



Penrith Town Council

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

DRAFT Minutes of the meeting of

PENRITH TOWN COUNCIL

Held on **Monday 18 July 2022**, at 12.30 p.m.

PRESENT

Cllr. Bowen	Pategill Ward	Cllr. Knaggs	West Ward
Cllr. Davies	West Ward	Cllr. C Shepherd	East Ward
Cllr. Donald	North Ward	Cllr. Snell	West Ward
Cllr. Jackson	North Ward		

Town Clerk
Services and Contracts Manager
Solicitor
Deputy Town Clerk

The Town Council resolved from 20 May 2019, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence)(Prescribed Conditions) Order 2012, to adopt the General Power of Competence.

**DRAFT MINUTES FOR THE MEETING OF
FULL COUNCIL
18 July 2022**

PART I

PTC22/19 Apologies for Absence

Apologies for absence were received from Councillors Burgin, Clark, Kenyon, and Lawson.

The Town Clerk informed the meeting that Cllr. James Fallows had resigned from Penrith East Ward due to increased work commitments and that the Chair had accepted his resignation on the day of the meeting and that Eden District Council had been informed.

PTC22/20 Minutes

Confirmation of Full Council Minutes

RESOLVED THAT:

- i. The Chair be authorised to sign, as a correct record, the minutes of the meeting of the Annual Town Council held on Monday 23 May 2022 and agree the Chair sign them as such.
- ii. The notes from the improperly convened meeting of 11 July 2022 be noted.

Committee Minutes

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

- i. Planning Committee: 6 June 2022
- ii. Finance Committee: 27 June 2022

PTC22/21 Declarations of Interest and Requests for Dispensations

Members were invited to declare any disclosable pecuniary interests, other registrable interests relating to any items on the agenda. Councillor Davies declared an interest in item 17.

PTC22/21 Public Participation

a) Public Representations

Members noted that two representations were made to the informal meeting of 11 July 2022. That written statements were available for this meeting.

Resident 1 representing Penrith Chamber of Trade and Commerce queried the relevancy of the proposal and its alignment with the Levelling UP Themes and informed the meeting that there had been no consultation to support the proposal despite the bid referencing extensive stakeholder consultation.

Resident 2: Representing Penrith Futures Partnership, expressed disappointment the District Councils approach and the lack of cohesive, collaborative, strategic approach to enhance the vitality of Penrith.

PTC22/21 Public Participation

The Chair asked Members if they would agree to move item 18 to the first part of the meeting under matters of public interest. Members supported the proposal.

PTC22/22 Planning Application 22/0497

Members considered planning application 22/0497

Site address: Omega Proteins Penrith Ltd PROCESSING PLANT PENRITH
CA11 0BX

Description: Installation of 25m chimneystack. Part retrospective.

RESOLVED THAT:

- i. A response of No Objection on material planning grounds be returned to Eden District Council stating that it is essential that an odour impact assessment be carried out and that any conditions related to odour are strictly adhered to.
- ii. A letter be sent to both Eden District Council [Appendix A] and the applicants [Appendix B] conveying disappointment that yet another retrospective or part retrospective application has come forward for consideration, with EDC being asked to expedite any outstanding planning applications that may be operation critical.
- iii. A letter be sent to the Environment Agency [Appendix C] expressing concern about the level of particulates and asking for regular feedback on the situation

PTC22/23 EXCLUDED ITEM: Public Bodies (Admissions to Meetings) Act 1960

Members were asked to decide whether any items on the agenda should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960.

RESOLVED THAT:

Items 19 and 20 be considered in private session, without the press or public present as the matters involved sensitive staff matters and financial information of third parties.

PTC22/24 Penrith Local Cycling and Walking Infrastructure Plan (LCWIP)

Consider the report and the recommendations to endorse the Penrith LCWIP.

RESOLVED THAT:

The Penrith LCWIP be endorsed.

PTC22/25 Inspiring Eden Enterprise Hub

Consider the Report and recommendations contained within.

