 5.1 Local Authorities should test their governance structures and partnership arrangements against the principles contained in the framework by:
- Reviewing existing governance arrangements.
 - Agreeing and keeping up to date the local code of governance.
 - On an annual basis, reporting publicly on compliance with their own code, detailing how they have monitored the effectiveness of their governance arrangements in the year together with any changes that are planned to ensure an effective, enduring operation.
- 5.2 The Council will undertake an annual review of its governance arrangements to ensure that they are adequate and operating effectively in accordance with best practice.
- 5.3 Where gaps or errors are identified, action will be taken to ensure improvement in future governance arrangements.
- 5.4 The findings of the annual review will be presented to the Council's Finance Committee which makes recommendations to Full Council.
- 5.5 The outcome of this review will inform and underpin the Council's Annual Governance Statement.
- 5.6 The review will provide evidence of compliance for the Local Council Award Scheme Gold Standard with evidence statements included with the review.

6. How the council meets the seven principles: Executive Summary

a) Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law.

Local Authorities are accountable for how much they spend and for how they use the resources in their stewardship. Local authorities should serve the public interest and adhere to legislative requirements. Local authorities should have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.

- i. The Council has codes of conduct for both Members and staff. The Council has an ethos and an expectation of ethical compliance. The Council has established and applies a range of policies and procedures across its activities in compliance with legislation and proper practice. In working collaboratively with other people, groups and bodies the Council will seek to identify and establish shared values and approaches. In making procurement decisions the Council will comply with the law, act in accordance with its established policies and take account of social value considerations. The Council will ensure that its relevant standards are made known to and applied by any external provider of its services.
- ii. The Council is committed to the highest standards of conduct in all its activities. Members and officers are expected to conduct themselves as role models for others to emulate, and adhere to the standards of personal behaviour applicable to all Members and staff.
- iii. The Council will always seek to ensure that there are no matters of actual or potential non-compliance with laws, regulations and proper practices.
- iv. The Council will only do what it has the legal power to do and will comply with Proper Practices in carrying out its activities. The Council has and intends to retain the General Power of Competence and will seek to use its powers for the benefit of the town and its social, economic and environmental well-being.

b) Ensuring openness and comprehensive stakeholder engagement

Clear, trusted channels of communication and consultation should be used to engage effectively with all groups of stakeholders, including individual citizens, service users and institutional stakeholders.

- i. The Council will work for and with the people of Penrith, exercising leadership when it is right to do so and do its best to promote the well-being of the town and its residents as identified in the Council Plan.
- ii. The Council will value the contributions of and from the community and give them due consideration. The Council aims to strengthen local democracy and local decision-making and encourage inclusivity in its decision-making. The Council will be open and transparent in making decisions. It will seek to engage with others collaboratively whenever it is appropriate to do so. It will publish information relating to its activities. The Council will apply its consultation and communication policies to enable engagement.

c) Defining outcomes in terms of sustainable economic, social and environmental benefits.

The long-term nature and impact of many of local government's responsibilities mean that it should define and plan outcomes and that they should be sustainable. Decisions should further the Authority's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

- i. The Council has established effective political and managerial structures and processes to govern decision-making and the exercise of its powers and functions. The Council Business Plan sets out the key strategic objectives and priorities. The Council will take due and proper account of risk.
- ii. The Council will seek to secure and provide long term, sustainable benefits to enhance the social, economic and environmental well-being of Penrith and its residents. The Council supports sustainable and appropriate developments as identified the emerging Neighbourhood Development Plan. The Council is supportive of sustainable public and community transport schemes and sustainable employment and aims to protect the town's facilities for the benefit of all.

d) Determining the interventions necessary to optimise the achievement of the intended outcomes.

Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions or courses of action. Determining the right mix of these courses of action is a critically important strategic choice that local authorities have to make to ensure the intended outcomes are achieved. Robust decision-making mechanisms are needed to ensure that the defined outcomes can be achieved in effective and efficient ways. Decisions made need to be reviewed frequently to ensure that the achievement of outcomes is optimised.

- i. The Council provides detailed reports for consideration and approval on its functions and activities, which are publicly available to provide transparency. The Council is committed to seeking continuous improvement in all its activities and services.

e) Developing the entity's capacity including the capability of its leadership and the individuals within it.

Local government needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mind-set to operate efficiently and effectively and achieve intended outcomes within any specified periods. A local authority must ensure that it has both the capacity to fulfil its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the Authority as a whole. Individuals and the environment in which an organisation operates will change over time so that there will be a continuous need to develop capacity as well as the skills and experience of individual members of staff. Leadership in local government is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.

- i. The Council regularly reviews its management of its resources. The Council is mindful that it needs to have sufficient capacity to carry out its functions, objectives and priorities and consequently reviews its resources. The Council aims to work collaboratively and in partnership whenever this is appropriate and beneficial and in so doing may make the best and most effective use of its resources.

f) Managing risks and performance through robust internal control and strong public financial management.

Local Authorities need to ensure that its governance structures have effective performance management systems that facilitate the efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and are crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision-making activities. A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, a strategic allocation of resources, efficient service delivery and accountability. It is also essential that a culture and structure for scrutiny be in place as a key part of accountable decision-making, policymaking and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful service delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.

- i. The Council has a risk management policy. Risk management supports the effective delivery of the Council's objectives. Reports to Council and committees refer to and highlight any relevant risk considerations and issues. The Council has sound financial management, processes and structures. Internal controls are substantial and robust.

g) Implementing good practices in transparency, reporting and audit to deliver effective accountability.

Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the organisation plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.

- i. The Council's reports are accessible and publicly available to all on its website. The Council's processes and decision-making are transparent. The information, which is available, is that which is required by statute and good practice. The Council produces an annual report and will produce an annual governance statement. The Council holds an annual meeting to which all residents are invited. The Council publishes all of its internal and external audit reports. Members of the public are able to examine and challenge the Council's accounts.

7. How the council meets the Seven Principles: Long Form

The tables given below are extracted from the CIPFA / SOLACE publication "Delivering Good Governance in Local Government: Framework (2016 Edition)", together with the associated guidance manual. The first column of the table sets out the requirements as stated in the Framework. The second column sets out the position at Penrith Town Council (PTC) and provides a summary of the evidence that supports the position that the arrangements currently operating at PTC are fit for purpose.

Standards of conduct

Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

Local authorities are accountable not only for how much they spend, but also for how they use the resources under their stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes, they have achieved. In addition, they have an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, they can demonstrate the appropriateness of all their actions across all activities and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.

Outcome

The Council is committed to the highest standards of conduct in all its activities. Members and officers are expected to conduct themselves as role models for others to emulate, and adhere to the standards of personal behaviour applicable to all Members and staff.

The Council seeks to ensure that there are no matters of actual or potential non-compliance with laws, regulations and proper practices.

The Council only does what it has the legal power to do and will comply with Proper Practices in doing so. The Council will seek to use its powers for the benefit of the town and its social, economic and environmental wellbeing.

Demonstrating strong commitment to ethical values

Behaving with Integrity	Position at PTC
Ensuring Members and officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated thereby protecting the reputation of the Council.	<ul style="list-style-type: none">• The Council has developed and adopted formal codes of conduct defining the standards of personal behaviour which individual Members, and officers of the Council are required to meet and put in place appropriate systems and processes to ensure that they are complied with.• The Council's Standing Orders, Financial Regulations, Scheme of Delegation and approved policy documents provide an organisational and operational framework, which sets out the standards and expectations that the Council's actions are open and transparent.• The Council has adopted a Code of Conduct for Members and a Member and Officer Relations Policy.• The Council has approved a Bullying and Harassment, Complaints Procedure and a Whistleblowing Policy, which has been communicated to Members and staff.• Members and staff are made aware of the Codes of Conduct in inductions which cover the standards of behaviour expected and required.• Each Member receives a copy of the NALC Good Councillor Guide and NALC Good Councillor Guide on Finance and Transparency.• Each Member and Officer is provided with training opportunities and the Councils has an approved Training Policy.• Individual Performance Appraisals are an established part of the Council's Performance Management processes and systems.• Officers are required to undertake Continuous Professional Development.• The roles and responsibilities of Members and officers are clearly defined in the Member and Officer Relations Policy.• The terms of reference for committees and the Scheme of Delegation set out the roles and responsibilities of the Council, its committees and officers.

Demonstrating strong commitment to ethical values

Behaving with Integrity

Ensuring Members take the lead in establishing specific standard operating principles or values for the organisation and its staff and that they are communicated and understood.

Position at PTC

- The Council has Council, Committee, and Members informal meetings and training opportunities, which help to ensure effective engagement with the values of the Council.
- All councillors are encouraged to complete a Personal Development Plan.
- A register of Member training is maintained
- Staff manuals are provided during induction, performance monitoring and regular team meetings are held.
- Members and officers establish and abide by the codes and standards of the organisation.
- Opportunities for continuing personal and professional development are encouraged and advice and mentoring is made available and accessible to all.
- The Council's standards are expected to be applied and are monitored when working with the community and partners.

