



Penrith Town Council

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

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

DATE: 17 January 2023

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of **PENRITH TOWN COUNCIL** will be held on **Monday 23 January 2023**, 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 **Unit 2, Church House, Friargate, Penrith.**

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 Friday 20 January 2023.

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.gov.uk

FULL COUNCIL MEMBERSHIP

Cllr. Bowen	Pategill Ward	Cllr. Kenyon	North Ward
Cllr. Burgin	South Ward	Cllr. Knaggs	West Ward
Cllr. G. Clark	North Ward	Cllr. Lawson	Carleton Ward
Cllr. M. Clark	South Ward	Cllr. Rudhall	East Ward
Cllr. Davies	West Ward	Cllr. M. Shepherd	North Ward
Cllr. Donald	North Ward	Cllr. C Shepherd	East Ward
Cllr. Hawkins	East Ward	Cllr. Snell	West Ward
Cllr. Holden	Carleton Ward		

Mrs V. Tunnadine, Town Clerk, PSLCC

Public Participation

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.

Filming

Please note that this meeting may be filmed for live or subsequent broadcast via the internet or social media.

Please be advised that the Town Council does not record or live stream meetings.

Penrith Town Council fully supports the principle of openness and transparency and has no objection to filming and reporting at its Full Council, and Committee meetings that are open to the public. It also welcomes the use of social networking websites, such as Twitter and Facebook, to communicate with people about what is happening, as it happens. Filming will only commence at the beginning of a meeting when the Chair opens the meeting with apologies and will finish when the meeting is closed or when the public may be excluded from an exempt item. The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

General Power of Competence

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 ORDINARY MEETING OF FULL COUNCIL 23 JANUARY 2023

PART I

Members are asked to:

1. Apologies

Receive apologies from Members.

2. Confirmation of Full Council Minutes

Authorise the Chair to sign, as a correct record, the minutes of the meetings of Full Council held on Full Council Monday 19 December 2022.

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

- a) Receive questions or representations from members of the public. A period of up to 15 minutes for members of the public to ask questions or submit comments.
- b) Receive reports from District and County Councillors

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 any items should be considered in detail, 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.

Members are asked to note that matter 13 may be considered as part of item 9 providing salary scale grades are not discussed in the public domain and note that salaries are set nationally by the National Joint Council for Local Government Services.

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 Tracker

Note the report.

9. Matters from the Finance Committee

Ratify the following approved matters a) to c) from the Council's Finance Committee from their meeting held on Monday 16 January 2023 which have been considered and approved by the members of the Council's Finance Committee. The Committee Chair has requested that these matters be brought to the Full Council for ratification and approval:

a) Budgetary Control Statement 2022/23: 31 December 2022

Ratify the Budgetary Control Statement for the period 31 December 2022.

b) Proposed Budget 2023/24

Note that the 2023/24 proposed budget and precept application was developed, and considered by Council's Finance Committee and the Chair recommends that Council approves:

- i) The Forecast Outturn expenditure for 2022/23 of £417,092.
- ii) The maximum grant for the Signature Events Grant Fund be £5,000 per event per annum and the Signature Events Grant Fund Scheme be updated accordingly with an annual budget of £20,000 be established for 2023/24 as included in the proposed budget.

- iii) The Proposed Budget 2023/24 with total expenditure of £575,665 which includes:
- a. Salaries payable to Council staff in 2023/24, as detailed in the supporting confidential report.
 - b. The inclusion of Christmas lighting, Town Greening, and Town Dressing into the schedule of work for 2023/24 with costs met from the Town Projects budget.
 - c. The creation of an Elections Reserve of £30,000 met from underspending from the current year budget and thereafter a contribution of £5,000 per annum is made over the full term of the Medium-Term Financial Plan.
 - d. The budgeted transfers to and from financial reserves and the proposed level of those reserves.
 - e. The parameters and forecasts in the Proposed Medium Term Financial Plan.
- iv) A formal written request be made to Eden District Council to pay the sum of £468,295 to Penrith Town Council as its precept for the year 2023/24, representing a nil increase in Council Tax.

c) Draft Policies

Ratify the following draft policies to operate during the 2023/24 financial year:

- i. Reserves Policy
- ii. Investment Strategy
- iii. Social Media Policies and Training Policy

Business Of Public Interest

10. Penrith Football Club

Penrith Association Football Club (AFC) are seeking from the Town Council a letter of support as they are working in partnership with the Football Foundation, Eden District Council, Cumberland FA to build a new full size floodlit artificial grass pitch at Frenchfield Park Stadium, Penrith. The pitch will be multi use and available to the community from 8:00am – 10:00pm, 7 days a week. The principal funder is the Football Foundation. Eden District Council have committed £100k towards to the total project costs that are likely to be circa £800k. Penrith AFC are also contributing. A planning application has been submitted and it is anticipated that the new pitch will be available for use late 2023.

Members are asked to approve the draft letter of support.

11. Draft Neighbourhood Plan Update

Note the report.

12. Next Meeting

Note the next meeting of Council is scheduled for Monday 27 March 2023 at 6.00pm, Unit 2, Church House, Friargate, Penrith.

PART II – PRIVATE SECTION

The following matters are considered exempt information as they relates 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.

13. Proposed Budget 2023/24: Staff Salaries Information

Staff salaries report for 2023/24.

14. Staffing Matters

Members are asked to note the update report.

FOR THE ATTENTION 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: <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 9.00am and 3.00pm, Monday to Wednesday via office@penrithtowncouncil.gov.uk



Penrith Town Council

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

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

ITEM 2

DRAFT Minutes of the Ordinary Meeting of Penrith Town Council held on Monday 19 December 2022, at Unit 2, Church House, Friargate, Penrith.

PRESENT

Cllr. Bowen	Pategill Ward	Cllr. Knaggs	West Ward
Cllr. Burgin	South Ward	Cllr. Lawson	Carleton Ward
Cllr. G. Clark	North Ward	Cllr. Rudhall	East Ward
Cllr. M. Clark	South Ward	Cllr. M. Shepherd	North Ward
Cllr. Davies	West Ward	Cllr. C Shepherd	East Ward
Cllr. Holden	Carleton Ward	Cllr. Snell	West Ward
Cllr. Kenyon	North Ward		

Town Clerk

Services and Contracts Manager

Solicitor

Deputy Town Clerk

Economic Development Officer

Responsible Finance Officer

DRAFT MINUTES FOR THE ORDINARY MEETING OF FULL COUNCIL

19 December 2022

PTC22/76 Apologies for Absence

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

PTC22/77 New Member Acceptance

Members welcomed Councillor Gywn Clark who was democratically elected unopposed to represent Penrith North Ward and noted that the Town Clerk had received completed Declaration of Acceptance of Office forms and Register of Interest form.

PTC22/78 Minutes

a) 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: 7 November and 5 December 2022
- ii. Finance Committee: 14 November 2022

b) Confirmation of Full Council Minutes

Members were asked to authorise the Chair to sign, as a correct record, the minutes of the meeting of the Town Council held on Monday 7 November 2022.

RESOLVED THAT:

The minutes be approved and the Chair sign the minutes.

PTC22/79 Declarations of Interest and Requests for Dispensations

Members were invited to provide declarations by Members of interests in respect of items on this agenda and apply for a dispensation to remain, speak and/or vote during consideration of that item. The following declarations were made:

- i. Item 5a – Beacon – Membership or links to Friends of the Beacon – Cllrs. Burgin, Holden, Lawson, Rudhall, C Shepherd and Snell.
- ii. Item 5b – Cllrs identified themselves as ward councillors for the areas included in the motion – South Ward and North Ward members.
- iii. Item 11 – Cllr. Davies – the subject
- iv. Item 11 – Cllr. Knaggs – complainant
- v. Item 11- Cllr. Lawson – EDC Accounts and Governance Committee

PTC22/80 Public Participation

Members noted that there were no questions or representations from members of the public, nor reports from District and County Councillors.

PTC22/81 Excluded Item: Public Bodies (Admissions to Meetings) Act 1960

Members were asked to determine whether items 20 and 21 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.

RESOLVED THAT:

Items 20 and 21 be considered in private session.

ROUTINE BUSINESS MATTERS

PTC22/82 Report from the Council Chair

Members noted the duties undertaken by or on behalf of the Town Mayor. The Mayor reported that he attended the Royal British Legion Poppy Launch, the Armistice two minute silence on 11/11/2022 and the parade and civic church service of Remembrance on 13 /11/22 where, as Mayor, Councillor Shepherd had hosted the MP Neil Hudson, and the deputy Lord Lieutenant, Lord Inglewood and their wives. Councillor Shepherd also attended tree planting at Thacka Beck field where 350 trees have been planted with the help of local community groups.

PTC22/83 Reports from Members

Members received and noted the following oral reports from Councillors:

Cllr. Bowen said she was delighted to inform the meeting that a local resident, a Syrian refugee, had gained catering qualifications and opened up her own successful business which has been acknowledged when she was presented with a special award at the Cumbrian Women of the Year lunch.

Cllr. Snell reported that she has continued to attend the health and well-being forum and future projects were looking at developing resources and support for the young people LGBTQIA+ community.

Cllr. Holden informed the meeting that she had been involved in a tree planning project for the Queen's Green Canopy at Carleton Park and attended the CALC finance training session which she has found useful and informative.

PTC22/83 Reports from Members continued

Cllr. Kenyon informed the meeting that he had attended a climate and sustainability course and that Penrith Action for Community Transition were working with Cumbria Action for Sustainability to deliver "Solar Made Easy" across Cumbria which is expected to be rolled out in Penrith in May 2023.

Cllr. Knaggs acknowledged that Cumbria County Council had provided £2m of additional funding for school food to ensure that all children continue to access healthy, nutritious food at a time when many families are struggling due to the cost-of-living crisis. Cllr. Knaggs reminded members that this aligned with the resolution made by the Council at its October meeting to lobby for additional support for families. Cllr. Knaggs noted the update within the Resolutions Tracker for Warm Spaces and the information that was available on the Council website for Warm spaces and cost of living support. Cllr. Knaggs was pleased to inform the meeting that he had completed the Carbon Literacy training.

Cllr. Burgin informed the meeting that he had attended the Rural Services Network Meeting.

PTC22/84 Resolutions Tracker

Members noted the report.

PTC22/85 Matters from Finance Committee

Members considered the approved recommendations from the Council's Finance Committee from their meeting held on Monday 14 November 2022 which had been considered and approved by the members of the Council's Finance Committee. The Committee Chair had requested that these matters be brought to the Full Council for ratification:

- a) Ratify the budgetary control statement for the seven-month period to 31 October 2022.

RESOLVED THAT:

The budgetary control statement be ratified.

- b) Ratify the fee of £825 to be charged to Board and Elbow for use of the Cornmarket area in 2023.

RESOLVED THAT:

The fee of £825 be ratified.

BUSINESS OF PUBLIC INTEREST

PTC22/86 Code of Conduct Complaints

Members were asked to consider the notifications which had been received from Eden District Council of certain breaches of the Code of Conduct and in so doing Members:

- a) Noted the circumstances relating to the notifications and the requests which had been made of the Town Council.
- b) Noted that all town Councillors would be invited to attend social media training should the revised Social Media policy be adopted.
- c) Noted that the member who is the subject of the notifications no longer sits as a member of any committee of the Town Council.

The Chair informed the meeting that Councillor Davies had been invited to make a representation to the meeting after which Members would consider the representation and decide what action, if any, to take pursuant to the Council's standing orders and the Guidance for Town Councillors appointed to outside bodies.

The Chair informed Members that they may debate the matter in private session without the press, public and Councillor Davies being present and if Members decide to debate in private, Members would remove themselves to the Council Board Room and return to the meeting room to decide the matter.

Councillor Davies was invited to make his representations.

Councillor Davies approached the Chair with a toilet roll which he slammed on to the table in front of the Chair. Councillor Davies said that the Council would need the toilet roll if they chose to impose any sanction against him and that if this was the case he would take legal action against the Council and said that a storm was coming the Council's way in the next few weeks. Councillor Davies referred to the first finding of a code of conduct breach which he considered to have been politically motivated. He also referred to the second finding of a code of conduct breach and stated that his comments had been made in his personal capacity. He claimed that Eden District Council had breached his human rights and his ability to express his personal views and that the Town Council was potentially breaching his human rights.

The Chair moved that Members consider the representation in private which was duly seconded. Members voted on by a show of hands.

RESOLVED THAT

Members consider the representation in private.

PTC22/86 Code of Conduct Complaints continued

Members withdrew into the Boardroom to consider the issue and receive legal advice. Councillors Davies, Knaggs and Lawson remained in the meeting room.

Members returned to the room after 32 minutes. The Chair informed the meeting that Members had considered the representation and Members were now being asked decide what action, if any, to take pursuant to the Council's standing orders and the Guidance for Town Councillors appointed to outside bodies. The Chair informed the meeting that Councillor Davies currently represented the Town Council on the Cumbria County Council Borderlands Town Team.

The Chair moved that Councillor Davies no longer represent the Town Council on the Cumbria County Council Borderlands Town Team which was duly seconded. Members voted by a show of hands.

RESOLVED THAT:

Councillor Davies no longer represent Penrith Town Council on Cumbria County Council Borderlands Town Team.

PTC22/87 Devolution Local Government Reorganisation

Members were provided with an update of the work of the Local Government Review Strategic Planning Group (LGRSPG) and were asked to consider the recommendations from the Council's Strategic LGR Planning Group.

RESOLVED THAT:

- i. The work of the Local Government Review Strategic Planning Group be noted.
- ii. The options appraisal as set out in paragraph 1.9 be approved.
- iii. Prior to any devolution of Children's Play Areas an independent playground inspection for each site be commissioned as part of the due diligence process and that the inspection report be jointly commissioned with the devolving authority with the Council's costs met from the LGR budget.
- iv. The Solicitor investigates By Laws for each site and arranges Land Registry searches as deemed necessary.
- v. The Council reaffirms its commitment to the Devolution of Assets with Eden District Council and Westmorland and Furness Council.
- vi. The Council continues to pursue Eden District Council for a written position on its Asset Devolution Policy.
- vii. The Council expresses an interest in the devolution of the Memorial Gateway at Castle Park as part of any transfer of the full park.
- viii. The next scheme of work to be considered by the group includes a review of Public Toilets and the Cemetery

PTC22/88 Castle Park Planning Application 22/0550 Update

Members were asked to note the report and consider submitting a response to Eden District Council.

RESOLVED THAT:

The Deputy Town Clerk and the Chair of Planning Committee, develop and submit a response regarding items 1.7 and 1.8 in the report.