RESOLVED THAT:

- i. That a letter [Appendix D] of no support be submitted to the leader and CEO of the District Council, Leader of Eden District Council, Leader of Westmorland and Furness Shadow Council and Neil Hudson MP.
- ii. That the letter include:
 - a. Any bid for levelling up funding is targeted at the town centre and is complementary to the Borderland funding bid and any monies received.
 - b. Concern about the total lack of consultation with stakeholders.
 - c. Concern that the district council bid does not align with the required themes for Levelling Up.
 - d. The proposal is a lost opportunity to improve the vitality of the town centre.

PTC22/26 By-election Carleton Ward

Members noted that a by-election had been called for 4 August 2022 for Penrith Carleton Ward.

PTC22/27 Devolution Local Government Reorganisation (LGR)

Members were asked to consider providing delegated authority to the LGR Strategic Planning Group to submit an updated letter to the interim CEO and Leader of the Westmorland and Furness Shadow Council, expressing an interest in the devolution of both district council and county council assets and services, and in so doing secure these for the benefit of Penrith.

RESOLVED THAT:

Authority be approved.

PTC22/28 A66 Community Liaison Group - Northern Trans-Pennine Project

Members **noted** that the:

- i. Development Consent Order (DCO) application for the A66 Northern Trans-Pennine project had been submitted.
- ii. Full suite of DCO application documents would be available on the Planning Inspectorate's website on the A66 page when the application had been processed.
- iii. Planning Inspectorate would decide whether the application met the required standards before it could proceed to examination.
- iv. DCO application, when accepted, it would be advertised on the relevant websites.

PTC22/29 Joint Parking and Movement Study

Members **noted** the Joint Progress Report and were asked to consider writing to Eden District Council expressing disappointment regarding the District Council's lack of progression for initiatives for off street parking to enhance town centre vitality.

RESOLVED THAT:

Authority be awarded to the Town Clerk, Deputy Town Clerk, Council Chair and Vice Chair to write and submit a letter [Appendix E] taking into account all Members opinions as expressed within the meeting debate.

PTC22/30 Report from the Council Chair

Members **noted** the duties undertaken by or on behalf of the Town Mayor. Councillor Shepherd informed the meeting that he had visited primary schools and nurseries to deliver Penrith Town Council Jubilee coins and that he had arranged the burial of a time capsule in Coronation Gardens to mark the Queens' Jubilee. Local schools were invited with volunteers who look after the gardens on behalf of Eden District Council. The time capsule contained contributions from each school in Penrith along with other mementos.

PTC22/31 Reports from Members

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

Councillor Knaggs reported that as Deputy Mayor he had delivered Penrith Town Council Jubilee coins as well.

Councillor Jackson provided the following statement:

Update on Neighbourhood Plan for Council

Due to misinformation or inaccuracies in the public domain I would like to provide the following information to the meeting regarding the Town Council's Neighbourhood Plan. This is for information only and we are unable to debate the plan further.

Fellow members will know that the Independent Planning Inspector has recommended slight changes to some of the plan policies to bring them in line with National Planning Policy, which has been revised since our draft document was published. The Inspector has suggested the deletion of policies relating to the protection of green space and leisure and recreation space within the town. The Chair of the Council's Planning Committee wrote an open letter to the people of Penrith asking them to let us know their views on having green space within the Neighbourhood Plan. Thank you to those who responded.

PTC22/31 Reports from Members Continued

Eden District Council will now consider the report of the Inspector and our request to retain the policies on green and leisure space at Cabinet and Council in September.

It is now up to Eden District Council to consider our request which would mean them carrying out another consultation specifically on green spaces or they could just accept the Inspectors recommendations and base the referendum on his revised report.

Our Neighbourhood Plan was developed from the comments and suggestions put forward by the residents and businesses in Penrith. The people of Penrith did not want us to identify any additional land for new homes over what was already allocated in Eden District Council's Local Plan.

It is not the role of a Neighbourhood Plan to set out a detailed masterplan for the area that is the role of the principal authority working in consultation with those potentially affected.