Leading by example and using the above standard operating principles or values as a framework for decision making and other actions

- Decision making protocols and powers are set out in the Council's Scheme of Delegation.
- For delegated decisions, the originating officer must ensure that the decision has been appropriately taken, and that appropriate advice has been taken into account together with any consultation responses.
- All decision-making committees appropriately record and minute resolutions.
- Where appropriate delegated decisions are formally recorded and published.
- All meetings include a formal requirement to declare at the outset any interests and for Members to leave the meeting whilst items involving a potential conflict of interest are considered.
- The Council Plan guides decision-making.
- All Council and Committee reports are referenced against Council Plan priorities.

Demonstrating strong commitment to ethical values	
Behaving with Integrity	Position at PTC
Demonstrating, communicating and embedding the standard operating principles or values through appropriate policies and processes which are reviewed on a regular basis to ensure that they are operating effectively	<ul style="list-style-type: none"> • The Council maintains up to date registers of interests, gifts and hospitality in respect of both Members and officers. • A complaints policy/procedure is in place which records action in respect of both service issues and behaviour. • Where appropriate complaints are used to drive service improvement. • The Code of Conduct require interests to be registered and declared and they are recorded in the relevant minutes. • The Members' declarations of interest are published and accessible.
Seeking to establish, monitor and maintain the organisation's standards and performance.	<ul style="list-style-type: none"> • The Council has a strong 'ethos' of ethical standards which help to ensure effective ethical compliance. • The Council seeks to employ staff with or develop them to have a knowledge and experience of local government and governance, which enables lawful and ethical performance and the Council's integrity to be maintained.
Underpinning personal behaviour with ethical values and ensuring they permeate all aspects of the organisation's culture and operation.	<ul style="list-style-type: none"> • Expectations regarding behaviour and values are made clear in Council and Committee meetings. • The Council has put in place arrangements to ensure that Members and employees of the Council should not be influenced by prejudice, bias or conflicts of interest in dealing with matters and with different stakeholders. Interests are required to be registered and declared. • Members Register of Interests are updated regularly. • A standing agenda item requests that participants declare any interests on matters to be considered at the meeting.
Developing and maintaining robust policies and procedures, which place emphasis on agreed ethical values.	<ul style="list-style-type: none"> • Members of the Council meet regularly to set the strategic direction of the Council, to determine policy and monitor service delivery • The Code of Conduct requires Members to uphold the prescribed ethical values and standards. • The employee job descriptions set out required standards. • Policies and Procedures are reviewed annually.

Demonstrating strong commitment to ethical values	
Behaving with Integrity	Position at PTC
Ensuring that external providers of services on behalf of the organisation are required to act with integrity and in compliance with ethical standards expected by the organisation.	<ul style="list-style-type: none"> • The Council has a Procurement Policy and a Partnership Protocol. • The Council considers, before entering into a partnership, if the arrangement would be consistent with the principles of accountability and governance, which the Council applies to its own internal arrangements. • Relevant standards are made known to external providers of services and monitored. • The Councils approved Partnership Protocol supports the development, monitoring and audit of external providers. • The Council has appropriate staffing and procedures to manage arrangements effectively.

Respecting the rule of law

Behaving with Integrity	Position at PTC
Ensuring Members and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations.	<ul style="list-style-type: none">• The culture of the Council is based upon a commitment to operating lawfully and within the statutory and regulatory framework.• The Council's Standing Orders, Financial Regulations, Policies and Procedures are established and applied.• All reports contain a section detailing any legal implications.• All officers are appropriately trained to undertake their duties in line with the legal requirements and best practice.• The governance, constitutional, statutory and general administration and personnel operations of the Town Council are carried out by a CiLCA qualified Town Clerk who acts as the Council's Chief Executive Officer. The Town Clerk carries out all functions required by law and issues statutory notifications and documentation.• The Services and Contracts Manager is a qualified clerk.• The Council has an in-house solicitor.
Striving to optimise the use of the full powers available for the benefit of citizens, communities and other stakeholders.	<ul style="list-style-type: none">• The Council is an outward looking organisation aware of the opportunities open to it with an ambitious Council Business Plan to deliver.• An agreement to objectives, projects, plans and targets is reached within the context of a developed understanding of legal requirements and best practice and the Council Business Plan priorities.• The Council has the General Power of Competence, which it can apply for the benefit of its communities.
Dealing with any breaches of legal and regulatory provisions effectively.	<ul style="list-style-type: none">• The Council has appropriately qualified and knowledgeable officers in post.• Where necessary appropriate external advice is sought.• The Council seeks to operate a 'no blame' culture where a disclosure of any actual or potential error is encouraged.

Ensuring improper behaviour, any corruption and misuse of power are dealt with effectively.

- The Council has a range of policies in place, which promote positive behaviour and provide effective sanctions to deal with any breach effectively.
- Where necessary the Council will refer issues of improper behaviour or criminality to the appropriate external agency.

Community Engagement

Ensuring openness and comprehensive stakeholder engagement

Clear, trusted channels of communication and consultation are and should be used to engage effectively with all groups of stakeholders, including individual citizens, service users and institutional stakeholders.

The Council will continue to work for and with the people of Penrith, exercising leadership when it is right to do so and do its best to promote the well-being of the town and its residents.

Outcome

The Council works for and with the people of Penrith, exercising leadership when it is right to do so and do its best to promote the well-being of the town and its residents as identified in the Council Plan.

The Council values the contributions of and from the community and give them due consideration. The Council aims to strengthen local democracy and local decision-making, encouraging inclusivity in its decision-making and acts in an open and transparent manner when making decisions.

The Council actively collaborates with stakeholders whenever it is appropriate to do so, publishing information relating to its activities.

Community Engagement	
Openness	Position at PTC
Ensuring an open culture through demonstrating, documenting and communicating the Council's commitment to openness.	<ul style="list-style-type: none"> • The Council takes the vast majority of its decisions in public session. Matters are only considered in private session when this is the most appropriate course of action and in compliance with the Public Bodies (Admission to Meetings) Act, 1960. • The Council complies with the Transparency Code and provides information and details of its activities and decisions on its website. • The Council has adopted and applies a Communication Policy.
Making decisions that are open about actions, plans, resource use, forecasts, outputs and outcomes. The presumption is for openness. If that is not the case, a justification for the reasoning for keeping a decision confidential will be provided.	<ul style="list-style-type: none"> • Where decisions are taken in private session a public minute will be made available which will provide information on the matter, which was discussed and decided. • Proper reasons for considering any matter in private session will always be given and be publicly available. • Reports to Council are provided on decisions to be made and the Council seeks to provide and consider robust information on which to base every decision.
Providing clear reasoning and evidence for decisions in both public records and explanations to stakeholders and being explicit about the criteria, rationale and considerations used. Ensuring that the impact and consequences of those decisions are clear	<ul style="list-style-type: none"> • All reports are based upon a standard document template, which covers a range of issues including legal implications, finance, and risk. • All reports are agreed by the relevant officers to ensure appropriate issues are addressed and standards are maintained. • The Council publishes information in an objective and understandable form. • The Council publishes its statement of accounts annually in both electronic and paper format.

Community Engagement	
Openness	Position at PTC
Using formal and informal consultation and engagement to determine the most appropriate and effective interventions/courses of action	<ul style="list-style-type: none"> • The Council uses a range of mechanisms for consultation, which are set out in the Consultation Policy. • Forums for engaging citizens include Council and Committee Meetings where there is a designated opportunity for the public to make representations; dialogue, public meetings, resident associations, and reviewing individual complaints. • The Council actively encourages engagement by Members of the Community through its website, and in its Community Engagement Policy. • Effective community engagement is a strategic priority for the Council. • The Council has established the Dialogue website to engage with residents and enable them to become involved with and generate suggestions relating to the issues facing the town. • The Council uses social media platforms such as Facebook, Instagram and Twitter and has an approved Social Media Policy
Effectively engaging with institutional stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear so that outcomes are achieved successfully and sustainably.	<ul style="list-style-type: none"> • The Council has a Communications Strategy. • The Council utilises its website and other media to provide information. • The Council seeks to engage collaboratively with others and identify the outcomes which it seeks in engaging with other stakeholders.

Community Engagement	
Openness	
Engaging comprehensively with institutional stakeholders	Position at PTC
Developing formal and informal partnerships to allow for resources to be used and outcomes achieved more effectively.	<ul style="list-style-type: none"> • The Council is developing relationships with a network of local organisations, which helps to co-ordinate a range of interventions across the town. • The Council engages with other bodies and people to pursue initiatives and deal with issues facing the town.
Ensuring that partnerships are based on: trust, a shared commitment to change, a culture that promotes and accepts challenge among partners and that the added value of partnership working is explicit.	<ul style="list-style-type: none"> • The Council's representatives on partnerships are required to reflect and champion the Council's values within those partnerships. • The partners' organisational framework and purpose must be compatible with the Council's values for the Council to participate.
Establishing a clear policy on the type of issues that the organisation will meaningfully consult with or involve communities, individual citizens, service users and other stakeholders to ensure that service (or other) provision is contributing towards the achievement of intended outcome.	<ul style="list-style-type: none"> • The Council has established Communications, Community Engagement and Consultation strategies. • The Consultation Policy records its approach to consultation and that the Council promotes a "no surprise" policy. • The Council has a Petitions Policy. • In addition to structured consultations the Council gives careful consideration to complaints and other feedback to understand whether there are emerging trends which need to be addressed. • The Council has established the Dialogue website to engage with residents enable them to become involved with and generate suggestions relating to the issues facing the town.
Ensuring that communication methods are effective and that Members and officers are clear about their roles with regard to community engagement.	<ul style="list-style-type: none"> • The Council will review its communication methods to ensure that they are effective and are responsive to and take account of any comments, feedback or representations it receives.