PTC22/89 Draft Neighbourhood Plan Update

Members noted the report and the further submission which had been made to Eden District Council following the Planning Committee's consideration of the matter.

PTC22/90 Motions on Notice – Proposed by Cllr. Davies

Councillor Davies withdrew both motions on notice – agenda items 15a and 15b.

PTC22/90 Parking and Movement

Members received a written update on the progress of the Penrith Parking & Movement Study.

PTC22/91 Borderlands Priority Planning

Members received a written update on the Borderlands Partnership Growth Deal.

PTC22/92 Arts & Culture Penrith

Members received a written update regarding how Penrith Town Council works in partnership with and actively supports stakeholders to encourage and deliver arts, culture, heritage, recreation and tourism events and projects in Penrith. The report identified that the stakeholder group is a formally constituted group of the Council.

PTC22/93 Next Meeting

Members noted that the next meeting of the Full Council was scheduled for Monday 23 January 2023 at 6.00pm, Unit 2, Church House, 19-24 Friargate, Penrith.

PART II PRIVATE SECTION

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.

PTC22/94 Grants

Members considered the Grant Report and recommendations contained within.

Members informed the meeting of their interests:

Cllr. Davies attended the AGM for the 106 Partnership and Clifton Community Council provided a grant to the scheme, sourced storage accommodation for the Lions and assisted Eden Local with their grant application.

Cllr. Kenyon monitors the account of Penrith Lions.

RESOLVED THAT

- i. That the 106 Partnership be awarded a grant of £1500.
- ii. Feedback be provided to Penrith Lions that although the Town Council fully supported the application, the Lions should provide all the information required, including quotes, to enable Council in January to give it consideration.

PTC22/95 Staffing Matters

Members noted the oral update report.

CHAIR:

DATE:

**FOR THE ATTENTION 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:

<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

FULL COUNCIL

23 January 2023

ITEM 8: Resolutions Tracker

This is a public report

Reference	Activity	Status
PTC22/86	Amend meeting membership for Borderlands	Completed
PTC22/88	Submit Castle Park Planning Application 22/0550 response	Completed
PTC22/94	Grants – provide feedback and award where appropriate	Completed

FULL COUNCIL

23 January 2023

Matter: Budgetary Control Statement 2022-23:

Expenditure to 31 December 2022

Purpose of Report:

Ratify the budgetary control statement for the nine-month period to 31 December 2022.

Item no: 9a

Author: RFO

Supporting Member: Cllr Dave Knaggs, Finance Committee Chair

This is a public report

Recommendations

Finance Committee is recommended to review and approve the budgetary control statement and forward it to Council for ratification.

Law and legal implications

The Town Council resolved from 20 May 2019, until the next relevant Annual Meeting of the Council, who 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.

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 2022-23, which was ratified by Council on 24 January 2022.
- The Latest Budget for the full year; no changes have been made to the Revised Budget which was approved in July this year.
- The budget to date, based on the latest budget for the year. This proportion is the anticipated budget for the first nine 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 (i.e., 9/12ths for the current period), however more detailed profiles have been used for several budget headings.
- Actual income and expenditure to 31 December 2022, 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 committed 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 December 2022. 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. The transfer of balance on the Acquisitions Reserve is planned for 31 March 2023.

B. Commentary

The statement shows underspending on most budget headings, continuing the trend from the October statement. The following comments concentrate on unusual or unexpected variances.

B.1 Income

Overall income of £354,245 exceeds the profiled budget of £348,458 by £5,787.

- The approved budget set a very modest amount for investment income, which was increased in the revised budget. Returns have continued to improve, and income is well above profile

B.2 Planning Committee

Expenditure of £3,743 is shown against the profiled budget of £17,725, an underspending of £13,982.

- The only notable expenditure is on Carbon Literacy Training, where £2,910 has been spent against the full annual budget of £1,000. The excess can be offset against underspending elsewhere in the Climate Change budget.

B.3 CCEG Committee

Net spend of £39,471 is shown against the profiled budget of £91,375, an underspending of £51,904.

- The Revised Budget transferred £7,000 from Large Grants to Arts & Culture Development to meet an expected overspending due to events earlier in the year. The anticipated overspend has been reduced to £937, which can be set against substantial underspending elsewhere, notably Town Projects £8,063, Greening £5,000, Grants £23,679 and Participatory Budgeting £7,500.

B.4 Finance Committee

Net expenditure of £258,441 is shown against the budget to date of £289,036, an underspending of £30,595

. The main variances are as follows:

- The Staffing budget is currently underspent by £14,011. The new posts of Community Services Officer and RFO were taken up later than anticipated in the Revised Budget and sickness absence continues. An overspend of £1,004 on Recruitment Expenses reflects the need to re-advertise vacancies.
- Heat, Light and Water expenditure includes estimates of costs since the last invoices from the Council's landlord. Since those invoices are received sporadically, the latest trends may not be forecast accurately, however an overspend of £903 suggests that the Council's costs are increasing, similar to the national picture.
- The IT budget is currently underspent by £992, although there will be new expenditure on equipment for the incoming posts.
- The £25,500 initial contribution to the Thacka Beck development was budgeted for December, the actual cost to date is £14,375 for the path and £846 for a bench.
- The various Devolved Services headings show an underspend totalling £12,181, which is assumed to be an additional transfer to the Devolution Reserve.
- There has been no expenditure to date on Local Government Re-organisation, budget £11,250, nor on Officer Support to projects, budget £2,250.

B.5 Total Expenditure & Increase/Decrease in General Reserve

- The individual variances result in an underspending of £102,331 against the profiled total expenditure budget of £403,986. As there is £5,550 more income, there is a net variation of £108,118 on the profiled amount transferrable to the General Reserve.

B.6 Reserves

- The Actual to date column includes the General Reserve balance at 1 April 2022 of £428,090 which is now included in the Revised Budget.

The profiled budget assumes that the Reserve should decrease by £55,528 in the period, resulting in a balance of £372,562 at 31 December 2022. The actual balance on the reserve at the month end is £480,680, which is £108,118 higher than expected.

- The Devolution Reserve opened the year with a balance of £149,855, again included in the Revised Budget. The actual amount of £2,483 transferrable into the Devolution Reserve is £12,181 higher than profile.

C. Balance Sheet (Appendix B)

Appendix B shows the Council's balance sheet as at 31 December 2022. The following points may be noted:

- The total invested of £716,113 includes £630,000 placed with CCLA.
- The main debtor balance is £4,198 VAT reclaimed from HMRC.
- Prepayments of £5,773 include adjustments for insurance, office rental, licences, subscriptions and maintenance agreements.
- The HSBC Bank balance stands at £102,264, to provide cash flow for the next few months.
- Accruals of £10,820 represent goods and services received before 31 December 2022, where the payment was not made by that date. Individual items include grounds maintenance, caretaking and audit and accountancy fees.
- The Payroll Control balance of £13,531 relates to deductions calculated in the December payroll; the total is due to HMRC for income tax and national insurance and to the Cumbria Pension Fund for superannuation.

The Receipts in Advance figure represents income for the period 1 April 2022 to March 2023, already received from Eden DC as precept and grants.

D. Conclusion

The budgetary control statement shows that net spending to 31 December 2022 was around £102,000 below the Latest Budget for the period.

Finally, there are no issues arising from the Council's balance sheet at 31 December 2022.

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: NINE MONTHS ENDED 31 DECEMBER 2022

Approved Budget 2022-23	Latest (Revised) Budget 2022-23	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£	£		£	£	£
		INCOME			
		Precept:			
455,209	455,209	Council Tax	341,407	341,407	0
7,390	7,390	CTRS Grant	5,543	5,542	(1)
		Other Income:			
250	2,000	Investment Income	1,500	7,296	5,796
10	10	Miscellaneous Income	8	0	(8)
462,859	464,609	TOTAL INCOME	348,458	354,245	5,787
		EXPENDITURE			
		PLANNING COMMITTEE:			
		Planning:			
}	}	Officer Support	0	0	}
10,000	10,000	Planning Consultancy	7,500	833	6,667
}	}	Consultation	0	0	}
10,000	10,000		7,500	833	6,667
		Climate Change:			
5,000	5,000	Community Consultation	3,750	0	3,750
2,000	2,000	Internal Business Plan	1,500	0	1,500
1,000	1,000	Carbon Footprinting: High level baseline	750	0	750
500	500	Carbon Footprinting: Calculator licence	375	0	375
3,000	3,000	BIG STEP	2,250	0	2,250
800	800	Staff Development/Exceptional Expenses	600	0	600
1,000	1,000	Carbon Literacy Training	1,000	2,910	(1,910)
13,300	13,300		10,225	2,910	7,315
23,300	23,300	Planning Committee Total	17,725	3,743	13,982
		CCEG COMMITTEE:			
		Town Projects:			
10,000	10,000	Town Projects	7,500	3,187	4,313
5,000	5,000	Marketing Penrith	3,750	0	3,750
15,000	15,000		11,250	3,187	8,063
		Arts & Entertainment:			
7,500	7,500	Officer Support	5,625	757	4,868
10,000	17,000	Arts & Culture Development	17,000	17,937	(937)
17,500	24,500		22,625	18,694	3,931
		Environment:			
5,000	5,000	Greening	5,000	0	5,000
		Grants:			
15,000	15,000	Small Grants	11,250	1,000	10,250
15,500	15,500	Grow Nature Grants	11,625	1,460	10,165
26,500	19,500	Large Grants	14,625	11,361	3,264
57,000	50,000		37,500	13,821	23,679
		Corporate Communications:			
7,500	7,500	Community Engagement	5,625	2,249	3,376
2,500	2,500	Press Support	1,875	1,520	355
10,000	10,000		7,500	3,769	3,731
		Participatory Budgeting			
10,000	10,000		7,500	0	7,500
114,500	114,500	CCEG Committee Total	91,375	39,471	51,904

Approved Budget 2022-23	Latest (Revised) Budget 2022-23	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£	£		£	£	£
		FINANCE COMMITTEE:			
		Staffing:			
196,850	204,850	Salaries	148,356	136,685	11,671
19,960	21,470	National Insurance	15,511	13,662	1,849
39,170	42,200	Superannuation	30,964	30,328	636
500	1,750	Recruitment Expenses	1,750	2,754	(1,004)
950	950	Staff Training	713	775	(62)
1,000	1,000	Conferences	750	0	750
500	500	Staff Expenses	375	204	171
258,930	272,720		198,419	184,408	14,011
		Accommodation:			
7,500	7,500	Rent	5,625	5,625	0
1,800	1,800	Heat, Light & Water	1,350	2,253	(903)
920	920	Service Charges	690	1,016	(326)
1,730	1,730	Room Hire & Meetings	1,298	1,391	(93)
380	380	Insurances	285	293	(8)
(10)	(10)	Letting Income	(8)	0	(8)
12,320	12,320		9,240	10,578	(1,338)
		Civic Functions:			
400	400	Civic Functions	300	76	224
700	700	Mayoral Expenses	525	0	525
300	300	Deputy Mayor's Expenses	225	0	225
100	100	Civic Regalia	75	102	(27)
1,500	1,500		1,125	178	947
		Cost of Democracy:			
200	200	Annual Meeting	200	225	(25)
1,000	1,000	Members' Training	750	160	590
200	200	Members' Expenses	150	0	150
200	200	Notice/Honours Board	150	0	150
1,600	1,600		1,250	385	865
20,000	20,000	IT	15,000	14,008	992
2,050	2,050	Website	1,538	316	1,222
		Devolved Services:			
800	800	Allotments	488	(450)	938
400	400	War Memorial	300	0	300
1,500	1,500	Benches	1,125	0	1,125
5,780	8,750	Bus Shelters	3,555	3,330	225
1,750	1,750	Bandstand	1,313	429	884
800	800	Musgrave Monument	600	220	380
3,300	3,300	Fairhill Park	2,475	6,024	(3,549)
	0	Fairhill United Utilities Planting Maintenance	0	0	0
3,700	28,700	Thacka Beck	27,775	16,746	11,029
300	300	Signage, etc	225	0	225
8,800	8,800	Community Caretaker	6,600	5,976	624
19,214	(8,756)	Contribution to/(from) Devolution Reserve	(9,698)	2,483	(12,181)
46,344	46,344		34,758	34,758	0
15,000	15,000	Local Government Re-organisation	11,250	0	11,250
3,000	3,000	Council Projects: Officer Support	2,250	0	2,250
		Other Overheads:			
1,800	1,800	Printing, Postage & Stationery	1,350	2,206	(856)
1,450	1,450	Audit Fees	1,088	798	290
3,800	3,800	Insurance	2,850	2,432	418
130	130	Bank Charges & Interest	98	99	(1)
2,600	2,600	Accountancy Fees	1,950	1,263	687
1,500	1,500	Legal Fees	1,125	2,135	(1,010)
500	500	Licences	375	669	(294)
4,160	4,160	Subscriptions	3,120	2,627	493
15,940	15,940		11,956	12,229	(273)
3,000	3,000	Repairs & Renewals	2,250	1,581	669
379,684	393,474	Finance Committee Total	289,036	258,441	30,595

Approved Budget 2022-23	Latest (Revised) Budget 2022-23	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£ 12,000	£ 7,800	Contingency	£ 5,850	£ 0	£ 5,850
0	(50,000)	Transfer to/(from) Acquisitions Reserve	0	0	0
529,484	489,074	TOTAL EXPENDITURE	403,986	301,655	102,331
(66,625)	(24,465)	INCREASE/(DECR) IN GENERAL RESERVE	(55,528)	52,590	108,118
		RESERVES:			
		General Reserve:			
358,758	428,090	Balance brought forward 1 April 2022	428,090	428,090	0
(66,625)	(24,465)	Increase/(decrease) in year	(55,528)	52,590	108,118
292,133	403,625	Balance carried forward	372,562	480,680	108,118
		Devolution Reserve:			
147,402	149,855	Balance brought forward 1 April 2022	149,855	149,855	0
19,214	(8,756)	Contribution from/(to) 2022-23 Budget	(9,698)	2,483	12,181
166,616	141,099	Balance carried forward	140,157	152,338	12,181
		Acquisitions Reserve:			
50,000	50,000	Balance brought forward 1 April 2022	50,000	50,000	0
0	(50,000)	Contribution from/(to) 2022-23 Budget	0	0	0
50,000	0	Balance carried forward	50,000	50,000	0
508,749	544,724	TOTAL RESERVES	562,719	683,018	120,299



Penrith Town Council

BALANCE SHEET AS AT 31 DECEMBER 2022

	£	£
Investments		
Penrith Building Society	86,113	
Cumberland Building Society	0	
CCLA Public Sector Deposit Account	<u>630,000</u>	
		716,113
Current Assets		
Debtors	1,799	
Debtor - VAT	4,198	
Prepayments	5,773	
HSBC Bank Account	<u>102,264</u>	
	114,034	
Current Liabilities		
Creditors	0	
Accruals	10,820	
Payroll Control	13,531	
Receipts in Advance	<u>122,778</u>	
	147,129	
Net Current Assets		(33,095)
		<u>683,018</u>
Represented by:		
Reserves		
General Reserve		480,680
Devolution Reserve		152,338
Acquisitions Reserve		50,000
		<u>683,018</u>

FULL COUNCIL

23 January 2023

Matter: Proposed Budget 2023-24

Purpose of Report:

Consider and approve the Proposed Budget and Council Tax Precept for 2023/24, service development proposals and the proposed Medium Term Financial Plan.