Having looked at other towns of a similar size, they have spent between £15,000 and £40,000 developing their Neighbourhood Plans and have taken between 3 to 6 years pre covid. We started this critical project in 2016. The work was delayed for 2 years as the District Council were not able to carry out the Regulation 16 consultation and then lock down meant that the visit by the Planning Inspector was delayed. To date the Town Council has spent a total of £22,870 so £3,812 per year.

The three important benefits of the Penrith Neighbourhood Development Plan are that the people who know and love the area have helped shape development, rather than the Local Planning Authority. The Plan gives Penrith legal powers in planning law to influence development in the town. A successful yes vote at referendum means that money comes direct to the town from developers. This money can be used for improvement, replacement, operation and/or maintenance of infrastructure and other projects the Town Council is concerned with. Think what we could do to improve the Town. Development will finally pay off for Penrith! Although Eden District Council have not adopted CIL, both South Lakeland and Barrow Borough Council have. It is hoped that this will be adopted across the whole of the new authority area for Westmorland and Furness.

Any CIL revenue collected by the principal authority is passed directly to parish and Town Councils who have an adopted Neighbourhood Plan. This funding can then be used by the Town Council to make improvements or fund projects in the town matching priorities expressed by local residents.

I would strongly recommend to the public that if they have any questions about this process and the importance of Penrith's Neighbourhood Plan, that they contact the Penrith Town Council office directly.

PTC22/31 Reports from Members continued

Councillor Davies reported that he was managing ward cases for visitor parking permits with restricted height restrictions that were affecting vans delivering or attending houses as they were taller than the approved height limit. Councillor Davies expressed concern regarding graffiti, vandalism and anti-social behaviour that appeared to be increasing.

Councillor Snell informed the meeting that she had been attending PERN meetings and supporting their projects, which welcomes refugees to Penrith and encourages diversity.

Councillor Donald informed the meeting that he had volunteered as an individual for a refugee project, which he found to be uplifting and participated in a Festival of Hope, which was inspirational and that he could imagine a similar event would be beneficial for Penrith.

PTC22/34 Resolutions Tracker Report

Members **noted** the Resolutions Tracking Report and were asked to consider each report that arose for matters from the previous meeting:

a) [PTC14ii] Membership of Rural Market Town Group.

Members considered the report.

RESOLVED THAT:

- i. Members support the opportunity to remain as members of the RMTG for no fee for 12 months.
- ii. That the Town Clerk/Economic Development Officer represent the Town Council for the Officers Group.
- iii. Cllr. Burgin, who has offered to represent the Town Council, join the Members Group.

b) [PTC14 iii] Representation of Outside Bodies.

Members considered the report.

RESOLVED THAT:

- i. Appoint Cllr. Snell on the Penrith and Eden Refugee Network and Eden Health and Wellbeing Forum, which currently do not have a Town Council representative.
- ii. The LGR Strategic Planning Group considers the register of Outside Bodies of the Principal Authorities, Eden District Council and Cumbria County Council and collate information for Outside Bodies related to Penrith.

PTC22/34 Resolutions Tracker Report Continued

- iii. The LGR Strategic Planning Group consider for 2023, the development of champions for:
 - Armed Forces
 - Children and Young People
 - Older People
 - Homelessness
 - Climate Change
- iv. Approve the proposed amendments within the Guidance on Representation on Outside Bodies.

c) [PTC22/14 iv] Town Working Group Terms of Reference.

Members considered the report.

RESOLVED THAT:

- i. That a request is made to the Local Committee for Eden Working Group for the Town Working Group terms of reference to be reviewed:
 - That the Stakeholder Group to include Members.
 - That the terms partners and stakeholders be defined.
 - That the Town Stakeholder Group have its own terms of reference.
 - That a numerical value is given for membership of the Stakeholders group, e.g. 2 Officers from each of CCC, EDC, PTC, 1 each from the two BiD's, 1 from Chamber, 3 Voluntary Sector etc.
 - Detail how joint engagement sessions for members would be managed.
- ii. Clarity is sought on how the Local Committee for Eden, Penrith Members Working Group, the Town Working Group, and the Town Stakeholders Group will be transitioned into the work of Westmorland & Furness after Vesting Day.