Community Engagement	
Openness	
Engaging with individual citizens and service users effectively	Position at PTC
Encouraging, collecting and evaluating the views and experiences of communities, citizens, service users and organisations of different backgrounds including future needs	<ul style="list-style-type: none"> • The Council has in place a wide range of engagement mechanisms including public meetings, web-based consultation and engaging with difficult to reach groups including young people. • These are supported by targeted surveys, questionnaires and focus groups. • The Council has in place appropriate policies in respect of Equality and Diversity to help ensure that it adheres to good practice.
Implementing effective feedback mechanisms to demonstrate how views have been taken into account	<ul style="list-style-type: none"> • The outcome of consultation exercises are reported to Members to ensure that consultation informs service delivery and decision-making. • Public participation is included on the agenda for each public meeting. • The Council publicises calendars of meetings and circulates agenda papers to the press, district and county councillors. • The Council is committed to openness in all its dealings, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.
Balancing feedback from more active stakeholder groups with other stakeholder groups to ensure inclusivity.	<ul style="list-style-type: none"> • The Council's Communication and Engagement Strategy is delivered to ensure a balanced and inclusive approach.
Taking account of the impact of decisions on future generations of taxpayers and service users.	<ul style="list-style-type: none"> • All decisions are made taking account of detailed reports which address service delivery issues together with the financial and other implications of any initiative and, where appropriate, sustainability issues and the medium and long term perspectives.

In addition to the overarching requirements for acting in the public interest in principles A and B, achieving good governance also requires a commitment to and effective arrangements for:

8. Structures & processes

Defining outcomes in terms of sustainable economic, social, and environmental benefits

The long-term nature and impact of many of local government's responsibilities mean that it should define and plan outcomes and that these should be sustainable. Decisions should further the organisation's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

Outcome

The Council has established effective political and managerial structures and processes to govern decision-making and the exercise of its powers and functions.

Sustainable economic, social, and environmental benefits

Defining Outcomes	Position at PTC
Having a clear vision, which is an agreed formal statement of the Council's purpose and intended outcomes containing appropriate performance indicators, which provide the basis for the organisation's overall strategy, planning and decisions.	<ul style="list-style-type: none"> • The Council has a Council Plan in place which sets out the key strategic objectives and priorities. • Progress in delivering the Council Business Plan is managed through Work Plan monitoring and individual performance management, with outcomes reported regularly to Council and Committees.
Specifying the intended impact on, or changes for, stakeholders including citizens and service users.	<ul style="list-style-type: none"> • These impacts are set out in the Council Plan. • Where appropriate new initiatives and their impacts are detailed in Committee and Council reports.
Delivering defined outcomes on a sustainable basis within the resources that will be available.	<ul style="list-style-type: none"> • Each report contains a financial impact report and comments on appropriate sustainability issues. • Regular budgeting review takes place with reports to Council.
Identifying and managing risks to the achievement of outcomes	<ul style="list-style-type: none"> • The Council has a robust Risk Management Framework in place, which covers both Strategic and Service risks. • The Councils approach to risks is reviewed and audited throughout the year by the Responsible Finance Officer and the Service and Contracts Manager, and the internal and external auditors. • Robust risk assessments are in place for the effective control and management of the Town Council facilities, assets. • Health and Safety risk assessments and fire risk assessments are undertaken using sector specific documentation or following advice received from reliable specific sources • The format of Committee reports ensure that issues of risk are and are required to be integral to the decision-making process.

Sustainable economic, social, and environmental benefits

Defining Outcomes	Position at PTC
Managing service users' expectations effectively to determining priorities and making the best use of the resources available.	<ul style="list-style-type: none"> • The Council regularly reviews the availability of resources and responds to users demands as and when they arise. • The Council uses SAGE and Excel accounting software and produces financial reports on a monthly and quarterly basis along with analytical budget reports in collaboration with the Councils external accountancy service which is responsible for dealing with the HMRC, payroll, and pensions.
Considering and balancing the combined economic, social and environmental impact of policies and plans when taking decisions about service provision.	<ul style="list-style-type: none"> • The Council adopts and pursues a balanced approach to considering financial and service delivery issues when planning new initiatives. • The Council considers how services are commissioned and how procurement could improve the social, economic and environmental wellbeing of the town.
Taking a longer-term view with regard to decision making, taking account of risk and acting transparently where there are potential conflicts between the organisation's intended outcomes and short-term factors such as the political cycle or financial constraint	<ul style="list-style-type: none"> • Investment and other decisions are taken based on robust, thorough and sound reports. • The Council recognises that its decisions may have short, medium and long-term consequences. The Council will consider those consequences and the impact of its decisions to secure the best possible outcomes for the town and its residents.
Determining the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits, through consultation where possible, in order to ensure appropriate trade-offs	<ul style="list-style-type: none"> • The Council recognises that consensus will not always be possible and that people will have different views and perspectives on issues. The Council will seek to understand and consider different views and make decisions which are considered to be in the best interests of the town and its residents as a whole.
Ensuring fair access to services	<ul style="list-style-type: none"> • The Council has a firm commitment to equality of access, with its commitment being expressed in a range of policies.

9. Service delivery

Determining the interventions necessary to optimise the achievement of the intended outcomes

Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions (courses of action). Determining the right mix of these courses of action is a critically important strategic choice that local government has to make to ensure intended outcomes are achieved. They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed frequently to ensure that achievement of outcomes is optimised.

Outcome

The Council is committed to seeking continuous improvement in all its services and activities.

Determining Interventions	Position at PTC
<p>Ensuring decision makers receive objective and rigorous analysis of a variety of options indicating how intended outcomes would be achieved and associated risks. Therefore, ensuring best value is achieved however, services are provided.</p>	<ul style="list-style-type: none"> • Comprehensive reports are provided setting out both recommended options and those options, which have been considered and are not proposed to be pursued. • Risk analysis seeks to mitigate against any failure to achieve agreed objectives.
<p>Considering feedback from citizens and service users when making decisions about service improvements or where services are no longer required in order to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impact.</p>	<ul style="list-style-type: none"> • The Council has appropriate Consultation and Complaints mechanisms to help ensure that it remains aware of evolving priorities amongst local residents. The feedback can and will inform the Council Plan, Work Plans and the Council's Financial Planning.
<p>Establishing and implementing robust planning and control cycles that cover strategic and operational plans, priorities and targets</p>	<ul style="list-style-type: none"> • The Council's Individual and Work Plan Monitoring Performance Framework establishes key timescales, which reflect statutory and best practice requirements where appropriate. • The Councils maintains a Policy and Procedure Review Schedule. • The Councils operates a Governance and Financial Schedule to ensure key timescales reflect statutory and best practice deadlines.
<p>Engaging with internal and external stakeholders in determining how services and other courses of action should be planned and delivered.</p>	<ul style="list-style-type: none"> • Communication and Consultation Strategies are established which require and promote effective engagement with stakeholders.

Determining Interventions	Position at PTC
Considering and monitoring risks facing each partner when working collaboratively, including shared risks.	<ul style="list-style-type: none"> • Partnership and Risk arrangements are reviewed considered and monitored.
Ensuring arrangements are flexible that the mechanisms for delivering goods and services can be adapted to changing circumstances	<ul style="list-style-type: none"> • The Performance Management framework ensures services are provided within the context of a regular review, so that adaptations can be made to evolving and changing circumstances. • The Council will consider outsourcing where it is appropriate, efficient and effective to do so. • Decisions regarding service delivery are informed by the Council's procurement strategy.
Ensuring capacity exists to generate the information required to review service quality regularly.	<ul style="list-style-type: none"> • The Council has appropriate staffing structures in place to maintain the review of and reporting on service quality and performance management. • The Council sets standards and targets for performance in the delivery of services on a sustainable basis. • Targets for performance are set annually by the Town Clerk and Council.
Preparing budgets in accordance with objectives, strategies and the financial plan.	<ul style="list-style-type: none"> • The Financial Plan is aligned to the Council Plan Work Plans to ensure that committee budgets are adequate to deliver agreed service levels.
Informing medium and long-term resource planning by drawing up realistic estimates of revenue and capital expenditure aimed at developing a sustainable funding strategy.	<ul style="list-style-type: none"> • The Council's operates based on a 5-year planning period.