Item no: 9 b

Author: John Kemp, RFO

Supporting Member: Cllr David Knaggs, Committee Chair

This is a public report

Recommendations:

- i) Approve the Forecast Outturn expenditure for 2022/23 of £417,092.
- ii) Approve the maximum grant for the Signature Events Grant Fund be £5,000 per event per annum and the Signature Events Grant Fund Scheme be updated accordingly with an annual budget of £20,000 be established for 2023/24 as included in the proposed budget.
- iii) Approve the Proposed Budget 2023/24 with total expenditure of £575,665 which includes:
 - a. Salaries payable to Council staff in 2023/24, as detailed in the supporting confidential report.
 - b. The inclusion of Christmas lighting, Town Greening and Town Dressing into the schedule of work for 2023/24 with costs met from the Town Projects budget.
 - c. The creation of an Elections Reserve of £30,000 met from underspending from the current year budget and thereafter a contribution of £5,000 per annum is made over the full term of the Medium-Term Financial Plan.
 - d. The budgeted transfers to and from financial reserves and the proposed level of those reserves.
 - e. The parameters and forecasts in the Proposed Medium Term Financial Plan.
- iv) A formal written request be made to Eden District Council to pay the sum of £468,295 to Penrith Town Council as its precept for the year 2023/24, representing a nil increase in Council Tax.

Law and Legal Implications

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

1. Report Details

A. Introduction

Draft estimates for 2023/24 were considered by the Budget Working Group on 13 December 2022. The Budget Working Group proposed a nil increase in Council Tax for next year in view of the current circumstances, the cost of living and that reserves were at a comparatively high level, giving scope for a release of resources to the annual budget over a period of years to fund new initiatives.

The Council Taxbase figure for next year has been provided by Eden DC. The figure is 5,636 representing a 2.87% increase on the previous year. Eden DC has confirmed the CTRS grant to be paid which will be £7,642.

Proposed estimates were presented to Finance Committee on the 16 January 2023, which determined to forward them to this meeting for approval.

This report presents the Proposed Budget for 2023/24 (Appendix A), including a position on growth items (Appendix C), and budget adjustments which can be financed by a nil increase in Council Tax.

A Medium-Term Financial Plan (MTFP) has been produced alongside the Proposed Budget to demonstrate that budgets can be affordable in the longer term. The Plan summarised at Appendix B is based the parameters set out in this report at item C.

This report presents a Proposed Budget for 2023/24 and Medium-Term Financial Plan, which indicate that the Council will be able to set sustainable budgets for subsequent years that will incorporate further financial growth in services and meet its target reserve level, with modest annual tax increases.

B. Proposed Budget 2023/24

Appendix A

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

- a) The Actual Outturn income and expenditure for 2021/22, for comparison purposes.
- b) The Approved Budget for 2022/23.
- c) The Forecast Outturn for the current year with the projected full year's expenditure based on trends identified from budget monitoring statements and including the effect of decisions made by Council to date and proposals for the redirection of estimates. Total outturn expenditure for 2022/23 of £417,092 is forecast to decrease by £112,392 from the Approved Budget of £529,484.
- d) The Proposed Budget for 2023/24, which allows for a continuation (standstill) budget that identifies and provides for the current committed level of service to be maintained. This involves the current year's budget being adjusted to remove any one-off items and to include the estimated costs of contractually committed changes to expenditure or income; inflationary increases have only been allowed where necessary.

Based on these estimates, the proposed precept for 2023/24 will be £468,295 the increase of £13,086 from the 2022/23 figure of £455,209 is due to a higher Council Taxbase.

- e) The position on the Council's three reserves over the two financial years.
- f) The resulting Council Tax based on the budgets representing a nil increase in the Council Tax for 2023/24.

C. Proposed Medium Term Financial Plan (MTFP)

Appendix B

Appendix B shows a forecast of income and expenditure for the years 2023/24 to 2027/28, based on the figures in the 2023/24 Draft Budget, again showing only continuation budgets. These are adjusted for planned variations, together with a modest provision for growth in subsequent years; basic figures are at April 2023 prices and future inflation has been allowed for as a global figure on staffing and running costs.

Except for a standstill Council Tax and allowance for a 4% pay award for 2023/24, the parameters adopted in the Plan are largely those in the current MTFP approved in January 2022 and updated as part of this budget review process:

- A nil Council Tax increase for 2023/24 followed by 3.0% in each of the years 2024/25 to 2027/28.
- Pay inflation of 4% in 2023/24 and 2.0% thereafter.
- Average price inflation of 5% pa (which would imply a real terms reduction in several budgets, justified by the propensity for underspending).

- Achievement of a General Reserve equivalent to 35% of net expenditure by 31 March 2025 and reducing to 30% from 01 April 2026 onwards.
- Contributions to the Devolution Reserve until expenditure on existing devolved assets reaches the agreed target figure of £46,344.

Based on these parameters, the Council can demonstrate that it has a viable and sustainable financial plan for the next five years.

D. Service Development Proposals (Growth Items)

Appendix C

Planning Committee proposed no Growth bids be considered for 2023/24, following their meeting in November.

Finance Committee proposed no Growth Bids be considered for 2023/24 following their meeting in November.

It has been confirmed to the Council that the Penrith BID revote returned a no vote and the organisation will cease as of 31 March 2023. This change in Town circumstances means that it is anticipated that there be an expectation that some of the BID'S schemes of work may fall to the Council. This budget review has taken such factors in to account and proposes an amendment to established budgets to allow the Council to meet the costs of Greening, Xmas Lights and Town Dressing under the Town Projects budget line.

As some of these schemes of work are new the narrative is included within the Service Development section of the report, although strictly the items are being budgeted for by an adjustment in existing budget lines as follows:

Town Projects is being increased from £10,000 to £47,000 by the following means:

- £10,000 retained as per the current year
- A virement of £10,000 from the Participatory Budget to Town Projects.
- A virement of £5,000 from the Town Greening Budget to Town Projects.
- A virement of £22,000 from Grants Budget to Town Projects.

Each of the budgets from where the virement is being proposed is underspent in the current year.

Going Paperless is considered to be unaffordable at this moment, allowing budget to be available to meet schemes of work which Penrith BID would have been responsible for. It is proposed that the Council considers efficiency measures to reduce its use of paper and printing costs and that other measures such as the provision of Committee administration software and the purchase of tablet devices is reviewed at a later time.

E. Detailed Budgets

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

a) Income

The precept income for 2023/24 is based on a 0.0% increase in Council Tax and a small increase in the Council Taxbase. The parameters in the Medium-Term Plan project tax income which will allow sustainable budgets and reducing the General Reserve towards its target level. The investment income budget has been increased due to higher interest rates.

b) Planning Committee

Planning Services are expected to continue at their current level of £10,000 pa; however, the inability to progress expenditure on Climate Change initiatives has delayed the majority of the programme by a further year, so as to start in 2023/24. The proposed budget includes the removal of the Climate Community Consultation budget of £5,000 which has been added to the Corporate Communications budget allowing a more varied range of uses on a Council wide level.

c) CCEG Committee

This report is written on the understanding that Members are in the future going to consider whether the CCEG Committee is reinstated.

Based on budget monitoring in the current year, a significant underspending of £58,100 is forecast for the Committee's budget lines overall in 2022/23 expenditure.

Town Projects

The budget for 2022/23 is £10,000 for Town Projects and £5,000 for Marketing Penrith. The proposed budget for 2023/24 removes in full the Marketing Penrith budget as this was a one-off external grant. The Town Projects budget is proposed to be increased from £10,000 to £47,000 to support the cost of initiatives arising from the demise of Penrith BID. This includes the virements as set out in Section D to support the costs for the provision of Greening, Xmas Lights and Town Dressing.

Arts & Entertainment

The proposed budget for 2023/24 includes £10,000 for Arts and Cultural Development and enabling the delivery of the actions contained within the Priorities Plan.

Environment

Town Greening is an area of work that the Penrith BID progressed. The budget in 2022/23 is underspent. The budget for 2023/24 proposes the virement of the Greening Budget (£5k) to Town Projects.

Corporate Communications

The Corporate Communications budget is proposed to increase to £15,000 which includes the £10,000 budgeted in the current year and supplemented by a £5,000 virement from the Climate Community Consultation budget allowing a more varied range of uses on a Council wide level.

Participatory Budget

The Participatory Budget of £10,000 is to be reallocated in full to the Town Projects budget to assist with the delivery of schemes of work arising from the demise of Penrith BID. The Forecast Outturn shows no expenditure in the current year. Whilst a Participatory Budget Policy is scheduled to be developed in the new year any budgetary implications can be considered at the time of considering the draft policy.

d) Council

Grants

The forecast outturn for the current year is £19,000. The budget for 2022/23 was £57,000. Grants have historically been underspent. A review of the Grants Budget has been undertaken as part of the budget preparation.

The proposed budget 2023/24 allows for £15,000 to be retained in the Grants budget and replaces the current separate Grow Nature, Small Grants and Large Grants scheme in to one single budget. The grant schemes will still operate under the current Grant Scheme Policy.

Council approved the Signature Grants Scheme Policy 10 October 2022, however resolved that the maximum grant and budget be recommended for approval as part of the budget setting process. Members are recommended to approve a maximum grant of £5,000 per Signature Fund event per annum and the budget for 2023/24 is £20,000 and is met from a revision to the existing grants budget.

The difference of £22,000 between the current year (£57,000) and proposed budget in 2023/24 (£35,000) is to be vired to the Town Projects budget.

e) Finance Committee

Staffing

The 2022/23 Forecast Outturn and 2023/24 Proposed Budget estimate the costs of the existing approved staff establishment. After adjusting for pay awards and recruiting for the RFO and CSO post the overall staff cost budget is £67,000 higher than in the previous budget year. Future years' forecast pay awards are provided as a global sum alongside price inflation. The 2023/24 Draft Budget assumes a full establishment. The supporting Part 2 confidential report shows the recommended salary points for each member of staff, effective from 01 April 2023. Future years' forecast pay awards are provided as 4% in 2023/24 and 2.0% thereafter.

Accommodation

The principal changes in accommodation budgets for 2023/24 relates to heat, lighting and water to reflect the increase in utility charges.

Civic Functions

There are no proposed changes to these budgets.

Cost of Democracy

The Forecast Outturn for 2022/23 is in line with the approved budget. Members are advised that the Council has been notified that Election costs for May 2023 elections are going to be met by the new Westmorland and Furness Council on a one-off arrangement. This implies that future election costs will be recharged to the Council. As such it is recommended as part of the budget process to consider an Election Reserve. It is proposed that this be in the form of £30,000 met from underspends from the current year's budget, and thereafter a contribution of £5,000 per annum over the full term of the Medium-Term Financial Plan. This budget would also be available to meet the costs of one off by elections and ensure the Council has funds to meet election costs in 2027.

IT

The expenditure for IT is in line with budget. The same budget is proposed in 2023/24.

Website

The expenditure for Website is in line with budget. The same budget is proposed in 2023/24.

Devolved Services

The Forecast Outturn for 2022/23 and the Draft Budget 2023/24 include the latest estimated costs and income for assets already transferred from Eden DC. The Medium-Term Plan no longer provides for the transfer of Play Areas and Toilets as these will be part of the larger discussion on Local Government Review (LGR). Service expenditure forecasts have been reviewed in the light of operating experience and are continued into future years.

○ Allotments

The ongoing budget includes the cost of asset maintenance, boundary repairs and hedge cutting. The 2023/24 Budget is £800.

○ Benches & Bus Shelters

There is the need for some minor refurbishment of the bus shelter on Bridge Lane which can be met from the proposed budget of £3,000. Should a new scheme come forward for a new bus shelter on the Scaws Estate the costs may be met from the Devolution Reserve once the scheme is further developed.

The budget of £1,500 for benches is intended to meet the costs of refurbishment or replacement of existing benches as required.

- Bandstand

The 2022/23 Forecast Outturn includes income of £750 from the Board & Elbow public house for use of the area; in 2023/24, income of £825 has been agreed.

- Musgrave Monument:

The 2023/24 budget of £800 meets the costs of clock inspection and survey and the maintenance inspection of the latchway inspection.

- Fairhill Park

The 2023/24 budget provides for £5,500 expenditure including costs in relation to grounds maintenance, play area inspection, tree works and other adhoc expense.

- Fairhill UU Planting Maintenance

Although the net budget is shown as £nil, the Council has received £4,000 income from United Utilities, which it is assumed will be used in annual instalments to meet the estimated £475 expenditure.

- Thacka Beck

The Council approved an additional budget of £25,500 from the Devolution Reserve to implement enhancements during 2022/23. The approved enhancements have been implemented in full during the current year. The ongoing budget is £3,700.

- Local Government Review

The 2023/24 budget proposes a £5,000 budget for the initial costs any works associated with LGR.

Contribution to Devolution Reserve

The 2018/19 Approved Budget set a target of £45,594 for Devolved Services, being the reduction in Special Expenses charged by Eden DC. This target was increased to £46,344 because of the Signage budget being added to the Devolved Services heading. It is forecast that the total cost of services will be permanently lower than £46,344 so the difference is contributed to the Devolution Reserve, which will accumulate until decisions are made on its use. In the light of LGR it is recommended as prudent to continue the contribution to the Devolution Reserve in line with current arrangements.

Other Overheads

A review of expenditure on these budgets has resulted in several minor variations.

Repairs & Renewals

For 2023/24 the budget is being reduced from £3,000 to £2,000.

f) Contingency

The general contingency provision is set at £3,000. It is considered that the main unforeseen areas of expenditure have been adjusted for as part of the proposed budget i.e., salaries.

g) Inflation

Anticipated pay and price inflation has been included in the detailed budgets for 2023/24. For 2024/25 onwards, the MTFP allows for compound pay inflation of 2.0% pa and price inflation at an average rate of 5% pa as a global figure.