PTC22/34 Matters from Finance Committee

Members were asked to consider and ratify the following approved recommendations from the Council's Finance Committee from their meeting held on Monday 27 June 2022. These matters had been considered and approved by the members of the Council's Finance Committee, and the Committee Chair, requested that these matters be brought to the Full Council for ratification.

RESOLVED THAT:

- i. The Budgetary Control Statement 2022/23 for the period 31 May 2022 be ratified.
- ii. The Revised Budget 2022/23 & Medium-Term Financial Plan including the amendment to the General Reserve target from 35% to 30% from 1 April 2026 be ratified.

PTC22/35 Carbon Literacy Training

Members **noted** that the first tranche of training has successfully taken place and that the second tranche of training was scheduled for 27 and 28 September.

PTC22/36 Next Meeting

Members **noted** that the next meeting was scheduled for Monday 26 September 2022 at 6.00pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

PART II PRIVATE SECTION

There were two further items in this part of the Agenda.

The following was exempt information as it related to the financial or business affairs of any particular person (including the authority holding that information) and personal sensitive information relating to members of staff and third-party financial matters.

PTC22/37 Grants

- a. Members considered the Grants Report for Stomping Ground and Penrith Pumas WRC and recommendations contained within.

RESOLVED THAT:

- i. **Stomping Ground:**
Be awarded a grant of £2,768 towards the Outdoor Play Project and Summer Activity scheme at Pategill and Thacka Beck Field, which represents 80% of project cost for the additional activity.
 - ii. **Penrith Pumas WRC:**
Be awarded a grant of £3,983 towards the purchase of a bespoke rugby wheelchair, which represents 80% of the purchase cost.
- b. Members considered the Grants Report for Eden Arts and recommendations contained within which stated that 'an organisation can only apply for an annual grant up to a maximum of three times in a Council four-year term. Each application should be for a new project on each occasion.' Eden Arts Trust was awarded a grant of £3,000 for the 2021 Winter Droving event [CCEG 06 September 2021, Minute CCEG21/16] and as such, this application is refused, as the project is the same as the previous grant awarded by this Council. Officer's recommendation was to refuse a grant.

Councillor Davies put forward a motion to provide a grant of £2,000 to support a Penrith signature event. The motion was unsupported and fell.

Members voted on the officer's recommendation to refuse a grant as the application is contrary to the Grant Scheme paragraph 2.7.

PTC22/37 Grants b Continued

Councillor Davies requested that the voting be recorded:

For: Cllrs. Donald, Jackson, Knaggs, Snell and C. Shepherd.

Against: Cllr. Davies

Abstain: Cllr. Bowen

RESOLVED THAT:

iii. **Eden Arts:**

Is not awarded a grant on this occasion as the application is contrary to the Grant Scheme paragraph 2.7 which states that 'an organisation can only apply for an annual grant up to a maximum of three times in a Council four-year term. Each application should be for a new project on each occasion.' Eden Arts Trust was awarded a grant of £3,000 for the 2021 Winter Droving event [CCEG 06 September 2021, Minute CCEG21/16] and as such, this application is refused, as the project is the same as the previous grant awarded by this Council.

PTC22/38 Staffing Matters

Members received an oral update regarding staff sickness absence management and recruitment.

CHAIR:

DATE:

**FOR INFORMATION FOR 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: <https://www.penrithtowncouncil.gov.uk/>

Background Papers

Requests for the background papers to the Part I reports, excluding those papers that contain exempt information, can be made between the hours of 9.00 am and 3.00 pm, Monday to Wednesday via:

office@penrithtowncouncil.gov.uk



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BY EMAIL 19 JULY 2022

Dear Mr McMorrow

Planning Applications: Omega Proteins

We have just considered yet another retrospective or part retrospective application relating to Omega Proteins.

Penrith Town Council has previously expressed its extreme disappointment that these applications come forward and have asked both Eden District Council and Omega Proteins to ensure that this does not happen in future.