Optimising achievement of intended outcomes	Position at PTC
Ensuring the financial strategy integrates and balances service priorities, affordability and other resource constraints.	<ul style="list-style-type: none"> • The financial planning processes are effectively integrated helping facilitate joined up service and resource planning.
Ensuring the budgeting process is all-inclusive, considers the full cost of operations over the medium and longer term.	<ul style="list-style-type: none"> • The Council has appropriately qualified and experienced officers in both service and finance functions to ensure that decisions are taken with regard to robust information over the medium and long terms where appropriate.
Ensuring the medium-term financial strategy sets the context for ongoing decisions on significant delivery issues or responses to changes in the external environment that may arise during the budgetary period in order for outcomes to be achieved while optimising resource usage.	<ul style="list-style-type: none"> • The Council has a financial strategy and plan, which takes account of the short, medium and long terms.
Ensuring the achievement of 'social value' through service planning and commissioning	<ul style="list-style-type: none"> • Work Plans and the Procurement Strategy give appropriate weight to social value. • The Council will seek to apply the principles of the Public Services (Social Value) Act, 2012 in commissioning and procuring services.

10. Performance management

Developing the entity's capacity, including the capability of its leadership and the individuals within it

Local government needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mind-set, to operate efficiently and effectively and achieve intended outcomes within the specified periods. A local authority must ensure that it has both the capacity to fulfil its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Individuals and the environment in which an organisation operates will change over time so that there will be a continuous need to develop capacity as well as the skills and experience of individual Members of staff. Leadership in local government is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.

Outcome

The Council regularly reviews its management of performance, which is validated by both the internal and external auditor reports. The Council has sufficient capacity to carry out its functions, objectives and priorities and consequently reviews its resources.

Developing the entity's capacity	Position at PTC
Reviewing operations, performance and use of assets on a regular basis to ensure their continuing effectiveness	<ul style="list-style-type: none"> • The Council reviews its committee Work Plans on an annual basis. • Routine retrospective monitoring of Work Plans takes place and is reported to the relevant committees. • The Council has an up to date Asset Register and Business Continuity Risk Assessment/Plan
Improving resource use through the appropriate application of techniques such as benchmarking and other options in order to determine how resources are allocated so that defined outcomes are achieved effectively and efficiently.	<ul style="list-style-type: none"> • The Council encourages inward investment and alternative income streams for the Council. • The Council will regularly review the effective management of resources as it acquires assets and seek ways to reduce any running costs that were originally determined by any predecessor body whilst retaining an effective service delivery.
Recognising the benefits of partnerships and collaborative working where added value can be achieved	<ul style="list-style-type: none"> • The Council will enter into and participate in partnerships whenever appropriate to secure cost efficiencies, collaborative working, and effective service delivery or to protect the quality of services.
Developing and maintaining an effective workforce plan to enhance the strategic allocation of resources	<ul style="list-style-type: none"> • The Council has a staffing establishment, which is reviewed on a regular basis. • The Town Clerk and the application of relevant policies ensure that the workforce is effectively managed.

Developing the entity's capacity	Position at PTC
Developing protocols to ensure that elected Members and appointed role holders and officers communicate with each other regarding their respective roles early on in the working relationship and that a shared understanding of roles and objectives is maintained	<ul style="list-style-type: none"> • Regular meetings are held between the Council's Chair, Deputy Chair and the Town Clerk. • Roles and Responsibilities are defined in the Council's Scheme of Delegation and in Job Descriptions. • The Member and Officer Relations Policy clearly defines roles and responsibilities.
Publishing a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the Council.	<ul style="list-style-type: none"> • The Council has a Scheme of Delegation, which reflects recognised good practice and the authority's needs and requirements. The scheme clearly identifies the decisions which are and to whom they are delegated.
Ensuring the Chair and the Town Clerk have clearly defined and distinctive leadership roles within a structure whereby the Town Clerk has the operational lead in implementing strategy and managing the delivery of services and other outputs set by Members strategically and each provides a check and a balance for the other.	<ul style="list-style-type: none"> • Roles and Responsibilities are defined in the Council's Scheme of Delegation and in the individual Job Descriptions. • A formal appraisal of the Town Clerk is conducted by the Chair and officer colleagues provide a 360 appraisal of the Town Clerk's performance.

Developing the entity's capacity	Position at PTC
<p>Developing the capabilities of Members and officers to achieve effective leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks by: – ensuring Members and staff have access to appropriate induction tailored to their role and that ongoing training and development matching individual and organisational requirements is available and encouraged – ensuring Members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis – ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from governance weaknesses both internal and external</p>	<ul style="list-style-type: none"> • The Council is outward looking and participates in appropriate local, regional and national meetings/events. • Locally it has effective partnership working/ discussions across both public and private sector. • Members and Officers attend appropriate awareness/training events ensuring that the Council is up to date concerning legislative changes and general practices. • The Council provides a standard induction process for all new Members and staff, while at a committee level induction is required and provided to cover any service specific induction issues. • The staff appraisal process identifies training needs, and develops a plan to deliver those needs, which is monitored on an ongoing basis. • The person specification for each role ensures that only suitable and appropriately qualified individuals are appointed. • Corporate awareness is provided to staff by means of meetings, team briefings and other appropriate mechanisms. • Members have the option of participating and are encouraged to participate in a training needs survey which identifies individual needs. • A range of corporate training/awareness/development activities are undertaken on an ongoing basis overseen by the Town Clerk. • Officers are encouraged to attend local and national training events to develop and enhance their skills, knowledge and attitude by networking with their peers and experts from other Councils. • Staff are supported in undertaking the training and development they need to help them achieve and maintain high levels of performance, and to achieve their full personal potential. • All officers maintain a Continuous Professional Development Log and are set the target of achieving at least 12 points per calendar year. All officers to date have annually exceeded this target and have provided significant qualitative value to the Council beyond their job description responsibilities.

Developing the entity's capacity	Position at PTC
Ensuring that there are structures in place to encourage public participation	<ul style="list-style-type: none"> • The Council employs a series of strategies to encourage public participation. Public participation is available at every Council and Committee meeting. • The Council continues to develop its services to customers through effective consultation, communication and establishment of clear service standards. • The Council's website and related printed material set out the opportunities for local people seeking to participate in activities or issues.
Taking steps to consider the leadership's own effectiveness and ensuring Members are open to constructive feedback from peer review and inspections.	<ul style="list-style-type: none"> • The Town Clerk is responsible for overseeing the delivery of Council services and is held to account by the Council. • Alongside internal challenge there is a wider public challenge through the media, complaints, public engagement and feedback from partner organisations.
Holding staff to account through regular performance reviews, which take account of training or development needs.	<ul style="list-style-type: none"> • The Council is committed to providing excellent services that deliver high standards. Learning is an essential part of the development of the Town Council as a professionally run organisation and good employer. • It is the policy of Penrith Town Council to implement a meaningful and effective annual appraisal system, which monitors performance against agreed realistic targets and responsibilities, providing an opportunity for each member of staff to have their performance reviewed. • Appraisal interviews discuss and agree objectives for the coming period as well as reviewing performance to date and cover all activities and responsibilities identified in individual job descriptions, individual action plans from previous appraisals and committee work plans. • The Town Clerk carries out staff appraisals. The Chair undertakes the appraisal of the Town Clerk. Officers of the Council provide a 360-degree performance review of the Town Clerk. • All appraisals and appraisal interviews follow the adopted Town Council appraisal system and remain strictly confidential. • Training needs are identified and planned during the appraisal.

Developing the entity's capacity	Position at PTC
<p>Ensuring arrangements are in place to maintain the health and wellbeing of the workforce and support individuals in maintaining their own physical and mental wellbeing</p>	<ul style="list-style-type: none"> • The Town Council aims to provide an effective and efficient service in a safe, stimulating and comfortable working environment affording job satisfaction to all employees. • The Council has a range of policies to promote employee wellbeing as part of maintaining a productive workforce. • The Council encourages a positive work life balance and provides flexible working. • Procedural documents are in place for all operations undertaken by officers and all members of staff are issued with contracts of employment, job descriptions and duties. • All staff are employed under nationally agreed terms, and receive annual appraisals. • The working environment for both staff and Councillors contributes to job satisfaction and positive output. • Training is arranged around the requirements of the Council, the Business Plan and the needs of the individual. • A training budget is available in each financial year to allow required training to take place. • A range of training providers are used in addition to in-house training. • The Council has a suite of personnel policies that are in place to retain and support staff; staff handbook, recruitment and retention policy, appraisal policy, capability procedures policy, bullying and harassment policy, office and member protocol, grievance and disciplinary arrangements, health and safety policy, hearings policy and a whistleblowing policy.

11. Risk management & internal control

Managing risks and performance through robust internal control and strong public financial management

Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and are crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision-making activities. A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery and accountability. It is also essential that a culture and structure for scrutiny are in place as a key part of accountable decision-making, policymaking and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful service delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.

Outcome

The Council has sound financial management, processes and structures in place with internal controls that are substantial and robust which are verified by the Internal and External Auditor.