F. Reserves

The Draft Budget and Medium-Term Plan assume a continuation of existing plans for reserves but with the introduction of a new Elections Reserve.

General Reserve

The Council has a policy of reaching a target balance in the Reserve equivalent to 35% of its forecast net expenditure by 31 March 2025, reducing to 30% from 01 April 2026. Underspending in previous years, and a forecasted underspend of £112,000 this financial year, mean that this target is not yet met. As a result, there are resources in the Reserve which can be used to fund service delivery over the life of the Plan.

Devolution Reserve

As noted above, the Reserve is being built up from contributions from the Devolved Services budget heading until the total cost of those services reaches £46,344. Appendix B shows that the MTFP projections forecast that this target figure will not be reached and that contributions will stabilise at £17,944 in 2025/26, leading to a balance of £255,369 on 31 March 2028. The reserve is intended to act as a cushion against the longer-term full costs of devolved assets being higher than expected, necessary renovation and/or improvements and any expectations arising from LGR.

Acquisitions Reserve

This reserve will be removed in March 2023.

Elections Reserve

This report proposes as part of the budget process to consider the creation of an Election Reserve. It is proposed that this be in the form of £30,000 met from underspends from the current year's budget, and thereafter a contribution of £5,000 per annum over the full term of the Medium-Term Financial Plan. This budget would also be available to meet the costs of one off by elections and ensure the Council has funds to meet election costs in 2027.

G. Council Tax

The current year's Band D Council Tax is £83.09 per property. Adoption of the Proposed Budget for 2023/24 would result in a nil increase. The proposed budget is based on a confirmed Council Taxbase of 5636 (2.87% increase), resulting in a precept of £468,295.

The Medium-Term Plan at Appendix B indicates that a 3.0% increase in Council Tax in each of the following four years would fund sustainable base budgets with an allowance for growth and meet the Council's target reserve.

H. Observations

- i) This will be the third year in a row that a nil increase is proposed. While there is no need in the short term for an increase, the medium-term forecasts allow for only modest financial growth over the life of the MTFP. All other things being equal, the introduction of more ambitious new spending programmes in future years would require tax increases beyond the 3.0% factored into the Plan. If this were the case, a nil increase now would represent a lost opportunity to secure a higher base income: a 1.0% rise in 2023/24 would represent around £24,000 additional income over the five years of the Plan.
- ii) The latest rate of inflation as measured by the Consumer Price Index is 11.1% (October 2022), much higher than the Bank of England's 2.0% target and the highest in a long time. The main reason is higher energy and fuel costs, which are not a large component of the Council's expenditure.
- iii) The Medium-Term Financial Plan assumes average inflationary price increases of 5% pa. This may appear to be low, particularly when CPI is expected to be above this until well into 2023. In reality, the Council has not automatically inflated budgets each year recently, only where contractually committed, yet there has been no pressure on budgets and significant overall underspending. At the present time, while acknowledging that a 5% increase may suggest real terms cut in budgets, this is not considered to be a problem.
- iv) We do not know the outcome of the negotiations for the April 2023 staff pay round. The trade unions are suggesting inflation linked pay rises; however, this is considered unlikely given the settlement this year and examples in the media of other public sector pay disputes. The Draft Budget allows for 4% wage inflation and MTFP assumes 2% from 2024/25 thereafter and appears reasonable.
- v) Superannuation contributions are assessed triennially; and will increase from 19.9% this year to 21.5% from April 2023. Contributions are based on actuarial forecasts such as age of the workforce, working lives and life expectancy, together with economic factors such as inflation and investment returns. The effect of the increase in contributions from April 2023 will be £3,960 next year (£19,300 over the next 5 years).

- vi) Setting a precept based on a fixed or nil increase in Council Tax means that it is dependent on knowledge of the actual Council Taxbase determined by Eden DC. This figure has been confirmed by Eden DC at 5636 properties representing a 2.87%. The MTFP assume 1.0% pa rises after 2023/24. Standstill Taxbases throughout the five years of the Plan would result in £90,000 less income, demonstrating how spending plans are dependent on regular healthy increases in the Taxbase.
- vii) Appendix B shows that the MTFP forecast predicts that the Devolution Reserve will continue to grow, with expenditure on the assets never reaching the target £46,344 figure and annual contributions levelling out at £17,944. By 31 March 2028, the Reserve will have a balance of £255,369, which is beyond any day to day demands. Although this is an unlikely scenario as there is bound to be the need for major repairs, improvements or upgrades which would reduce the balance, the Council may need to reconsider the purpose of the Reserve, its accumulation of resources and its potential use. It would be appropriate to conduct this review over the next twelve months when LGR has been implemented.
- viii) By far the biggest unknown in the Medium-Term Plan is the implication of Local Government Review. The Plan assumes business as usual, with no increased responsibilities taken over by the Council. This assumption may be unlikely, with the Council potentially being expected to adopt services and/or assets which may or may not come across with adequate funding, presenting a potential risk to future Council Tax levels. There is no way to predict the consequences at present, but the Council is in a strong financial position, with sustainable standstill budgets and healthy Devolution Reserve. It will be important to revise the medium-term projections when new responsibilities are being considered, to ensure that the Council's longer-term budgets remain viable.

I. NEXT STEPS

The Committee is asked to consider this report in conjunction with the draft Reserves and Investment Policies elsewhere on the agenda. Firm budget proposals will then be submitted for decision by Full Council on 23 January 2023.

2. Options Analysis including risk assessment

Risk & Consequences

The Council sets an invalid or inadequate budget.

An inability to raise a valid precept or insufficient resources to deliver the Council's objectives.

Overspendings leading to unwelcome curtailment of other spending programmes; possible unpalatable council tax increase; potential reputational damage.

An expectation to undertake schemes of work previously undertaken by others.

Controls Required

A sound budget process will address these risks.

3. Financial and Resource Implications

This report is concerned solely with financial management. All figures other than the current year's budget and last year's outturn are provisional at this stage.

Appendices

2023/24 Draft Budget:

- Budget Summary
- Summary Medium Term Financial Plan
- Service Development Proposals (Growth Items)

Background Papers

2023/24 Budget Working Papers



Penrith Town Council

PROPOSED BUDGET 2023/24

ACTUAL OUTTURN 2021/22	APPROVED BUDGET 2022/23		BUDGET HEADING	FORECAST OUTTURN 2022/23		DRAFT BUDGET 2023/24	
£	£	£		£	£	£	£
			INCOME				
450,069		455,209	Precept: Council Tax		455,209		468,295
7,551		7,390	CTRS Grant		7,388		7,642
641		250	Other Income: Investment Income		9,000		15,750
0		10	Miscellaneous Income		10		10
458,261		462,859	TOTAL INCOME		471,607		491,697
			EXPENDITURE				
			PLANNING COMMITTEE:				
			Planning:				
1,692	0		Officer Support	0		0	
5,788	10,000		Planning Consultancy	1,000		10,000	
7,480		10,000	Sub-Total		1,000		10,000
			Climate Change:				
0	1,000		Carbon Literacy Training	2,910		0	
0	12,300		Climate Efficiency	0		8,300	
0		13,300	Sub-Total		2,910		8,300
7,480		23,300	Planning Committee Total		3,910		18,300
			CCEG COMMITTEE:				
			Town Projects:				
4,458	10,000		Town Projects	3,200		47,000	
0	5,000		Marketing Penrith	0		0	
1,081	0		Covid-19 Response	0		0	
5,539		15,000	Sub-Total		3,200		47,000
			Arts & Entertainment:				
1,807	7,500		Officer Support	1,500		0	
1,986	0		Arts & Cultural Strategy	1,200		0	
215	10,000		Arts & Culture Development	18,000		10,000	
4,008		17,500	Sub-Total		20,700		10,000
			Environment:				
7,844		5,000	Greening		1,000		0
			Grants:				
9,500	57,000		Grants	19,000		15,000	
9,500		57,000	Signature Grants	0		20,000	
			Sub-Total		19,000		35,000
			Corporate Communications:				
5,264	7,500		Communications	0		15,000	
3,760	2,500		Community Engagement	2,000		0	
9,024		10,000	Press Support	3,000		0	
0		10,000	Sub-Total		5,000		15,000
35,915		114,500	Participatory Budgeting		0		0
			CCEG Committee Total		48,900		107,000
			FINANCE COMMITTEE:				
			Staffing:				
175,242	196,850		Salaries	197,771		247,200	
15,982	19,960		National Insurance	20,406		23,780	
35,824	39,170		Superannuation	42,418		53,150	
58	500		Recruitment Expenses	2,800		500	
348	950		Staff Training	950		600	
420	1,000		Conferences	500		500	
139	500		Staff Expenses	500		500	
228,013		258,930	Sub-Total		265,345		326,230

ACTUAL OUTTURN 2021/22	APPROVED BUDGET 2022/23		BUDGET HEADING	FORECAST OUTTURN 2022/23		DRAFT BUDGET 2023/24	
£	£	£		£	£	£	£
7,500	7,500		Accommodation:	7,500		7,500	
1,233	1,800		Rent	4,000		4,000	
1,181	920		Heat, Light & Water	1,200		1,020	
923	1,730		Service Charges	1,500		1,730	
390	380		Room Hire/Meetings	380		380	
0	(10)		Insurances	0		0	
11,227		12,320	Letting Income		14,580		14,630
			Sub-Total				
68	400		Civic Functions:	400		400	
700	700		Civic Functions	700		700	
300	300		Mayoral Expenses	300		300	
784	100		Deputy Mayor's Expenses	100		100	
1,852		1,500	Civic Regalia		1,500		1,500
			Sub-Total				
302	200		Cost of Democracy:	300		200	
0	0		Annual Meeting	1,000		5,000	
84	1,000		Elections	1,000		1,000	
0	200		Members' Training	200		200	
197	200		Members' Expenses	200		1,200	
583		1,600	Notice/Honours Board		2,700		7,600
			Sub-Total				
14,526		20,000	IT		20,000		20,000
533		2,050	Website		2,050		2,050
			Devolved Services:				
(1,400)	0		Bring Site	0		0	
9,142	800		Allotments	(450)		800	
838	400		War Memorial			400	
395	1,500		Benches	1,500		1,500	
1,227	5,780		Bus Shelters	5,780		3,000	
287	1,750		Bandstand	1,750		1,750	
278	800		Musgrave Monument	800		800	
3,628	3,300		Fairhill Park	3,800		5,500	
8,319	3,700		Thacka Beck	8,700		3,700	
0	300		Signage	300		300	
9,723	8,800		Community Caretaker	8,800		10,000	
0	0		Local Government Re-organisation: Plan	0		0	
13,907	19,214		Contribution to Devolution Reserve	14,964		18,594	
46,344		46,344	Sub-Total		46,344		46,344
0		15,000	Local Government Re-organisation		0		5,000
0	3,000		Council Projects:	1,000		0	
8,000	0		Officer Support	0		0	
8,000		3,000	Project Budget		1,000		0
			Sub-Total				
1,827	1,800		Other Overheads:	3,000		3,000	
1,990	1,450		Printing, Postage & Stationery	1,450		1,450	
3,366	3,800		Audit Fees	3,800		4,180	
139	130		Insurance	130		130	
1,685	2,600		Bank Charges & Interest	2,600		2,900	
77	1,500		Accountancy Fees	1,500		1,650	
430	500		Legal Fees	600		500	
3,978	4,160		Licences	4,160		3,201	
13,492		15,940	Subscriptions		17,240		17,011
			Sub-Total				
2,638		3,000	Repairs & Renewals		3,000		2,000
327,208		379,684	Finance Committee Total		373,759		442,365
0		12,000	Contingency		10,523		3,000
n/a		0	Allowance for Growth Items		0		0
0		0	Transfer to/(from) Acquisitions Reserve		(50,000)		0
			Transfer to/(from) Election Cost Reserve		30,000		5,000
370,603		529,484	TOTAL EXPENDITURE		417,092		575,665
87,658		(66,625)	INCREASE/(DECREASE) IN GENERAL RESERVE		54,515		(78,968)

ACTUAL OUTTURN 2021/22	APPROVED BUDGET 2022/23		BUDGET HEADING	FORECAST OUTTURN 2022/23		DRAFT BUDGET 2023/24	
£	£	£		£	£	£	£
340,432	69,332	358,758	General Reserve:				
87,658		(66,625)	Balance brought forward 1 April		428,090		482,605
428,090		292,133	Increase/(decrease) in year		54,515		(78,968)
	2,453		Balance carried forward 31 March		482,605		403,637
135,948		147,402	Devolution Reserve:				
13,907		19,214	Balance brought forward 1 April		149,855		164,819
149,855		166,616	Contribution from Annual Budget		14,964		18,594
			Balance carried forward 31 March		164,819		183,413
50,000		50,000	Acquisitions Reserve:				
0		0	Balance brought forward 1 April		50,000		0
50,000		50,000	Increase/(decrease) in year		(50,000)		0
			Balance carried forward 31 March		0		0
0		0	Election Cost Reserve				
0		0	Balance brought forward 1 April		0		30,000
0		0	Increase/(decrease) in year		30,000		5,000
627,945		508,749	Balance carried forward 31 March		30,000		35,000
			TOTAL RESERVES AT 31 MARCH		677,424		622,050

ACTUAL OUTTURN 2021/22	APPROVED BUDGET 2022/23		COUNCIL TAX	FORECAST OUTTURN 2022/23		DRAFT BUDGET 2023/24	
£450,069		£455,209	Precept		£455,209		£468,295
5,466.76		5,478.50	Taxbase (Band D properties)		5,478.50		5,636.00
£82.33		£83.09	Council Tax (Band D)		£83.09		£83.09
-0.91%		0.92%	Increase (%)		0.00%		0.00%



Penrith Town Council

PROPOSED MEDIUM TERM FINANCIAL PLAN SERVICE DEVELOPMENTS (GROWTH ITEMS)

REF	PROPOSAL		2023/24		2024/25		2025/26		2026/27		2027/28		TOTAL
			£		£		£		£		£		£
	Allowance for New Growth in Future Years (Illustrative)		-		10,000		10,000		5,000		5,000		30,000
	TOTAL GROWTH ITEMS		0		10,000		10,000		5,000		5,000		30,000

FULL COUNCIL

23 January 2023

Matter: Draft Reserves Policy 2023-24

Purpose of Report:

Ratify the draft policy for the management of the Councils financial reserves.