We understand that there are a number of outstanding applications for the site currently with Eden District Council. We would ask any outstanding applications that are operational critical are expedited as soon as possible

Yours sincerely

A handwritten signature in blue ink that reads "Charles Shepherd".

Councillor Charlie Shepherd
Chair of Penrith Town Council and Mayor of Penrith



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BY EMAIL 19 JULY 2022

Dear Mr Sawrij

Planning Applications: Omega Proteins

We have just considered yet another retrospective or part retrospective planning application relating to Omega Proteins.

Although we understand that equipment has to change to reduce odour emissions and comply with changing environmental regulations, Penrith Town Council has previously expressed its extreme disappointment that these applications come forward, seemingly without a comprehensive plan for the whole site. It seems that planning permission is sometimes sought without prior thought to future development and then the development site is moved for operational reasons.

We understand that there are a number of outstanding applications for the site currently with Eden District Council and have asked that any outstanding applications that are operational critical are expedited as soon as possible which may help reduce some confusion.

Yours sincerely

A handwritten signature in blue ink that reads "Charles Shepherd".

Councillor Charlie Shepherd
Chair of Penrith Town Council and Mayor of Penrith



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BY EMAIL 19 JULY 2022

Dear Mr Miller

Omega Proteins – Thermal Oxidation

We have just considered yet another retrospective or part retrospective planning application relating to Omega Proteins for the installation of a chimney stack. We understand it is a key component of a new fuel-efficient gas-powered thermal oxidiser which should assist in better odour abatement. We considered this application in line with planning policies and understand from Eden District Council that the Environment Agency and their own Environmental Health Department are also consulted and consider applications based on your own regulations.

One of our Councillors has found information relating to Omega Proteins on www.addresspollution.org which suggests that at the site in Penrith, the annual average of the pollutant PM2.5 is 5.64mcg/m³ whilst the World Health Organisation limit is 5mcg/m³. The particles can cause asthma, respiratory inflammation and jeopardise lung function.

Please could you confirm whether the Environment Agency also monitor these pollutants and, if so, what action is being taken to reduce them and whether regular updates could be provided to the Town Council. If you do not monitor them please can you confirm who does so that we can contact them direct.

Yours sincerely

A handwritten signature in blue ink that reads "Charles Shephard".



Councillor Charlie Shepherd
Chair of Penrith Town Council and Mayor of Penrith

APPENDIX D



Penrith Town Council

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Greg Macdonald, Interim Economic Development Manager
Mr Ian Frost, Chief Executive Eden District Council
Cllr. Jonathan Brook Council Leader, Westmorland & Furness (Shadow Authority)
Cllr. Virginia Taylor, Council Leader, Eden District Council
Neil Hudson MP
Eden District Councillors

BY EMAIL

19 July 2022

Dear Colleagues

We are writing to inform you that at the Ordinary Meeting of the Penrith Town Council held on Monday 18 July 2022, there was an unanimous vote against supporting the Eden District Council's Inspiring Eden Enterprise Hub IEEH) Levelling Up bid. The meetings also agreed that the Penrith Town Council would write to you outlining the main reason for our opposition.

During the Public Participation agenda item of the meeting, the Town Council received two statements of strong opposition to the bid from Penrith Chamber of Trade and Commerce and Penrith Futures Partnership.

The key reasons for this decision were:

1. The Council believes that the bid is likely to fail as it barely, if at all, fits with the three main criterion for this Levelling Up round, i.e. Transport Investment; Regeneration and Town Centre Investment; and Cultural Investment. Other authorities who have submitted a bid appear to



understand the scope of this bidding round having put forward bids that propose town centre regeneration projects that reduce the need for transport and that aspire to reinvigorate their towns. This makes the Eden District Council bid likely to be rejected.