Managing Risk	Position at PTC
Recognising that risk management is an integral part of all activities and must be considered in all aspects of decision-making.	<ul style="list-style-type: none"> • The Council has in place a Risk Management Policy, supported by regular reporting, which support a culture of effective risk management including appropriate consideration of risk in decision-making.
Implementing robust and integrated risk management arrangements and ensuring that they are working effectively.	<ul style="list-style-type: none"> • The Council's arrangements cover operational risks. • Regular reporting together with Internal Audit and External Audits are designed to ensure and demonstrate effective arrangements are in place. • Internal Controls are reviewed annually.
Ensuring that responsibilities for managing individual risks are clearly allocated.	<ul style="list-style-type: none"> • A specific officer, the Services and Contracts Manager is responsible for assessing and managing risks.

Managing Performance	Position at PTC
Monitoring service delivery effectively including planning, specification, execution and independent post implementation review.	<ul style="list-style-type: none"> • The Council has a performance management system including service and financial targets, which are monitored on a regular basis. • Where organisational change arises work plans, performance targets and financial provision are amended accordingly to ensure that organisational change delivers against the identified benefits.
Making decisions based on relevant, clear objective analysis and advice pointing out the implications and risks inherent in the organisation's financial, social and environmental position and outlook.	<ul style="list-style-type: none"> • The Council has a robust and diligent reporting system, which requires that all reports cover relevant issues including any risk, legal and financial implications.
Ensuring an effective scrutiny or oversight function is in place which provides constructive challenge and debate on policies and objectives before, during and after decisions are made thereby enhancing the organisation's performance and that of any organisation for which it is responsible.	<ul style="list-style-type: none"> • The Council and Members carry out the function of scrutiny of the Council's activities and services as a whole. • The effective engagement of Members and Officers of the Council help ensure that reports, analysis and recommendations are supported by robust evidence, data and critical appraisal.
Providing Members and officers with regular reports on service delivery plans and on progress towards outcome achievement.	<ul style="list-style-type: none"> • The Council's Performance Management Framework covering Committee Performance, Employee Performance Finance and Risk generates formal reports, which are considered by the responsible committees.
Ensuring there is consistency between specification stages (such as budgets) and post implementation reporting (e.g. financial statements)	<ul style="list-style-type: none"> • The Council has appropriate reporting arrangements in place, which are reviewed by Internal and External Audit.

Robust internal control	Position at PTC
Aligning the risk management strategy and policies on internal control with achieving objectives	<ul style="list-style-type: none"> • The Risk Management Strategy is supported by an Internal Audit Plan and working arrangements.
Evaluating and monitoring risk management and internal control on a regular basis	<ul style="list-style-type: none"> • The Risk Management Strategy is subject to regular updates and is reported on at least an annual basis. • The Council ensures that Internal Control arrangements are monitored and amended in the light of changed systems or issues being highlighted. • The strategy and the internal control arrangements are subject to independent review and assurance from Internal Audit.
Ensuring effective counter fraud and anti-corruption arrangements are in place	<ul style="list-style-type: none"> • The Council has up to date policies and arrangements in place to minimise the risk and impact of fraud. • These are reviewed by Internal Audit and reported to the Finance Committee on a regular basis.
Ensuring additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor	<ul style="list-style-type: none"> • The Council has appointed an internal auditor who is independent of the Council and works to an agreed audit plan. • The Council has received two internal audits each fiscal year and has been found to be operating well and fully compliant with professional and statutory standards.
Ensuring an audit function, which is independent and accountable to the Council provides a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment that its recommendations are listened to and acted upon	<ul style="list-style-type: none"> • The Council has appointed an internal but independent auditor to exercise the audit function • The Council reviews its effectiveness on an annual basis to ensure that it is operating in line with its remit for best practice as set out in CIPFA guidance.

Managing data	Position at PTC
Ensuring effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data	<ul style="list-style-type: none"> • The Council has appointed a Data Protection Officer. • The Council has initiated accreditation to IASME, which is appointed as an Accreditation Body for assessing and certifying against the Government's Cyber Essentials Scheme. • The Council has in place robust and comprehensive data protection policies and arrangements including effective reporting of breaches. • Staff are appropriately trained in data protection issues, • The monitoring and review of the Council's data protection practices takes place regularly through the data protection officer.
Ensuring effective arrangements are in place and operating effectively when sharing data with other bodies	<ul style="list-style-type: none"> • Where data is shared with other authorities, it is subject to appropriate formal data sharing / processing arrangements.
Reviewing and auditing regularly the quality and accuracy of data used in decision making and performance monitoring	<ul style="list-style-type: none"> • Data is reviewed regularly. • Independent assurance is provided by Internal Audit as part of the Audit Plan, and the Council's IT Contractor.

Strong public financial management	Position at PTC
Ensuring financial management supports both long term achievement of outcomes and short-term financial and operational performance	<ul style="list-style-type: none"> • The Council has appointed a Responsible Finance Officer who has extensive experience as a statutory local government officer regarding: <ul style="list-style-type: none"> i. Section 151 of the Local Government Act 1972 ii. The Local Government Finance Act 1988 iii. The Local Government and Housing Act 1989 iv. The Local Audit and Accountability Act, 2014 v. The current Accounts and Audit Regulations • The Council has robust financial management arrangements covering financial planning, budget monitoring, project appraisal and financial reporting. • The arrangements have ensured that the Council has continued to deliver a balanced budget and have been subject to independent review by internal audit and external audit. • The Council has continued to receive a positive assessment of its Statement of Accounts from external audit.
Ensuring well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls	<ul style="list-style-type: none"> • The Council's financial management arrangements continue to receive positive assessments from Internal Audit, whilst financial risks are reported as part of the budget development and monitoring process.

12. Transparency and accountability

Implementing good practices in transparency, reporting, and audit to deliver effective accountability

Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the organisation plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.

Outcome

The Council delivers good practices in transparency, reporting, and audit to deliver effective accountability, which are verified by unqualified auditor reports and the Quality LCAS standard.

Implementing good practice in transparency	Position at PTC
Writing and communicating reports for the public and other stakeholders in a fair, balanced and understandable style appropriate to the intended audience and ensuring that they are easy to access and interrogate.	<ul style="list-style-type: none"> • The Council makes all reports available on the website and in paper format upon request. • Officers seek to ensure that all reports are comprehensive and understandable to the reader. • The Council is compliant with the Transparency Code.
Striking a balance between providing the right amount of information to satisfy transparency demands and enhance public scrutiny while not being too onerous to provide and for users to understand.	<ul style="list-style-type: none"> • The Council provides the full range of information, statements and reports, which are required by statute, or recognised good practice. • Local residents can request access to further information as recorded in the Council's Scheme of Publication.
Reporting at least annually on performance, value for money and stewardship of resources to stakeholders in a timely and understandable way	<ul style="list-style-type: none"> • The Council produces Annual Accounts and an Annual Report, which supplement the range of information provided during the course of the year.
Ensuring Members and officers own the results reported	<ul style="list-style-type: none"> • Members at Full Council consider all reports on performance and relevant resolutions are considered and adopted.

Implementing good practice in transparency	Position at PTC
Ensuring robust arrangements for assessing the extent to which the principles contained in this Framework have been applied and publishing the results on this assessment, including an action plan for improvement and evidence to demonstrate good governance (the annual governance statement)	<ul style="list-style-type: none"> The position on the framework will be reported to Finance Committee prior to the submission of the Annual report and the annual governance statement and in conjunction with the year-end internal audit report.

Implementing good practices in reporting	Position at PTC
Ensuring that this Framework is applied to jointly managed or shared service organisations as appropriate	<ul style="list-style-type: none"> The Council's Performance Management Framework and governance principles will be applied to all organisations with which the Council has a significant involvement or partnership working arrangements.
Ensuring the performance information that accompanies the financial statements is prepared on a consistent and timely basis and the statements allow for comparison with other, similar organisations	<ul style="list-style-type: none"> The Council follows best practice guidance, which helps ensure that the format and information is readily comparable against that of other organisations.

Assurance and effective accountability	Position at PTC
Ensuring that recommendations for corrective action made by external audit are acted upon	<ul style="list-style-type: none"> • To date the Council has not received an action plan from the external auditor. • In the event of the Council receiving a qualified audit report and a requirement to develop an action plan, this would be reported to the Finance Committee and Full Council, to secure a resolution. Council would agree an appropriate plan, which would become a standing item on the Finance Committee Agenda and Full Council agenda until successful completion.
Ensuring an effective internal audit service with direct access to Members is in place, providing assurance with regard to governance arrangements and that recommendations are acted upon	<ul style="list-style-type: none"> • The Council's Finance Committee assesses the effectiveness of internal audit on an annual basis.
Welcoming peer challenge, reviews and inspections from regulatory bodies and implementing recommendations	<ul style="list-style-type: none"> • The Council considers the outcome of all external audits.
Gaining assurance on risks associated with delivering services through third parties and that this is evidenced in the annual governance statement	<ul style="list-style-type: none"> • The Council monitors the risks on delivering services by way of third parties, including such risks within service plans/contract agreements. • Managerial arrangements with partnerships are risk based, and with those, where the risk of service disruption is minimal monitoring is of necessity 'light touch' with reliance placed upon the partner organisations' governance arrangements.
Ensuring that when working in partnership, arrangements for accountability are clear and the need for wider public accountability has been recognised and met.	<ul style="list-style-type: none"> • The Council only enters into partnerships where the partner organisations share the Council's ethos and has appropriate governance arrangements in place to ensure accountability.