Item no: 9C i

Author: John Kemp, RFO

Supporting Member: Cllr David Knaggs, Committee Chair

Recommendations

The Committee is recommended to ratify the draft policy and forward it, with any amendments, to Council for ratification noting the deletion of the Acquisition Reserve and the proposal for a new Elections Reserve.

This is a public report.

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 Council is required, under statute, to maintain adequate financial reserves to meet the needs of the organisation.

The requirement for financial reserves is acknowledged in statute. Sections 31A, 32, 42A and 43 of the Local Government Finance Act 1992 require billing and precepting authorities in England and Wales to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.

There are also a range of safeguards in place that help to prevent local authorities over-committing themselves financially. These include:

- The balanced budget requirement:
Sections 31A, 42A of the Local Government Finance Act 1992, as amended.
- The legislative requirement for each local authority to ensure the proper administration of their financial affairs and that the proper officer has responsibility for the administration of those affairs.
Section 151 of the Local Government Act 1972.

For best practice Penrith Town Council has referred to:

- LAAP BULLETIN 99, Local Authority Reserves and Balances July 2014
- Joint Panel on Accountability and Governance Practitioners' Guide March 2022

1. REPORT DETAILS

Introduction

This report sets out the background for the determination of a reserves policy; the resulting draft provides an update on the Acquisitions Reserve and the proposed new Elections Reserve.

Legal Framework

Legislation recognises that local councils require financial reserves and must take account of them in determining their precept, however there is no statutory guidance on the nature or level of funds to be set aside in reserves, unlike in other tiers of local government, where the responsible finance officer has a duty to report on the adequacy of reserves at each budget setting. All reserves are legally part of the general fund, i.e. the Council's revenue account.

Types of Reserve and Accounting Framework

Two types of reserve are relevant to the Town Council:

- The general reserve or general fund working balance, which is used to provide working capital, smooth the impact of uneven cash flows to avoid unnecessary temporary borrowing and act as a contingency in the event of sharp budgetary changes or unexpected events or emergencies. The availability of resources also offers scope to pursue opportunities when they are recognised. Unless allocated for a specific purpose, revenue budget underspending and windfalls are added to the working balance. The size of the general reserve should be set at a prudent level based on a risk assessment.
- Earmarked reserves, which are set aside for a specific purpose, being used to build up funds to meet known, planned or predicted spending requirements.

It used to be common for councils to build up many small reserves for very specific, narrowly defined purposes; it is now more usual for fewer reserves to be set up in a way which permits their use for a range of purposes.

In accounting terms, similar to the legal position, all reserves belong to the general fund and are interchangeable, unless restricted by deed or covenant. Distinct book entries in the budget and accounts should be made to record the transactions to and from reserves. It should also be noted that the terms "reserve" and "fund" are interchangeable, and it is common to refer to each by either name.

Accounting convention does not permit the payment of interest directly to reserves. If it is decided that interest should be allocated to a reserve, the mechanism is for an equivalent contribution to be made from the revenue account (where the interest is earned) to the reserve.

Similarly, expenditure should not be charged directly to a reserve; the expenditure is accounted for in the revenue account and an equivalent amount transferred from the reserves to replenish the revenue account.

Creation and Use of Reserves

As a general and prudent rule, reserves should not be used to fund recurring expenditure (i.e. the day to day operational costs of running the Council) as this could lead to funding problems in subsequent years when the expenditure continues after the reserve has been exhausted. An exception is the general reserve, which can be used as a regulator to limit precept and council tax increases or to avoid an unacceptably high level being carried forward.

Because they have a potential to affect the Council's budget, the creation of reserves and the transfers between the revenue account and those reserves should be explicit and conscious decisions taken by the Council as a whole, as should any decision to allocate interest to a reserve.

Draft Policy

The attached draft policy summarises the principles from this report and suggests target levels for each of the Council's reserves. The 2021-22 Policy reduced the target balance for the General Reserve from 50% to 35% of net expenditure, to be achieved by 31 March 2025. Council, 11 July 2022 resolved to reduce the General Reserve further to 30% of expenditure from 01 April 2026 onwards. This target should be maintained, for several reasons:

- The Council has matured considerably in both governance and financial terms and has gained a better knowledge of the potential risks to the environment in which it operates and its susceptibility to major unforeseen financial risk.
- The General Reserve has accumulated more quickly than previously forecast and has already reached the existing medium-term target, indicating that the target is realistic.
- Recent years have seen a tendency to underspend at year-end, so that the reserve is naturally boosted by unplanned funds. There is no indication that this trend will not continue in the short term. These monies will be held temporarily in the Reserve and be the primary source of funding for new initiatives.
- Members should note that the JPAG accounting guidance suggests that, for an authority with a budget over £200,000, a general reserve of 3 months' net expenditure (i.e. 25%) should be appropriate, depending on its circumstances. The RFO's view is that this percentage level would be inappropriate in the context of the Council's ambitions and potential risk.

The Council's Medium Term Financial Plan forecasts that the Devolution Reserve will have a balance of £183,413 at the end of 2023-24, rising by around £20,000 in each of the following years, to reach £255,369 at 31 March 2028. This money is set aside to include the risk of the existing devolved assets requiring refurbishment or repair costs. At present, the continuing accumulation of funds appears prudent given the uncertainties or expectations of the Council arising from Local Government Reorganisation. However, a

review of both the purpose and the target level of this reserve would best be carried out in a further year's time once local government reorganisation has occurred.

The Council's working capital has previously included £50,000 held in the Acquisitions Reserve which has been fully used to meet additional establishment costs, this being approved at Council 23 May 2022. This reserve will be removed in 2023.

The draft Budget 2023-24 proposes the creation of an Elections Reserve of £30,000 met from underspending from the current year budget and thereafter a contribution of £5,000 per annum over the full term of the Medium-Term Financial Plan. This budget would be available to meet the costs of one off by elections and ensure the Council has funds to meet election costs in 2027.

2. Options Analysis including Risk Assessment

2.1 Risk

The Council is unable to meet regular or unforeseen expenditure due to a lack of readily available funds.

2.2 Consequence

Overspendings leading to unwelcome curtailment of spending programmes; possible unpalatable council tax increase; potential reputational damage

2.3 Controls Required

An analysis of the financial risks and the maintenance of adequate reserves to meet all reasonably foreseeable eventualities

3. Financial Implications

The approach to reserves is a fundamental aspect of the financial management of the Council.

4. Legal Implications

The draft Strategy is compliant with the relevant legislation.

Appendices

Appendix A - Draft Reserves Policy.

Background Papers

- Local Government Finance Act 1992
- CIPFA LAAP Bulletin 99 Reserves & Balances
- JPAG Practitioners Guide 2022
- 2023-24 Budget working papers.



Penrith Town Council

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

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

DRAFT RESERVES POLICY

PURPOSE

The Town Council maintains two types of reserves, for differing reasons:

- a General Reserve (the General Fund working balance), which provides working capital and a buffer against financial risks; and
- earmarked reserves to meet known, planned or predicted spending requirements which have been identified specifically.

The Council acknowledges that there is a balance to be struck between holding excessive reserves raised from public monies and retaining a prudent level of funds. It will therefore take advice from its Responsible Finance Officer on the adequacy and appropriateness of its reserves, primarily when setting its revenue budget.

1. GENERAL RESERVE

This reserve represents the balance on the Council's revenue account, i.e. the account which records all its financial transactions. Unless allocated for a specific purpose, revenue budget underspending and windfalls are added to the working balance, while overspendings are taken from the balance.

The balance provides working capital to assist the Council's cash flow, acts as a buffer against unexpected events or expenditure and provides funds for opportunities to be pursued. The optimum level for the working balance is determined by an assessment of the Council's potential exposure to financial risks, together with a judgement of the extent to which earmarked reserves can support its cash flow on a temporary basis.

The medium-term target for the reserve is to accumulate a balance equivalent to 35% of net revenue expenditure by 31 March 2025 reducing to 30% of expenditure from 01 April 2026 onwards. This is to be achieved by regular annual contributions from the revenue account, where necessary. The level of contributions will be determined annually, taking account of the impact on council taxpayers and the availability of earmarked reserves.

2. EARMARKED RESERVES

Other than any funds governed by legal conditions, the earmarking of reserves is at the discretion of the Council and monies can be moved from one to another if required. Reserves do not generally accrue interest on the investment of their funds.

In order to avoid future over-commitment, the day to day operational costs of running the Council are to be met from the revenue budget and reserves shall not be used to fund recurring expenditure.

- **Devolution Reserve:** This reserve is credited with the difference (while positive) between the council tax income equivalent to the special expenses previously levied in Penrith and the net cost of the assets transferred from Eden DC. The reserve will provide a cushion against the full cost of those assets being higher than expected, renovation and/or improvements.
- **Elections Reserve (proposed):** This reserve supports the costs in the future of Parish Council Elections and any one off by election costs and recharges. An allocation of £30,000 met from underspends in the 2022-23 financial year, and thereafter a contribution of £5,000 per annum over the full term of the MTFP.

3. ESTABLISHMENT AND USE OF RESERVES

The Annex to this policy provides further details of the Council's current reserves with a target range for each one.

The establishment or closing of an earmarked reserve requires a formal decision of Council. Similarly, the approval of Council is required for all contributions and transfers to reserves, and all use of reserves to fund expenditure.

Review

This policy will be subject to annual review.

CURRENT RESERVES

Reserve	Purpose	Target level
General Reserves		
General Reserve (General Fund Working Balance)	<ul style="list-style-type: none"> • Provision of working capital. • Buffer against uneven cash flows, inflationary pressures, sharp budgetary changes, unexpected events or emergencies. • Ability to pursue opportunities when identified. 	<ul style="list-style-type: none"> • Assessed primarily on the basis of financial risks to the Council. • Medium-term target to be 35% of net revenue expenditure at 31 March 2025 and thereafter 30%. • Minimum level: £150,000 • Range: £150,000 to £300,000
Earmarked Reserves		
Devolution Reserve	<ul style="list-style-type: none"> • Accumulation of funds in the early years of devolved asset transfers from Eden DC when grant income from that council is available. • Cushion against the longer-term full costs of devolved assets being higher than expected, renovation and/or improvements. 	<ul style="list-style-type: none"> • Based on the allocation of the difference (while positive) between the income equivalent to the special expenses previously levied in Penrith via council tax and the net cost of devolved assets transferred from Eden DC • Typical Range: £50,000 to £260,000
Elections Reserve (proposed)	<ul style="list-style-type: none"> • To meet the costs of Parish Council Elections in 2027 and any one off by elections and general election recharges. 	<ul style="list-style-type: none"> • £30,000 met from underspends in 2022-23 financial year. • A contribution of £5,000 per annum over the full term of the Medium Term Financial Plan, 31 March 2028. • Range: £30,000 to £60,000

Reserve	Purpose	Target level
Acquisitions Reserve	<ul style="list-style-type: none"> To support activities associated with buying, surveying, legal fees, investing and managing land and property. 	<p>Range £nil to £50,000</p> <p>The reserve has been reallocated in full (£50k) to meet the costs of new posts on the staff establishment. Approved Full Council 23 May 2022.</p> <p>The Acquisition Reserve be deleted at 31 March 2023.</p>

DATE OF APPROVAL: 23 January 2023

REVIEW: ANNUAL

FULL COUNCIL

23 January 2023

Matter: Draft Investment Strategy 2023-24

Purpose of Report:

Ratify the draft strategy for the management of the Council's financial investments in 2023-24.

Item no: 9C ii

Author: John Kemp, RFO

Supporting Member: Cllr David Knaggs, Committee Chair

Recommendations

The Committee is recommended to consider the draft strategy and forward it, with any amendments, to Council for ratification.

This is a public report.

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 Council has the power to invest for any purpose relevant to its functions under any enactment, or for the purposes of the prudent management of its financial affairs (section 12 of the Local Government Act 2003, the '2003 Act').

Statutory Guidance on Local Government Investments (3rd Edition) issued under section 15(1)(a) of the Local Government Act 2003 is effective from 1 April 2018 and provides guidance on investments. The Guidance has statutory force and is mandatory where the investments of a town council exceed or are expected to exceed £100,000 at any point in a financial year. Town councils where investments are expected to exceed £10,000 are encouraged to adopt the principles in the Guidance.

Where the Guidance is mandatory, or where a council has adopted the principles in the Guidance, the Council must, at a Full Council meeting, adopt an investment strategy for each financial year. Where a material change is proposed during the year, a revised strategy must be approved before the change is implemented.

The Guidance encourages transparency and local accountability in investment management.

Two codes of practice issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) contain investment guidance which complements the Government guidance. These publications are:

- Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes
- The Prudential Code for Capital Finance in Local Authorities.

Link to Council Priorities

Proper investment of reserves and working balances ensures that these monies are secure and available when required to fund expenditure to deliver the Council's priorities as resolved in the Council Plan.

1. Report Details

1.1 Background

This report proposes no changes to the Council's current investment practices. The detailed rationale for the policy is described here so that Members are fully aware of the considerations underlying investment decisions, notably the risks involved with investing funds with other organisations.

The statutory guidance details safeguards for financial and non-financial investments, focusing on:

- Excessive exposure to financial risk through borrowing and investment decisions;
- Insufficient transparency to understand that exposure; and
- Councillors' understanding of complex financial transactions.

1.2 Types of Investment

The guidance classes investments into two main categories:

- Investments held for treasury management purposes; and
- Other investments, including non-financial assets.

In each case, the Council must state the contribution that the investment makes to its objectives; for the first category, it is sufficient to state that they support effective treasury management activities. Those activities should then follow the principles set out in the Treasury Management Code.

The Town Council does not have any investment in non-financial assets and has no plans to acquire any (operational assets used in service delivery are not considered to be investments). The remainder of this report therefore deals solely with investments managed as a treasury activity; should the Council decide to invest in non-financial assets, the guidance will need to be revisited and the Strategy revised.

1.3 Principles

Prudent investment has two underlying objectives, in this order:

- **Security** – protecting the capital sum invested from loss; and
- **Liquidity** – ensuring the funds are available when needed.

Only when these objectives have been fulfilled, should **yield** be considered. An individual investment must be assessed in terms of the Council's appetite for risk, within the parameters stated in the strategy.

The Committee should note that the Financial Services Compensation Scheme no longer applies to the Council, however its compensation value of £85,000 should continue to be used in the Council's strategy as a workable limit which accepts a reasonable degree of risk for investments in suitable organisations.

1.4 Financial Investments

These can be categorised as:

- Specified investments
- Loans; and
- Other, Non-specified investments.