2. As far as we are aware, there was no stakeholder involvement nor consultation in the development of the Eden District Council proposal for the out-of-town Enterprise Hub. Indeed, this proposal came to the Council as a complete surprise when we were asked for a letter of support despite there being two established cross-authority platforms where a draft proposal could have been considered – Borderland and Penrith Stakeholder Town Working Group.
3. The Council very much doubt that stakeholders would agree with the section in the report to the Eden District Council Cabinet on 19 July which states:

“The alternatives to the proposal in this report was to either do nothing (which is consider not a viable option in the current economic climate) or produce a traditional economic strategy which can take a number or years to bring forward.”

With 101 expressions of interest, this clearly cannot be the case nor numerous town centre empty units that could be used for this proposal.

4. Council are informed that, at the time the proposal went to Cabinet, there was still no completed business plan nor feasibility study illustrating the need for this hub.
5. The land in question only has outline planning permission for categories B1, B2 and B8
6. Experts agree that out-of-town developments compete with town centres rather than sustaining them. The British Council for Offices (BCO), in their 2019 review on ‘The Future of Business Parks’, report that out-of-town developments are single use, disconnected compounds that promote single-person car use and therefore are environmentally unsustainable. They also reported that, “in recent years they (Business Parks) have fallen out of favour with investors and to some degree with occupiers too. Consequently, the future of business parks is looking more challenged, with many starting to suffer from obsolescence.”
7. We know that many local businesses already have a problem recruiting skilled people because they do not wish to live in hollowed-out towns with increasingly empty streets and shops next to a soulless out-of-town development. The out-of-town Enterprise Hub completely fails to address this issue, and, in our opinion, will inflict significant damage to the towns and villages of the Eden District.

This poorly conceived proposal that fails to meet the themes of the Levelling Up Fund is another missed opportunity for Penrith and provides a golden ticket to other bids as the proposal will fall at the first round failing to meet the requirements of the fund.



The future of Penrith requires a credible, feasible and strategic plan with extensive public and stakeholder involvement.

We urge you to rethink your proposed bid and urgently engage stakeholders in agreeing a bidding proposal to which we can all agree and support.

Yours faithfully and on behalf of Penrith Town Council,



Councillor Charlie Shepherd, Chair of Penrith Town Council



Councillor Dave Knaggs, Vice Chair of Penrith Town Council





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To:

Cllr. V. Taylor, Eden District Council Leader
Mr Ian Frost CEO, Eden District Council
Cllr. M Robinson, Eden District Council Deputy Leader
Cllr. M Tonkin, Eden District Council Services Portfolio Holder
Mr G MacDonald, Economic Development, Eden District Council
Penrith Members of the Local Committee for Eden:
Cllr. P. Bell
Cllr H. Carrick
Cllr. H. Fearon
Cllr. D. Whipp
Nick Wright, Lead Officer, Local Committee for Eden

26 July 2022

BY EMAIL

RE: Joint Parking and Movement Study

At Full Council on Monday 18 July 2022, Members unanimously agreed that we should raise our concerns about the apparent lack of progress with the implementation of the actions of the Parking & Movement Study. We understand that the lack of progress lies with Eden District Council.

Before Covid progress looked positive with well-arranged and productive stakeholders' meetings. Understandably though the pandemic slowed progress, some of work could have been done remotely as for example, National highways did with the A66 dualling plans.



However, as far as we are aware, the only item that has been completed is the method of payment at Eden District Council carparks. None of the other items appear complete including those shown to have six-month lead time; the latest progress report indicates the majority of items are two years way. Because of this apparent lack of progress regarding the District Councils off street parking review for parking tariffs, season ticket allocation and permit provision, as recommended by the consultants, Cumbria County Council have had to delay their review for on street parking.

Our greatest concern is that in nine months the Parking and Movement Study will be the responsibility of Westmorland and Furness authority and this joint project may not be valued as a priority.

Could we suggest that there are actions identified and "accelerated" to restore confidence that the study has not been a waste of time and money.

We would appreciate reassurance that this plan will be progressed as a matter of priority and that urgent action will be taken to complete actions that have fallen behind schedule.

Yours faithfully,



Cllr. Charlie Shepherd, Council Chair, Penrith Town Council