FULL COUNCIL

13 JULY 2021

Matter: Equality and Diversity Policies

Purpose of Report:

To consider and adopt the Equality and Diversity Policies.

Item no: 17

Author: Solicitor

Supporting Member: Cllr. C. Shepherd

Recommendations

The Committee is recommended that:

- i. the Equality and Diversity Policy and the Equality and Diversity Policies relating to Employment and Service Delivery as appended to the report be approved and adopted.
- ii. Action Plans be prepared to implement and apply the Equality and Diversity policies.

Law and legal implications

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.

Link to Council Priorities

This report meets the Community Engagement priority to strengthen local democracy and encouraging inclusivity in decision making.

1. Report Details

- 1.1 The Equality and Diversity Statement and the Equality, Diversity and Inclusion policy were adopted by the Council in May, 2017 and were due to be reconsidered and reviewed in this year. A review of those policies has been undertaken.
- 1.2 In undertaking the review account has been taken of the standard policy on Equality and Diversity which has been produced by the National Association of Local Councils, the practice of other Parish Councils and the guidance issued by the Equality and Human Rights Commission. The Commission has been produced guidance on compliance with the Equalities legislation and the application of the public sector equality duty in particular.
- 1.3 Three policies are attached to this report and are recommended for adoption. The Council's existing policies are proposed to be revised substantially to take account of updated guidance and current, recommended practice.

- 1.4 The Equality and Diversity Policy provides an overall commitment to the Council's obligations under the Equality Act and expressly refers to the public sector equality duty as it applies to Parish Councils. The policy acknowledges the commitment of the Council to the application of an equality and diversity policy in the specific areas of employment and service delivery. It is proposed that there should be separate statements relating to these discrete areas of activity.
- 1.5 The policy which relates to Employment has been revised and is now based on the specimen draft produced by the National Association of Local Councils. The policy is designed to put the Council's commitment to equal opportunities into practice and to seek to avoid any unlawful discrimination. Training will be required to be provided to those who are engaged in recruitment. The Council will require to monitor the effectiveness of the policy and keep up to date with any changes in legislation and practice.
- 1.6 A separate Equality and Diversity policy has been prepared for service delivery. The differentiation of the policies in the areas of employment and service delivery is aimed at providing clarity and focus in each discrete area. The service delivery policy indicates how the Council will treat service users having regard to the recognised protected characteristics.

2. Options Analysis including Risk Assessment

2.1 Risk

Actions being taken or omissions being made which do not comply with the law.

2.2 Consequence

Decisions and actions may be unlawful. Individuals may be adversely affected. Sanctions may be applied against the Council. Reputational damage may result.

2.3 Controls Required

Raise awareness of the issues, the legislation and policies. Undertake training. Develop and apply action plans. Monitor the application of the policies.

3. Financial Implications

- 3.1 There are no financial implications directly from the report.

Appendices

Appendix A – Equality and Diversity Policy

Appendix B – Equality and Diversity Policy: Employment

Appendix C – Equality and Diversity Policy: Service Delivery

Background Papers

None



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Appendix A

EQUALITY AND DIVERSITY POLICY

Commitment to equality and diversity

Penrith Town Council is committed to eliminating and avoiding all forms of unlawful discrimination, promoting equality of opportunity for everyone in employment and service delivery and valuing diversity.

Scope

This policy applies to all elected members and employees of Penrith Town Council and the contractors and other parties who act on its behalf. Elected members and employees have responsibilities when representing the Town Council or carrying out their functions, responsibilities and duties to act in accordance with this and other policies of the Council. This policy will apply in particular to council decision-making, the delivery of services and activities, community consultation and engagement, procurement and employment. All elected members and employees have a responsibility for equality and in ensuring that we meet our duties and obligations.

The Equality Act 2010

The Equality Act protects people against discrimination, harassment or victimisation in employment and as users of public services based on nine protected characteristics.

The protected characteristics are:

Age

Disability

Gender re-assignment (gender status)

Marriage and civil partnership

Pregnancy and maternity

Race

Religion or belief

Sex

Sexual orientation.

The Act applies a public sector equality duty to public authorities including parish councils. This public sector equality duty requires public authorities, in exercising their functions, to have due regard to the need to:

Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;

Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it;

Foster good relations between people who share a relevant protected characteristic and those who do not share it.

The purpose of the policy

The purpose of the policy is to express Penrith Town Council's commitment to:

- a) Meet our obligations under the Equality Act.
- b) Promote equality of opportunity in all our services and eliminate unlawful discrimination.
- c) Treat everyone fairly and with respect.
- d) Challenge inequality, discrimination and disadvantage.
- e) Achieve the highest possible quality of service delivery and employment practice.
- f) Build links with communities to promote equality.

The Council's commitment

The Council commits to:

1. apply the policy through all our activities.
2. apply the policy and express and undertake specific actions in support and confirmation of the policy in the areas of service delivery and employment.
3. engage with people in communities and develop our means of communication and consultation and encourage feedback.
4. assess our policies and services to ensure that they are fair and identify impacts upon people within our community.

5. ensure our suppliers and contractors operate in ways which are consistent with our commitment.
6. provide services which are responsive and accessible to all and free of discrimination
7. provide information on our website that is accessible.
8. encourage suggestions on improvements to our services and activities.

Adopted: May 2017

Reviewed: April 2021

Next review: April 2024



Penrith Town Council

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

Appendix B

EQUALITY AND DIVERSITY POLICY: Employment

Our commitment

The Town Council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

This policy is intended to assist the Council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

The law

It is unlawful to discriminate, directly or indirectly, in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as the "protected characteristics" which derive from the Equality Act, 2010.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited and defined circumstances, employers can directly discriminate against an individual for a reason related to any of the protected

characteristics where this is justified in accordance with legislation. Any occupational requirement must be crucial to the post and be a proportionate means of achieving a legitimate aim in order to be lawful.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic and puts an individual at a particular disadvantage such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.

Third-party harassment occurs where an employee is harassed by a third party and the harassment is related to a protected characteristic. A third party is someone who is not the employer or another employee.

Victimisation occurs where an employee is subjected to a detriment because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. A detriment would include being denied a training opportunity or a promotion. However, an employee is not protected from victimisation if he/she acted maliciously or in bad faith in making a false allegation of discrimination.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected

characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

The Council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Recruitment

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary. Appointments will be made on merit.

Working practices

The Council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to the standard working practices. A request will only be refused if the Council considers there are good reasons, unrelated to any protected characteristic, for doing so. The Council will comply with its obligations in relation to statutory requests for contract variations. The Council will make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Equal opportunities monitoring

The Council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups. The Council will consider and take any appropriate action to address any problems that may be identified in the monitoring process.

The Council treats personal data collected for reviewing equality and diversity in accordance with its data protection policy and the applicable law. Information about how data is used and the basis for processing it is provided in the Council's privacy notices.

Dignity at work Bullying and Harassment policy

The Council has a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this nature will be considered.

People not employed by the Council

An employee should report any bullying or harassment by a third party such as a visitor to the Council so that appropriate action can be taken.

The Council will take reasonably practical steps to prevent harassment of an employee by a third party.

Training

The Council will provide training in equal opportunities to those likely to be involved in recruitment or other decision-making where equal opportunities issues are likely to arise.

The Council will provide training to all staff engaged to work at the Council to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment.

An employee's responsibilities

Every employee is required to assist the Council to meet its commitment to provide equal opportunities in employment and to avoid unlawful discrimination. An employee can be held personally liable as well as, or instead of, the Council for any act of unlawful discrimination. An employee who commits a serious act of harassment may be guilty of a criminal offence.

An act of discrimination, harassment, bullying or victimisation by any employee may be a disciplinary offence and will be dealt with under the Council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Grievances

If an employee considers that he or she may have been unlawfully discriminated against, he or she should use the council's grievance procedure to make a complaint.

The Council will take any complaint seriously and will seek to resolve any grievance that it upholds. An employee will not be penalised for raising a grievance, even if the grievance is not upheld, unless the complaint is both untrue and made in bad faith.

Monitoring and review

This policy will be monitored periodically by the Council to judge its effectiveness and it will be updated in accordance with changes in the law. In particular, the Council will monitor the ethnic and gender composition of its workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups. The Council will review its equal opportunities policy taking account of the results of the monitoring. If changes are required, the Council will implement them.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with relevant data protection legislation and principles.

This is a non-contractual procedure which will be reviewed from time to time.

Date of policy: May, 2021:

Supersedes: Equality and Diversity policy

Policy effective from: May, 2021

Date for next review: May, 2024.