Specified investments are in sterling, repayable within 12 months and made with a high quality investment scheme, the UK Government or another local authority.

The guidance outlines controls on loans made by authorities; again, these do not affect this Council.

Non-specified investments are any other financial investment; these carry a higher level of risk and would need specialist advice. For 2023-24, the Council's strategy should exclude this type of investment.

1.5 Capacity and Skills

The strategy should include a description of the steps taken to ensure that elected members and statutory officers have the appropriate capacity and skills to enable them to make informed decisions.

1.6 Investment Prospects 2023-24

Members will realise that interest rates have started to rise this year, after the latest increase to 3.5% rates are at their highest level for 14 years. Economic observers predict that rates will increase further next year, possibly to 4.5%, but will then start to decrease the following year.

These increases are in response to the higher levels of inflation, October 11.1% and November 10.7% which are the highest levels in 40 years. Some observers suggest this may be the peak and inflation levels may fall next year. The Bank of England has the difficult job of trying to stimulate an economy heading for recession whilst containing inflation at an acceptable level.

The Council's income from investments has increased this year and next years budget expects this to carry on at the present level. It will continue to be important that the Council finds secure investments for its reserves and working capital.

1.7 Draft Strategy

The attached draft strategy is unchanged from the existing policy, other than the section relating to 2023-24 activities. It sets out the approach that the Town Council should take in respect of financial investments. The Committee should consider particularly the section on risk parameters and the suggested organisations with which the Council should invest, so the following paragraphs repeat the advice given in previous years.

The Council invests with the Penrith Building Society. Building societies are not credit rated so it is difficult to assess the risk attached to investing in an individual society, therefore the draft policy generally excludes smaller building societies.

Penrith Building Society has assets of around £127 million and is the smallest of 43 societies in the country; although a rigid policy would exclude it as a counterparty because of its small size, Members have previously felt that it is a well-run organisation which they would wish to support. The draft strategy acknowledges this but limits the investment to the £85,000 limit.

(Members should note that the £85,000 limit refers to the principal investment of funds; interest will accrue in these accounts and may increase the investment above the limit by a modest amount.)

The Council's main investment is in the CCLA Public Sector Deposit Fund, which is a pooled investment available to local authorities. The Fund currently has a value of over £1,000 million, invested in a range of high-quality institutions, and itself has the highest credit rating for a money market fund. By investing in the Fund, an authority has the benefit of buying into a share of that pool, with a consequent reduction in risk.

2. Options Analysis including Risk Assessment

2.1 Risk

Failure of an investment counterparty leading to the loss of Council funds.

Non-compliance with legal requirements or statutory guidance.

2.2 Consequence

Unwelcome curtailment of spending programmes; possible unpalatable council tax increase; potential reputational damage.

Criticism from internal/external audit; reputational damage.

2.3 Controls Required

Adherence to a robust and prudent investment strategy.

The strategy should incorporate the safeguards in the Government's guidance.

3. Financial Implications

The Council's reserves and surplus working capital are invested pending their use and therefore need to be protected against loss. The income earned from investment is of secondary importance.

4. Legal Implications

The draft Strategy is compliant with the relevant legislation.

Appendices

Appendix A - Draft Investment Strategy 2023-24

Background Papers

- Building Societies Association factsheet
- CCLA website



Penrith Town Council

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

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

DRAFT INVESTMENT STRATEGY 2023-24

Purpose

The Town Council invests reserves and surplus funds which are not immediately required to meet expenditure.

This strategy provides a framework for the secure and prudent investment of those monies and adopts the relevant principles of statutory guidance issued under the Local Government Act 2003 and of CIPFA codes of practice.

Investment Objectives

The Council invests monies for treasury management purposes.

Its priorities in investing surplus funds are:

- **Security** (protecting the investment from loss);
- **Liquidity** (ensuring the money is available for expenditure when needed); and, providing the above objectives have been met,
- Obtaining the best **Yield**.

Investment opportunities are assessed in terms of these objectives; the Council aims to obtain the best possible return commensurate with proper levels of security and liquidity.

Types of Investment

The Council will not invest in non-financial assets such as commercial property.

The Council will only place funds in specified investments, as defined by the Secretary of State, which offer high security and high liquidity. These investments are made in the Council's name and are:

- made in sterling;
- have a maturity of no more than one year; and
- with a counterparty which is the UK Government, a local authority or a body of high credit quality.

For the 2023-24 financial year, the Council does not intend to use non-specified investments (ie those which do not meet these criteria) as these are generally considered to be of higher risk and would require specialist advice.

Risk Assessment

The Council's investments no longer qualify for the Financial Services Compensation Scheme up to £85,000; however, this is considered to be an acceptable limit for investments in organisations of good credit quality. Larger amounts can be invested with organisations of high credit quality.

The Council does not employ external treasury advisors or subscribe to a credit rating agency. It bases its assessment of the risk attaching to potential investments with counterparties on their publicly available information, organisational structure and asset size.

The Council will also have regard to the amount of funds placed with a single institution.

Approved Counterparties

The following counterparties are approved for the investment of surplus funds by the Council, with a duration of no longer than twelve months:

- HM Government and its agencies
- Local Authorities
- UK Clearing Banks
- Building Societies with an asset base in excess of £1,000 million or smaller societies where there are strategic or local considerations, limited to a principal investment of £85,000 with a single society
- UK FCA regulated qualifying money market funds with an AAA rating (Fitch credit rating).

Treasury Management Responsibilities

All investments are made in the name of the Town Council and will be approved by Full Council, having taken advice from the Responsible Financial Officer, who has knowledge and experience of the CIPFA codes of practice.

The Finance Committee oversees investment activities and the drafting of changes to this strategy.

Members of the Committee are suitably experienced and understand the nature of investment risks. Where necessary, their knowledge will be supplemented by formal or informal training.

Activities For 2023-24

The Town Council plans to maintain its investments in the Penrith Building Society. As it receives its full annual precept income early in the financial year, it will have surplus funds for most of the year and these will be invested in the CCLA Public Sector Deposit Fund until needed. As the Council does not have a long history of managing its cash flow actively, it will adopt a cautious approach to investing surplus monies to ensure that its bank account balance is always sufficient to meet short-term requirements.

REVIEW

This strategy will be subject to annual review in advance of each financial year.

APPROVED: January 2023

REVIEW: ANNUAL

FULL COUNCIL

23 JANUARY 2023

Matter: Social Media and Training Policy Review

Purpose of Report:

Consider and approve the reviewed and amended social media policies and training policy.

Summary:

In 2018 the Town Council adopted a plethora of policies and procures to support the General Data Protection Regulations. Consolidation of the numerous policies is underway to remove duplication and will be drafted to include legislative changes in due course and when those changes have been enacted.

Council resolved on 10 October 2022, Minute Ref:PTC22/55, to review the existing 2018 Social Media and Electronic Communications Policy.

Item no: 9 c iii

Author: Town Clerk and Solicitor

Supporting Member: Chair

This is a public report

Recommendations

- i. Note that a risk assessment and review of existing GDPR policies took place in November 2022 and that all but the social media policies and training policy were approved by Committee on 14 November 2022.
- ii. Ratify the social media and electronic communication policies and Training Policy which if approved will go forward to Full Council for ratification.

Law and legal implications

The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR). Everyone responsible for using personal data has to follow strict rules called 'data protection principles'.

GDPR was retained in domestic law after Brexit as the UK GDPR, but the UK has the independence to keep the framework under review. The 'UK GDPR' sits alongside an amended version of the DPA 2018.

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.

1. Report Details

- 1.1 The Council's original Social Media and Electronic Communications Policy adopted in 2018, was cumbersome and included combined advice and guidance for staff and employees for social media use, and use of electronic communications such as emails and texts. The Council recognise that not everyone will have social media accounts. Language, tone, accuracy, and content of electronic communications such as emails, electronic messaging and texts are required to comply with GDPR, privacy policy and the Code of Conduct.
- 1.2 For clarity the policy was spilt into:
 - a. Social Media Protocol for Councillors
 - b. Social Media for Employees
 - c. The Acceptable Use of Social Media by media and the Press
 - d. Electronic Communications Policy
- 1.3 **Social Media Protocol for Councillors:** Provides:
 - a. Councillors are required to attend social media training within the first six months of taking up office.
 - b. Guidance to using social media effectively, lawfully without compromising the Council's information or reputation.
 - c. The legal considerations and considerations specific to the role of a councillor.
 - d. How to deal with inappropriate posts or comments from the audience.
- 1.4 **Social Media Employees:** Provides:
 - a. Guidance for home and at work social media usage and associated risks.
 - b. Defines acceptable use of social media and what is not acceptable.
- 1.5 **The Acceptable use of Social Media and the Community:** Provides:
 - a. Definition of unacceptable behaviour and how it will be managed. Since the social media feeds owned by the Council are maintained and managed by a third party the process is essential and aligns with the Councils Complaints procedure for vexatious complainants.
 - b. A process to manage unadaptable social media behaviour of the audience.
- 1.6 **The Electronic Communications Policy:** Provides:

Guidance for behaviour and procedure for Town Council emails, texts, video conferencing, internal communications, and the Town Council website.
- 1.7 The review of these policies and the Council's Commitment to the Civility and Respect Pledge resulted in a review of the Training Policy.

1.8 **Training Policy:** All amendments to the Training Policy have been highlighted and includes:

- a) New courses
- b) The eligibility and process of applying for training.
- c) Study leave entitlement.
- d) Clarity for councillor training – provision, training styles, identification of Required training with the addition of social media training.
- e) Required training for staff and councillors offered by the Civility and Respect project.

1.9 Required training applies to both councillors and staff for:

- GDPR and Privacy
- Carbon Literacy
- Code of Conduct
- Civility and Respect– various training
- Respectful Social Media — How to deal with attacks and negative engagement by Breakthrough Communications

1.10 Required training for committee membership for Councillors:

- Planning
- Local Council Finance

1.11 Required training for Chairs with no experience of chairing meetings:

- New chairman training offered by CALC

1.12 Councillors are offered up to six months in post to attend the required training on offer.

1.13 Failure of Councillors to attend the required training sessions would be taken to Full Council and may result in expulsion from committees.

1.14 Staff are offered up to six months in post to attend the required training on offer.

1.15 Failure of staff to attend required training may be raised as a disciplinary matter.

2. Reasons for Recommendations

The Town Council as Data Controller has a duty to comply with data protection legalisation.

3. Options Analysis including risk assessment

There are no alternative options.

The risk not to comply with Data Protection legislation is that the Council would be acting unlawfully, and sanctions may be imposed relating to any breach.

Appendices:

- Social Media Policies
- Training Policy

Background Papers

Report to Council 14 November 2022

Report to Finance Committee 16 January 2023



Penrith Town Council

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

DRAFT Social Media Protocol for Councillors

Section 1 – Introduction

1. The Council welcomes and encourages Councillors' use of new technology, including social media. It is not a requirement for Councillors to have a social media account.
2. If Councillors are already using or planning to use social media in connection with their work as a councillor, they should ensure that they are familiar with the guidance set out below and that their use of social media does not use Council resources for party political purposes or put the organisation's information and security systems at risk.
3. Councillors are required to attend social media training within the first six months of commencement in post.
4. Most people are familiar with doing things online and residents will increasingly expect the Council to provide its services online, with the same level of interactivity that they find everywhere else. However, there are challenges that may discourage Councillors and the Council from using social media. For example, inappropriate use (which may occur inadvertently) can cause significant damage to a Councillor's (or the Council's) reputation and can lead to legal claims. In addition, technology is changing fast. This can mean that it is hard to keep up and maintain useful interaction with residents.
5. This protocol provides guidance to using social media and will ensure that it is effective, lawful and does not compromise Council information.
6. Users must ensure that they use social media sensibly and responsibly, in line with corporate policy. They must ensure that their use will not adversely affect the Council or its business, nor be damaging to the Council's reputation and credibility or otherwise violate any Council policies. Social media must not be used in a way that might lead to a complaint that a councillor has breached the Council's Code of Conduct for Councillors.

Section 2 – Legal Considerations

1. Three of the important Nolan Principles applying to those in public life are “Openness”, “Accountability” and “Leadership”. That means Councillors should be as open as possible about the actions and decisions they take, submit to an appropriate level of public scrutiny, and lead by example. Social media can be a vital tool for public debate and its use by Councillors is encouraged.
2. In the same way as anyone else publishing material, Councillors will need to be aware of the laws that apply to published material on social media platforms. Some of the main ones are these:
 - a. **Defamation:** if you publish an untrue statement about a person that is damaging to their reputation you may be liable to pay damages.
 - b. **Copyright:** publishing information that is not yours, without permission, may also result in an award of damages against you.
 - c. **Harassment:** it is an offence to repeatedly pursue a campaign against a person that is likely to cause alarm, harassment, or distress.
 - d. **Data protection:** do not publish personal data of other people, including photographs, without their express permission to do so.
 - e. **Incitement:** it is an offence to incite any criminal act.
 - f. **Discrimination and ‘protected characteristics’:** it is an offence to discriminate against anyone based on protected characteristics (as defined in the Equality Act 2010).
 - g. **Malicious and obscene communications:** it is an offence to send malicious or obscene communications.
3. Inappropriate and offensive material should not be published. This includes revealing confidential or commercially sensitive information belonging to the Council, personal or confidential information about an individual, publishing something that could reasonably be considered insulting or threatening and something that promotes illegal activity or is intended to deceive.

4. Additional considerations apply to Councillors:

a. Bias and pre-determination

Members sitting on committees such as planning should be aware that they are allowed to have a view but must not have gone so far as to have predetermined their position on a matter. Any views aired on social media could be used as evidence of making a decision in advance of hearing all relevant information. The Council's decision is then open to challenge and could be invalidated, and the 'disrepute' provisions of the Code of Conduct for Members could be engaged.

b. Equality and discrimination

The Council is a public authority required to comply with the Equalities Act 2010. As noted above it is an offence to discriminate against anyone based on their protected characteristics. The Council must also have 'due regard' to the Public Sector Equality Duty (which consists of eliminating unlawful discrimination, advancing equality of opportunity, and fostering good relations) and that applies to Councillors when appearing to act in their official capacity.

c. Electioneering

Council resources, including any the use of social media on Council mobile devices or IT equipment, should not be used for political/campaign purposes. Particular care should also be taken when using social media during the pre- election period. The Electoral Commission has further guidance including on the requirements to provide a return of expenditure on election advertising which includes web advertising.

d. Human Rights

Various fundamental human rights are protected by law, and they include in particular freedom of expression and respect for a person's private life and family. A restriction can only be placed on such rights if it is lawful, necessary, and proportionate. Any person should behave responsibly and respects the rights of others.

e. Code of Conduct

Councillors may use social media in both an official and personal capacity, but they must be aware that the public may perceive them as acting in either capacity when that is not their intention. Any social media account which could be potentially linked to a councillor would need to meet the standards of the code of conduct.

Section 3 – Responsibilities of Councillors

1. Councillors should be mindful that social media sites are in the public domain, and it is important to ensure that you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.
2. Councillors must not use the Council's logo, or any other Council related material on a personal account or website.
3. Councillors will need to monitor and, where appropriate, censor or remove the contributions made by others to their sites. Allowing defamatory or offensive statements to remain on a site can become the Councillor's own legal problem as the 'publisher' of the material and could also give rise to Code of Conduct issues were allowing comments to remain could be seen as condoning or endorsing them.
4. Similarly, 'liking', 'sharing' or 're-tweeting' posts could be seen as an endorsement of them and legally this can be a separate instance of publication, by the Councillor, to which all the legal and Code of Conduct considerations would apply.
5. Councillors should make use of stringent privacy settings and read the terms of service of any social media site accessed and make sure you understand the confidentiality/privacy settings.
6. Safeguarding issues are paramount because social media sites are often misused by offenders. Safeguarding is everyone's business – if Councillors have any concerns about other site users, they have a responsibility to report them.
7. Generally it is best to allow disagreement rather than to seek to censor it. However, there is no need to respond to everything and unhelpful online arguments should be avoided. It is recommended that Councillors be professional, respectful, and polite, even (or especially) when corresponding with those who do not return the courtesy.
8. Do not publish or report on meetings which are private or internal (where no members of the public are present, or it is of a confidential nature) or exempt reports.
9. Councillors should always ensure the security of their devices to prevent unauthorised access by third parties who may make inappropriate use of the device.

Section 4 – Councillor Principles for using Social Media

Councillors should follow these five guiding principles for any social media activities:

1. **Be respectful** – set the tone for online conversations by being polite, open, and respectful. Use familiar language, be cordial, honest and professional at all times. Respect confidentiality – do not disclose non-public information or the personal information of others.
2. **Be credible and consistent** – be accurate, fair, thorough, and transparent. Encourage constructive criticism and deliberation.
3. **Be honest about who you are** – it is important that any accounts or profiles that you set up are clearly and easily identifiable. Be clear about your own personal role, in particular a clear distinction should be drawn between use of an account in your personal capacity and use in your capacity as a councillor. Note that merely stating you are acting in your private capacity may not be sufficient.
4. **Be responsive** – make an effort to share what you know. Offer insights where appropriate and put people in touch with someone who can help if you cannot.
Respond to questions and comments in a timely manner.
5. **Think twice** – think carefully about all your social media posts. Once published it will be too late to change your mind. Following these rules and seek further guidance if you need it.

Section 5 – Use of Social Media during Council Meetings

1. Use mobile devices sparingly, discreetly and with common sense at meetings, considering the impression they are giving to others. Councillors should be mindful that regulatory committees such as planning require the Councillor to alert officers to any lobbying material they have received. This would be difficult if it arrives on Twitter and is read by the Councillor during the course of a meeting.
2. Mobile devices enable councillors to manage their busy lives when time is at a premium. There may be occasions when texting or e-mailing between Councillors during meetings on matters relevant to the debate at hand may be valuable (on the same basis as circulating paper notes) However, it is most important for Councillors not to give the impression that insufficient attention is being given to the discussion at the meeting. That could lead to the relevant decision coming under challenge if Councillors are perceived to have made a decision without having properly listened to the debate. It could also result in Code complaints of a failure to treat others with respect or of bringing the Council into disrepute.

Section 6- Inappropriate use of Social Media by Others

1. Anyone receiving threats, abuse, or harassment via their use of social media should report it to the police.
2. Other inappropriate content can be reported to the social media site directly to ask for it to be removed. You may wish to save a screenshot in the circumstances.

Section 7 –Code of Conduct

1. Whenever you post something on social media, it becomes a publication, you have effectively made a broadcast. As it is now in the public domain, it is subject to both the Code of Conduct and to various Laws.
2. These guidelines do not form part of the Code of Conduct for Members but there may be instances where councillors' use of social media amounts to a breach of that Code and the Monitoring Officer may take these guidelines into account when considering whether such a breach has taken place.
3. The Code of Conduct applies to you whenever you are "Conducting the business of your authority, acting, claiming to act or give the impression you are acting in your official capacity as a member or representative of your authority".
4. The Code applies if you "Conduct yourself in a manner which could reasonably be regarded as bringing your office or your authority into disrepute". If you can be identified as a councillor when you are using social media, either by your account name or how you describe yourself or by what you comment upon and how you comment, the requirements of the Code of Conduct apply. Also if you say something that could be regarded as bringing your office or authority into disrepute the Code applies even if you are not apparently acting in your official capacity or do not identify yourself as a member.
5. Be advised that making unfair or inaccurate criticism of your authority in a public arena might well be regarded as bringing your authority into disrepute.

6. In the same way that you are required to act in council meetings or in communities you should:

- **Show respect for others** - do not use social media to be rude or disrespectful.
- **Not disclose confidential information about people or the Council.**
- **Not bully or intimidate others** - repeated negative comments about or to individuals could be interpreted as bullying or intimidation.
- **Not try to secure a benefit for yourself or a disadvantage for others.**
- **Abide by the laws of equality** – do not publish anything that might be seen as racist, sexist, ageist, homophobic or anti faith. Even as a joke or “tongue in cheek”



Penrith Town Council

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

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

DRAFT Social Media Employees

Section 1- Introduction

1. Penrith Town Council strives to be an open and transparent organisation, which actively engages with our residents, businesses, visitors, and partners. Our communication with stakeholders should be a two-way process, so everyone's views can help shape the services we provide. We are a listening Council. We welcome engagement and feedback from our residents and followers. We expect that information in the public domain regarding the operations and services of the Council are accurate.
2. This policy is intended to provide clear guidance regarding the acceptable use of electronic communications and social media both within, and outside, of work. The policy covers you if you are:
 - One of our employees
 - An agency, temporary or contract member of staff working for us or on our behalf
 - Staff of third-party suppliers contracted to and/or providing services to the Council
 - Volunteers collaborating with us on our projects
 - Students on work placements with us
3. Penrith Town Council is committed to making the best use of all available technology and innovation to improve the way we do business. This includes using all reasonable and cost-effective means to improve the way we communicate, reach out and interact with the different communities we serve.
4. The use of digital and social media and electronic communication enables the Penrith Town Council to interact in a way that improves the communications both within the Council and between the Council and the people, businesses, and agencies it works with and serves.

5. 'Social media' is the term commonly given to web-based tools which allow users to interact with each other in some way – by sharing information, opinions, knowledge, and interests online. As the name implies, social media involves the building of online communities or networks to encourage participation and engagement.
6. We acknowledge that social media is a reality and, when used effectively, can support Council business and the services we provide. These platforms open many new and exciting opportunities. However, the practical application of such technology by the Council is continually developing and there are many potential issues to consider – both as individual employees and as a Council.
7. There is increasing use of social media for work related purposes, be this posting proactive messages about our services or activities, dealing with queries, complaints, or comments, uploading audio and video material or professional/peer networking.
8. The Council has a website, Facebook page, Instagram and Twitter account and uses email to communicate. It will always try to use the most effective channel for its communications. The Council may add to the channels of communication that it uses as it seeks to improve and expand the services it delivers. When these changes occur, this Policy will be updated to reflect the new arrangements.
9. The Council's Social media accounts provide information, updates regarding activities and opportunities within Penrith, and promote the community positively. To avoid major mistakes which could result in reputational, legal, and ethical issues, and misuse/abuse of a well-functioning social media relationship, it is important that we manage any potential risks through a common-sense approach and framework as well as proactively monitoring the development of such applications.

Section 2 - Understanding the Risks of Social Media

1. These guidelines aim to provide information concerning the use of, or the development of, any social media application, to help get the best out of the tools available whilst maintaining a safe professional environment and protecting the Council.
2. Communications from the Council will meet the following criteria:
 - i. Be civil, tasteful, and relevant.
 - ii. Not contain content that is knowingly unlawful, libellous, harassing, defamatory, abusive, threatening, harmful, obscene, profane, sexually oriented, or racially offensive.
 - iii. Not contain content knowingly copied from elsewhere, for which the Council does not own the copyright.
 - iv. Not contain any personal information.

- v. If it is official Council business, it will be moderated by Councils external Communications Team, the Clerk, and senior officers of the Council.
 - vi. Social media will not be used for the dissemination of any political advertising.
 - vii. Be considerate and respectful of others.
 - viii. Differing opinions and discussion of diverse ideas will be encouraged, but personal attacks on anyone, including the Council Councillors or staff, will not be permitted.
 - ix. Share freely and be generous with official Council posts but be aware of copyright laws; be accurate and give credit where credit is due.
 - x. Stay on topic.
 - xi. Refrain from using the Council's Facebook page or Twitter site for commercial purposes or to advertise, market or sell products.
3. Exceptional care should be taken when using any social media tools. Most social media sites work on the principle of 'broadcast-by-default,' which means it is not always possible to control who may, or may not, see the content. Even where such sites allow users to set up privacy settings and to block unwanted contacts, the content published may be broadcast beyond a controlled audience.
 4. Clear legal precedents have now emerged whereby the misuse of social media can result in both civil and criminal action. Users of digital communication channels need to have due regard for such consequences. Recent high-profile cases have shown the legal dangers posed by social media and led to both significant fines and, in some cases, imprisonment.
 5. GDPR applies to the use of digital communications. Therefore, whether using social media for work or personal purposes, you are advised to follow the principles of this legislation when referring to any other living individual. Failure to do so could lead to enforcement action and potential civil or criminal action against the Council and/or against you as the individual responsible.
 6. **Likes, shares, and retweets:** Likes, shares and retweets do not imply an endorsement on the part of PTC, and we may like, retweet, and share links that we believe are relevant to the work of PTC.
 7. **Following, sharing** PTC's decision to follow a Twitter user and share or like an Instagram account, a Facebook Post or YouTube video does not imply endorsement of any kind. We do this when we believe it is relevant to our work. This could include following, sharing, or liking social media accounts of companies, partners, stakeholders, contractors (and/or their employees) who comment on PTC-related issues.

Section 3 - Acceptable Use and Monitoring social media

1. This policy should be read together with the Council's other GDPR policies, communications, and community engagement policies.
2. No data about individuals or organisations collected for the Council's business use should be published or distributed via social media because we cannot control or secure the potential audience and we must comply with UK and European laws which state all data must be held on servers in 'approved locations' (we cannot do so for social media providers). We must comply with relevant laws before sharing data with partners and we have a duty of care to the data 'subject.'
3. We reserve the right to monitor and maintain audit trails of electronic communications (including, but not limited to, content on social media sites, or other digital communication channels and/or email sent using the Council's email system).
4. We do not monitor use of electronic communications or social media set up by individuals and not in the name of Penrith Town Council. However, where items are published electronically referring to the Council, our business, activities, or services, or to named employees in their Council role, we may respond where it is brought to our attention.

Section 4 - Official Communications

1. Our policies and procedures for official communications, and for issuing media statements, apply equally to digital communications and social media.
2. Only those with delegated authority to issue such statements should use electronic communications and social media to do so.
3. Before any official public statement or post intended as a news release or in response to an enquiry from the media is issued, it must be checked with the Town Clerk.
4. It is also important we continue to have effective internal communications, which allow us to share information with staff and others on a basis of trust and in confidence.

Section 5 - social media for Work Use

1. We allow, and encourage, the use of social media and digital channels of communication for business purposes as defined in this policy.
Examples may include:
 - To engage residents (or other stakeholders) who prefer to use social media.
 - To engage partner organisations who use social media.
 - To participate in peer and professional body networks.
 - To access business-related, content posted or published via social media.
2. We have a duty to protect our reputation and ourselves and want to use social media in a way that is consistent with our overall communications policies.
3. Employees may contribute to the Council's social media activities, for example by writing for blogs, managing a social media account, and running official social communications account for the Council in accordance with the standards defined in the Communication Procedure.
4. The Council understands that employees may wish to use their own computers or devices, such as laptops, tablets, and mobile telephones, to access social media websites. Such use should nonetheless be in accordance with these guidelines.
5. Employees must be aware that, while contributing to the Council's social media activities, they are representing the Council and must adhere to the following safeguards:
 - Making sure that the communication has a purpose, is accurate and a benefit for the Council.
 - Obtaining permission from the Chair and Council before embarking on a public campaign using social media.
 - Getting a colleague to check the content before it is published.
6. Any communications that employees make in a professional capacity through social media **must not**:
 - i. **Breach confidentiality**, for example by revealing confidential intellectual property or information owned by the Council or;
 - give away confidential information about an individual (such as a colleague or partner contact) or organisation (such as a partner institution); or
 - discuss the Council's internal workings (such as agreements that it is reaching with partner institutions/customers or its future business plans that have not been communicated to the public) or;

- ii. Do anything that could be considered **discriminatory** against, or bullying or harassment of, any individual, for example by:
 - making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief or age or;
 - using social media to bully another individual (such as an employee of the Council); or
 - posting images that are discriminatory or offensive or links to such content or;
 - iii. Bring the **Council into disrepute**, for example by:
 - criticizing or arguing with Councillors, colleagues, partners, or competitors or;
 - making defamatory comments about individuals or other organisations or groups; or
 - posting images that are inappropriate or links to inappropriate content or;
 - iv. Breach **copyright**, for example by:
 - using someone else's images or written content without permission; or
 - Failing to give acknowledgement where permission has been given to reproduce something.
7. If you want to set up a new social media or digital channel(s), you need to justify the need to do this and gain approval from the Town Clerk who will provide advice on what is required and how the site(s) should be branded. The use of such sites will be monitored, and passwords must be shared with the Officer team.
 8. Social media accounts should make it clear in the description that they are provided by the Penrith Town Council. Our logo must be used as the profile image for serviced accounts unless agreed otherwise with the Town Clerk.
 9. You should not use a separate social media site for content that could (and should) be published on our corporate Twitter, Instagram or Facebook sites or the Council website.
 10. If you wish to extend the reach of relevant content, it should be published on the Council website first before a link to the material is posted to social media.
 11. If you are signing up to any social media facility for work use, you should use your Council email address and give your job title.
 12. Do not forget you represent the Council when posting to social media or digital platforms. Any content you publish or post (and any material you access) must be relevant to your role at the Council and could be understood to be made on behalf of the Council.
 13. In the same way that you are responsible for your actions by email, on the telephone you are entirely responsible for your actions, views, opinions, and any published comments on social media.