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Appendix C

EQUALITY AND DIVERSITY POLICY: SERVICE DELIVERY

Penrith Town Council is wholly committed to equality of opportunity and anti-discriminatory practice in the provision of services. We aim to deliver the highest quality service to all sections of the community without discrimination. Our intention is to demonstrate excellence in equality and diversity issues across all areas of policy, practice and service delivery, and to influence others through the high standards that we set.

The Town Council recognises that it is the duty of all councillors and employees to take personal responsibility for fostering a harmonious and cohesive community by adhering to the principles of equal opportunity and maintaining good community relations in the provision of dedicated services to all people on equitable terms.

SCOPE

This statement sets out how the Town Council intends to meet its commitments by working alongside our local communities, irrespective of their age, disability, marriage/civil partnership, pregnancy/maternity, race, religion or belief, sex, sexual orientation or transgender status (as identified within the Equality Act 2010 as 'protected characteristics').

This statement applies to all employees, volunteers, placements, contractors and elected members of Penrith Town Council. All aspects of this policy applies to everyone who has a role in representing the Town Council or carrying out the functions of their work or elected office.

CORE VALUES

The approaches of the Penrith Town Council to equality of opportunity are underpinned by a set of core values which guides our interactions and service delivery. All elected and employed representatives of the Town Council will ensure that the service provided is:

- Accessible

- Inclusive
- Responsive
- Fair
- Respectful
- Empowering
- Supportive
- Diverse

THE TOWN COUNCIL WILL:

- α. Ensure that all groups and individuals are treated equally, fairly and respectfully whilst challenging inequality, discrimination and less favourable treatment;
- β. Work towards the elimination of discrimination, direct, or indirect, and all forms of harassment;
- χ. Positively promote equality of opportunity in the development and design of services to ensure that they are sensitive to the requirements of the diverse population served;
- δ. Take action to identify groups within the community who have specific needs in relation to Council services;
- ε. Promote greater participation of under-represented groups by encouraging positive action to address inequality;
- φ. Encourage activities across our organisation that enhance equality and promote and celebrate diversity;
- γ. Provide accessible public information, as far as possible, in a way that best meets the needs of the whole Penrith community;
- η. Ensure that all employees and elected members understand equality in service provision by making sure that we are up to date with the knowledge and skills necessary to understand what equality and diversity means for our town;
- ι. Take an evidence-based approach to equality impact assessments designed to help the Penrith Town Council ensure that our policies, practices, services and decision-making processes are fair and do not present barriers to participation or disadvantage of any 'protected' groups from participation;
- φ. Ensure the provision of services for 'protected' groups will be monitored against justified performance indicators and included in reporting procedures;

- κ. Periodically review our policies and practices to ensure that we continue to comply with all measures of the legislative frameworks (outlined within 'The Law' section at the end of this statement).
- λ. The Town Council will increase awareness of our use of language in all verbal and written communications in recognition that prejudice and discrimination can be formed and reinforced by the insensitive use of language.

POLICY AIMS

In relation to people identified as having 'protected characteristics', we will:

AGE

- Ensure that people of all ages are treated with respect and dignity;
- Ensure that people of working age are given equal access to our services;
- Challenge discriminatory assumptions about younger and older people.

DISABILITY

- Provide any reasonable adjustments to ensure disabled people have access to our services;
- Challenge discriminatory assumptions about disabled people;
- Seek to continue to improve access to information by ensuring availability of loop systems, Braille facilities, alternative formatting and sign language interpretation.

MARRIAGE OR CIVIL PARTNERSHIP

- Ensure that all people are treated with respect and dignity and that a positive image is promoted regardless of marriage or civil partnership;
- Challenge discriminatory assumptions about the marriage or civil partnership of within our communities;
- Ensure that no individual is disadvantaged and that we take account of the needs of all people whatever their marriage or civil partnership status.

PREGNANCY OR MATERNITY

- Ensure that people are treated with respect and dignity and that a positive image is promoted regardless of pregnancy or maternity status;
- Challenge discriminatory assumptions about the pregnancy or maternity of members of our communities;
- Ensure that no individual is disadvantaged and that we take account of the needs of peoples' pregnancy or maternity status.

RACE

- Challenge racism wherever it occurs;
- Respond swiftly and sensitively to racists incidents;

- Actively promote race equality in the Town;
- Provide opportunities to celebrate race and culture diversity;
- Encourage participation of black and minority ethnic groups in all activities.

RELIGION OR BELIEF

- Ensure that the community's religions or beliefs and related observances are respected and accommodated wherever possible;
- Respect people's beliefs where the expression of those beliefs does not impinge on the legitimate rights of others;
- Respect the needs and requirements of people who adhere to a range of cultural and religious beliefs. This may include dietary requirements, observance of important religious festivals, days or events.

SEX

- Challenge discriminatory assumptions and generalisations about women and men;
- Take positive action to redress the negative effects of discrimination based on the sex of a person;
- Offer equal access for women and men to representation and services and encourage other organisations to do the same
- Promote a positive work life balance environment and develop family friendly policies;
- Take positive actions to redress imbalances due by a inequalities because of a person's sex .

SEXUAL ORIENTATION

- Ensure that we take account of the needs of lesbians, gay men and bisexuals;
- Promote positive images of lesbians, gay men and bisexual people;
- Ensure that people are treated with respect and dignity and that a positive image is promoted regardless of sexual orientation;
- Challenge discriminatory assumptions and generalisations about lesbians, gay men and bisexual people.

TRANSGENDER

- Provide support to prevent discrimination against people who identify themselves as transgender;
- Ensure that people are treated with respect and dignity and that a positive image is promoted of transgender people;
- Promote positive images of transgender people;
- Challenge discriminatory assumptions and generalisations about transgender people;

- Take positive action to redress the negative effects of discrimination based on transgender status.

THE LAW

The policy will be implemented within the framework of the relevant legislation and codes of practice, which include:

- Equality Act 2010
- Human Rights Act 1998
- The Sex Discrimination (Gender Reassignment) Regulations 1999
- Equal Pay Act 1970
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975 as amended by Equality Act 2006
- Race Relations Act 1976 as amended in 2000 by Race Relations amendment Act
- Disability Discrimination Act 1995 as amended in 2005
- The Protection from Harassment Act 1997
- The Council Code of Conduct



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Item 18

ANONYMOUS COMMUNICATIONS POLICY

1. Introduction

Many public bodies receive communications which are anonymous. The method of dealing with these methods of communications varies considerably from one body to another.

Often, anonymous correspondence has been disregarded as the correspondent did not provide their names or address, but there is a consensus of opinion that such mail should be recognised and that the simple fact that someone has not put their name to a communication should not automatically disqualify that communication from consideration.

This policy outlines how Penrith Town Council ("Council") will act upon information contained in anonymous letters and other anonymous communications as defined in Paragraph 4. The policy provides staff and Members with a mechanism to deal with an issue which can cause serious harm and have serious consequences unless dealt with in an accepted and professional manner.

2. Scope

Often correspondence (letters, emails, blogs, comments on social media) that is anonymous is malicious in its content and the reason that the writer chooses not to put an address on the communication is to protect them from any legal recriminations that may result.

What such correspondents overlook is if their "complaint" is legitimate then the Council will deal with their concern under current legislation and they should not have any concerns regarding their anonymity.

However, it is important to understand that this is not the same as WHISTLEBLOWING which is an internal safeguard for staff members. The Council recognises this and has an appropriate policy in place.

Regard must also be given to mail sent and the writer has provided contact details but has asked for anonymity. This request should be respected at all times. The Council wishes to ensure that members of the public are able to approach it if they believe they have a genuine reason for their personal details to remain confidential. In such cases they should raise this with the Clerk and provide details of why they believe their name should be withheld.

The Policy applies to Councillors and staff.

3. Aim

To provide an appropriate and consistent approach to dealing with Anonymous Communications.

4. Definition of anonymous communications

Anonymous Communications are written or verbal communications where no name, address or identifying factors are given sufficient to identify the source or author. This may include notes, letters, telephone calls, 'round robins', newsletters, emails, texts, blogs, website contents, social media contents and all other forms of electronic communications.

5. Verbal anonymous communications

- a) It is the policy of the Council not to take any action in respect of verbal anonymous communication unless:
 - i. It is subsequently put in writing.
 - ii. The communication warrants an exception.
- b) Exceptionally, the need for immediate action or investigation may prevent the provision of a written communication at that point.
- c) Any Member receiving verbal anonymous communications should respond by stating the Council's policy. The source should be encouraged to provide their contact details and the anonymous communications should be passed to the Council's Town Clerk for recording and for determination of next steps in accordance with this policy. If no written communication is provided by the source, a note

summarising what verbal communication took place should be created by the Member and passed to the Council's Clerk.

6. Steps to be taken with anonymous communications

Unless of a purely trivial or frivolous nature all anonymous written communications should:

- a) Be treated as being in strict confidence by all Members/officers and recorded on the server as "Anonymous Correspondence".
- b) In the first instance and if required, be circulated by email to all Members with any personal and sensitive information redacted.
- c) An un-redacted copy shall be retained on file.

7. Considerations

- a) The Council may not consider anonymous letters or other anonymous communications unless there is corroborating evidence.
- b) The Council expressly reserves the right to take no action.
- c) When deciding what action to take, the following should shall be considered:
 - i. Seriousness and credibility of the issues raised and its effect on the community.
 - ii. Criminal and legal implications.
 - iii. Health and Safety of Members.
 - iv. Whether sufficient information is provided to corroborate any allegation(s) and to enable an investigation to be carried out.
 - v. Fraud or other irregularities detrimental to the Council.
- d) Anonymous communications or any form of communication considered vexatious or malicious, may be forwarded to the appropriate authorities. The Council will provide full support for those authorities to carry out an investigation.

8. Other matters

- a) The server record of anonymous communications shall be periodically reviewed, every 12 months, to identify any developing trends.
- b) Where the correspondent has provided contact details but has asked for anonymity, their right to privacy should be respected.

- c) Due caution must be exercised when reacting to anonymous communications which appear to be malicious, potentially libellous or of an extremely personal nature. The Council may consider seeking specific legal advice.

9. Review

This policy should be reviewed periodically to check compliance with legislative changes which may occur in future.

Adopted: May 2021

Review: 2024

INTENTIONALLY BLANK



Introduction

Many communities have declared a 'climate or ecological emergency' and are struggling to know what to do next. The Greening Campaign toolkit gives structure to those next steps. The Greening Campaign is specifically designed for use by Parish and Town Councils or Community Action Teams. It is a fun and cost effective way for communities to tackle the climate crisis.

For more information about the Greening Campaign visit:
www.greening-campaign.org

The Greening Campaign aims to unite communities to tackle climate change, following a tried and tested four phased programme.

Phase 1 starts with small actions showing how much CO₂ the community saves. So by the end of phase 1 the community has something to celebrate. The four phases help develop each communities vision for a sustainable future. Looking at themes like the home, biodiversity, low carbon economy, and community energy.

The Greening Campaign is designed so communities are supported both by their councils, and by each other. It shares the experiences of over 200 communities currently working through the toolkit.

Phase 1

Each household in the community will receive a Greening Campaign A5 card. The cards list practical challenges each household can take to reduce, reuse or make a difference. Households committing to these actions will proudly display them in their windows. This helps the community visualise what they have collectively achieved.

What support to communities get in Phase 1?
The Greening Campaign provides:

- Online support videos
- Full information pack
- Launch information
- Logo
- A list of challenges and savings (both CO₂ and financial)
- Forms for ordering challenge cards for each household in your community
- Calculations of the savings made by your community
- Email support throughout the process
- Feedback on CO₂ savings made



Contact

If you have any questions about the process, please contact Terena Plowright of the Greening Campaign on terenaplowright@gmail.com or Eden District Council's Sustainability Team at zero.carbon@eden.gov.uk



Costs

There are four phases of the Greening Campaign. Each phase costs £50. Eden District Council are subsidising phase 1 so it will only cost £25 for town and parish councils in Eden.

There are other costs incurred whilst working through the packages. For example in phase 1 there is a cost of printing the A5 flyers for the community. This cost depends on the size of the community as each household must receive a flyer.

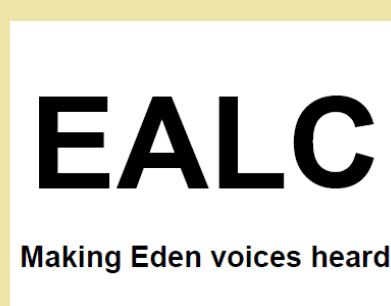
Communities are only signed up to the phase they are in. It is up to each community whether they continue to the next phase.

What is a community?

The Greening Campaign classes a community at least 250 homes, but no more than 8,000 homes. If your community is larger than 8,000 you may want to divide the community into two. If the community is smaller than this range, you may want to link with a neighbouring community.

A parish or town council must lead the communities Greening Campaign. This ensures decision making follows a democratic process.

A community cannot be an eco-group, though these groups can be a wealth of knowledge and support. It is about working with the whole community and bringing everyone forward together.



Contact

If you have any questions about the process, please contact Terena Plowright of the Greening Campaign on terenaplowright@gmail.com or Eden District Council's Sustainability Team at zero.carbon@eden.gov.uk

FULL COUNCIL

13 JULY 2021

Matter: The Great Big Green Week

Purpose of Report:

To request for the Council to sign up to The Big Green Week

Item no: 19ii

Author: Services and Contracts Manager

Supporting Member: Cllr. Jackson

Recommendations

The Committee is recommended to sign the Council up to The Big Green Week.

Law and legal implications

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.

Link to Council Priorities

In May 2019 the Council declared a Climate and Ecological Emergency and aims to make Penrith a Carbon Neutral Town by 2030.

1. Report Details

- 1.1 In May 2019 the Council declared a Climate and Ecological Emergency and aims to make Penrith a Carbon Neutral Town by 2030. The Council has recently appointed a Sustainability Officer to take forward the Council's ambitions.
- 1.2 The Great Big Green Week which will take place between the 18-26 September 2021 and will be the largest event for climate and nature seen in the UK.
- 1.3 The Great Big Green Week will involve thousands of events that will celebrate how communities are taking action to tackle climate change and protect green spaces and encourage others to get involved.
- 1.4 This report requests that the Council signs up to the Great Big Green Week and authorises for the Sustainability Officer to engage in the week, work with local partners and develop projects, initiatives that can be facilitated during the week for the local community to engage in.

2. Risk Assessment

- 2.1 There are no risks associated with this report.

3. Financial Implications

- 3.1 There are no other costs associated with this report.

4. Legal Implications

4.1 There are no direct legal implications associated with this report.

Appendices

No appendices

Background Papers

<https://greatbiggreenweek.com/>

NAME:	<u>Cllr Jonathan Davies</u>	DATE:	<u>02/07/2021</u>
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Which meeting/committee do you wish your agenda to be placed on:

(Please tick the box)

FULL COUNCIL	<input checked="" type="checkbox"/>	PLANNING	<input type="checkbox"/>
CCEG	<input type="checkbox"/>	FINANCE	<input type="checkbox"/>

MOTION TITLE

To agree that Penrith Town Council call on Cumbria County Council as the county Highways authority to create a Speed Limit Order to set a Penrith wide 20mph speed zone.

NOTES

The last year has seen a vast reduction in road traffic during the lockdowns. As measures have lifted the rapid return of traffic has made people notice even more the issues of traffic, congestion pollution and speeding that have long been issues facing every community for years.

Covid19 has made people look at how they connect with the community many having rediscovered the space around them and the importance of it. As people have started to reembrace active travel as they interact with the space around them speeding traffic again has a big impact on the options available also the impact vehicles traveling faster in our community have with pollution and noise.

The ability to interact with the space around us and enjoy our community deliver big benefits to health and wellbeing and social interaction and community.

If by reducing vehicle speeds, we can help promote active travel, reduce pollution, and deliver local environmental benefits by cutting the speed of vehicles in our community by 10mph it must be supported to deliver benefits for residents, visitors and the wider community.

Penrith needs a town wide 20mph speed limits to create safer streets, and more vibrant communities where people live, work and shop.

As a council we can support this by calling for Penrith wide default 20mph speed limits, that will include main roads and residential roads where people live work, shop, and play.

By introducing a Penrith wide 20mph limit across Penrith we can end the confusing patchwork approach to limits that currently exists and with this embed a culture of slower speeds and reducing uncertainty for road users and pedestrians and encourage more active travel in and around Penrith.

Reduced speeds deliver much more than just the road safety for road users and pedestrians in and around Penrith.

Slower speeds will encourage more active travel in and around Penrith and encourage more social driving habits with the bonus of less traffic noise on our roads and the benefits of less fuel consumption and emissions from vehicles helping to reduce pollution in our community.

The safety aspect the 20mph will deliver across Penrith is clear given that If a pedestrian is struck by a vehicle at 20mph they have a 97% chance of survival.

The big question many will ask is will it take me longer to get around at 20 mph?

The simple answer to that is No. In fact, the opposite could be the result as lower speeds increase road capacities, as the bunching effect at junctions is reduced as traffic flow improves.

Safety is the big bonus from 20mph limits but there are many more benefits to be gained for Penrith with a town wide 20mph zone that will help improve the community for all.

FACTS/ BACKGROUND DOCUMENTS

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COSTS

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BELIEVES

The purpose of the motion is to create a 20mph uniform speed zone across Penrith to deliver speed reduction, improve safety of both road users and pedestrians in the area covered.

Reduce pollution through the benefits of reduce speed both environmental and noise pollution levels.

Establish a safer community that encourages active travel alongside slower traffic on the roads of Penrith.

RESOLVES:

Penrith Town Council call on Cumbria County Council as the county Highways authority to create a Speed Limit Order to set a Penrith wide 20mph speed zone. To promote road safety and encourage active travel and help reduce anti-social driving issues and reduce traffic congestion and pollution across Penrith.