Section 6 - Your Personal Use of Social Media

1. Employees can make reasonable and appropriate use of social media websites from Penrith Town Council's computers or devices if this does not interfere with their duties.
2. The Council does not want to prevent or restrict your use of social media in your own time and for your own purposes.
3. However, we need to make you aware that if your personal use of social media conflicts with your duties for the Council or your obligations as an employee, as a Councillor, a contracted supplier, or a volunteer then we may act.
4. No confidential information you have as a representative of the Council should be copied, published, or commented upon when using social media for personal use.
5. Our standards and codes of behaviour extend beyond the workplace in respect of your actions or communication(s) that could bring the Council into disrepute.
6. We do not block access to social media sites at work but will restrict access to sites whose purpose or content are not consistent with our values and policies.
7. Personal use of social media sites is only permitted in your own time.
8. If you are suspected of using social media for personal use during working time, just as conducting other personal activities in work time, you may be subject to investigation and potential disciplinary action.
9. Your use of social media and other electronic communications, whether for work or personal use, must be consistent with the standards of behaviour always expected by the Council, and must be legal.
10. Personal use of social media sites is only permitted in your own time. Council work will take priority over personal use of social media sites. If you are suspected of using social media for personal use during working time, just as conducting other personal activities in work time, you may be subject to investigation and potential disciplinary action.
11. Our standards and codes of behaviour extend beyond the workplace in respect of your actions or communication(s) that could bring the Council into disrepute.
12. The Council recognises that many employees make use of social media in a personal capacity. While they are not acting on behalf of the Council, employees must be aware that they can damage the Council if they are recognised as being one of our employees.

13. Employees can say that they work for/with the Council, which recognises that it is natural for its staff sometimes to want to discuss their work on social media. The employee's online profile (for example, the name of a blog or a Twitter name) may contain the Council's name but should be focused to the area in which the employee/member works.
14. If employees discuss their work/role on social media (for example, giving opinions on their specialism or the sector in which The Council operates), they should include on their profile a statement along the following lines: "The views I express here are mine alone and do not necessarily reflect the views of the Council.
15. Your use of social media and other electronic communications, whether for work or personal use, must be consistent with the standards of behaviour always expected by the Council, and must be legal.
16. Any communications that employees make in a personal capacity through social media must comply with Section 5 (6).



Penrith Town Council

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

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

DRAFT The Acceptable use of social media by media and the Community

Section 1 - Introduction

1. We recognise that social media has a significant role to play in how we communicate with, engage, and promote dialogue with our residents. Some people prefer sites like Twitter and Facebook as their method of interacting with the Council.
2. We are pleased to be able to offer these methods for people to get in touch, to ask us questions, reporting issues and to seek our help or support. We have an existing process for dealing with complaints via the Complaints Procedure and the public can make representations at meetings. Details of how to do this are on "Your Say" and in the policies section of our website.
3. We acknowledge that everyone has a right to free speech. This is enshrined in law. However, a right to free speech must be balanced with UK laws covering matters such as libel and defamation, contempt of court, harassment, the Communications Act, Computer Misuse Act and what is acceptable.
4. As a Council, we also have a duty of care towards our employees and Councillors.

Section2 - What Is and Is Not Acceptable

1. We know that there will be times when people will be unhappy with what the Council does (or does not do) or the decisions it takes. Criticism is a fact of life, and we know organisations like ours are in the public spotlight. In fact, we encourage public debate, and it is good that people are free to share their views about Penrith and the Council.
2. We have no intention of stifling discussion about us as an organisation.

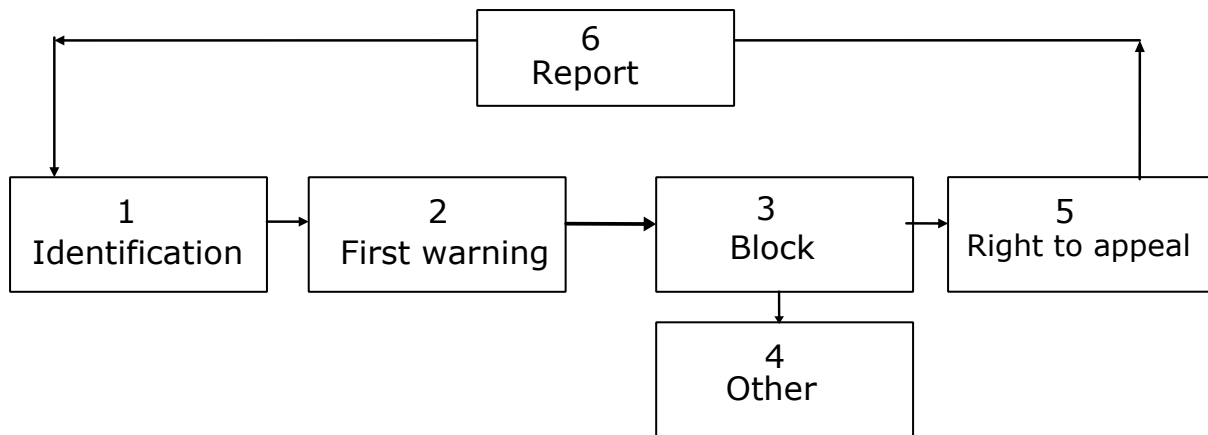
3. We draw the line at posts or messages, on whatever channel or social media site, which cross the line in terms of acceptability. This includes targeting named Councillors or staff with direct, unacceptable, criticism.
4. We will reserve the right to act in relation to social media posts or messages which:
 - i. Are abusive, offensive, or use provocative language - including swearing, rude or indecent comments.
 - ii. Are harassing, contain abuse directed at an individual, group, other organisations, or page administrators.
 - iii. Are threatening.
 - iv. Promote any product, service, or publication not relevant to the discussion.
 - v. Use sexist, racist or other unacceptable language/swear words which are intended to cause concern/harm.
 - vi. Are defamatory or libellous.
 - vii. Link to obscene or offensive material.
 - viii. May be in contempt of court.
 - ix. Contains personal details, such as private addresses, phone numbers, email addresses or other online contact details whether they would breach privacy laws.
 - x. Break any other law this includes libel, condoning illegal activity, trade secrets, national security, and breaking copyright.
 - xi. Are persistent or repetitive negative messages which aim to provoke a response and/or do not constructively add to the conversation.
 - xii. Are not concise and constitute spam.
 - xiii. Contain links to inappropriate material (photographs or video) - We reserve the right to remove links-only comments.
 - xiv. Incite someone or people to break the law.

Section 3 How We Will Deal With Unacceptable Behaviour

1. Where we choose to remove or not to publish a comment for whatever reason, we will refer to this policy. This is not about censoring people's views. The aim is to ensure that comments relate to the subject being discussed.
2. Moderation will not be used to suppress legitimate, reasoned discussion.
3. We may also report posts and comments that breach this policy to the appropriate social media platform.
4. In the first instance, the Council's external communications contractor (Communications Team) will issue a written warning to the author in private via a direct message, or email if appropriate and any inappropriate material will be removed immediately from the Council's social media feeds.
5. The Communications Team will make all efforts to identify the person responsible, but where they cannot, or, in the case, unacceptable content continues to be published, they will remove posts, messages or content considered unacceptable, from the Council's social media feeds.
6. If unacceptable behaviour continues, the Council will consider blocking users from interacting with the Council's social media feeds.
7. A decision to block a user will be made by the Town Clerk, Communication Team Lead in consultation with the Council's solicitor.
8. If a block is imposed, the Town Clerk will write to the person concerned, explaining the reasons, and setting out the terms of when the Council will review the block.
9. The Town Clerk will use their discretion to decide whether to continue blocking a user. A review will be made on a regular basis and the Town Clerk may employ the Vexatious Complainant Policy.
10. Unacceptable behaviour may also be addressed by restricting the way someone can communicate with the Council, or their participation/attendance at meetings.
11. We may also report the matter to the police where behaviour amounts to abuse or harassment, or a criminal offence is suspected. All decisions on these matters will be made by the Town Clerk in consultation with others where appropriate.
12. The Council reserves the right to take whatever legal action may be necessary in the case of libellous or defamatory posts/messages.

Section 4 provides the process for handling unacceptable social media behaviour in greater detail.

Section 4 – Process for managing unacceptable social media behaviour



1. Identification

- i. The Communications Team monitors PTC main social media accounts daily.
- ii. If they see unacceptable behaviour, they will record the name and handle of the account, the date, the social media post, and why it is unacceptable.

2. First warning

- i. Once unacceptable behaviour has been identified, the Communications Team will confirm whether it is inappropriate with the Town Clerk.
- ii. Once a decision has been made, they will issue a written warning to the author in private via a direct message, or email sent from the office email address, if appropriate.
- iii. The warning will link to the social media policy and remind the individual of acceptable behaviour. It will be a standard message.
- iv. The inappropriate material will be removed immediately from the Council's social media feeds.
- v. Unacceptable behaviour that has been identified will be logged on a central record.
- vi. Before issuing a warning, the central record will be checked to assess whether this is a first warning or whether the individual is now blocked (see 4).
- vii. Extreme unacceptable behaviour will result in a block (see 4).

3. Blocking users

- i. If unacceptable behaviour continues after the one warning, or if the behaviour is extreme, the Council will consider blocking users from interacting with the Council's social media feeds.
- ii. The Communications Team will provide a report to the Town Clerk outlining the details collected above (1ii), the dates of the written warning and any subsequent response.
- iii. A panel (live, virtual or via email) comprised of the Town Clerk (or representative if appropriate), the Council's Solicitor and the lead of the Communications Team will be convened to discuss the matter. The Town Clerk, or representative, will take the final decision to block an individual.
- iv. If a block is imposed, the Town Clerk will write to the person concerned, explaining the reasons, and setting out the terms of when the citizen will have the opportunity to ask for an appeal (after the block has been imposed for 12 months).

4. Other actions taken when blocking an individual

- i. The Council manages unacceptable behaviour according to the 'Dealing with Abusive or Vexatious Customers' policy.
- ii. A blocked social media account could also lead to restricting the way someone can communicate with the Council, or their participation/attendance at meetings.
- iii. We may also report the matter to the police where behaviour amounts to abuse or harassment, or a criminal offence is suspected.
- iv. The Town Clerk in consultation with the Councils Solicitor will make all decisions on these matters.

5. Right to Appeal a Blocked Account

- a) After 12 months, the blocked account owner can appeal the decision to block.
- b) To request an appeal, they will need to provide evidence that they are no longer posting messages that are unacceptable.
- c) Evidence will include screen shots from their account to demonstrate understanding of acceptable behaviour.
- d) On receipt of a request to appeal, a review meeting (live, virtual or via email) comprised of the Town Clerk, the lead of the Communications Team will be convened who will review the evidence provided.
- e) Individuals who are unblocked will be regularly reviewed to ensure behaviour remains acceptable.
- f) The panel will review the tone, sentiment and approach taken by the blocked account holder's evidence to assess whether their behaviour remains unacceptable.
- g) Should the account holder remain blocked, PTC will write (via email or direct message) to the account holder to explain the decision.
- h) Should the account holder be "unblocked," the Town Clerk will notify them in writing.

6. Reporting Unacceptable Behaviour by Citizen's Who Have Posted Comment on PTC Accounts

- a) Citizens who respond to PTC posts have the right to express their opinion without fear of retribution or unacceptable behaviour.
- b) If citizens are uncomfortable with any post directed at them on a Council social media account, they have the right to report the post to the Communications Team, who will investigate.
- c) The process described above will be followed if the event of unacceptable behaviour directed at residents who are commenting on Council social media accounts.
- d) A member of the Communications Team will contact the citizen to let them know the outcome of the investigation and any actions taken.
- e) Sending a message/post via the Councils social media feeds will not be considered as contacting the Council for official purposes and we will not monitor or respond to requests for information through these channels. Instead, citizens are directed to contact with the Council's Clerk, officers and/or Councillors of the Council by email or telephone.
- f) The Council reserves the right to take whatever complaints or legal action that may be necessary in the case of inaccurate, libellous, or defamatory posts/messages.
- g) We can take no responsibility for any point at which social media services are unavailable, whether this is due to our actions, due to general issues with the social media sites themselves, due to internet access in your area or due to any other factors.

Queries relating to the application of this policy should be addressed, in writing, to office@penrithtowncouncil.gov.uk

If your account has been blocked, you can request a right to appeal by providing evidence, including the date you were blocked, by emailing office@penrithtowncouncil.gov.uk

We welcome requests made under the Freedom of Information (FOI) Act, in addition, would ask you, if possible, to email these to office@penrithtowncouncil.gov.uk

If you are not happy with the service we provide or have feedback that you would like to bring to our attention and are not happy with the response you receive via social media please email office@penrithtowncouncil.gov.uk

You can find full details of our Complaints Procedure on our website.



Penrith Town Council

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

DRAFT Electronic Communications Policy

Section 1 - Town Council Email

1. The Council email account, office@ is monitored only during office hours.
2. The officer email accounts are monitored when the officers are available.
The Council aims to reply to all questions sent as soon as we can and within five working days.
3. An 'out of office' message is used when appropriate.
4. The officers are responsible for dealing with email received and passing on any relevant mail to Councillors or external agencies for information and/or action.
5. All communications on behalf of the Council will usually come from the Clerk or senior officers.
6. Individual Councillors have Town Council emails, which they monitor when they are available. Councillors are at liberty to communicate directly with parishioners in relation to their own personal views, and if appropriate, copy to the Clerk.
7. It is essential to note that Councillors are required by the Code of Conduct to maintain confidentiality.
8. The Councils communications, community engagement, social media and GDPR policies applies to such messages.
9. Councillors should be aware that any emails copied to the Clerk or any email from the Councillors official Council email or from a private email account used for Council business will be subject to The Freedom of Information Act.

Section 2 - SMS (texting)

Councillors and officers may use SMS as a convenient way to communicate at times. The Councils communications, community engagement, social media and GDPR policies applies to such messages.

Section 3 - Video conferencing e.g., skype, zoom and teams

If this medium is used to communicate, the Councils communications, community engagement, social media and GDPR policies applies to video conferencing.

Section 4 - Internal Communication and Access to Information within the Council

1. Councillors and Officers are expected to abide by the Code of Conduct and the Data Protection Act in all their work on behalf of the Council.
2. Councillors and Officers are expected to abide by the Council's communications, community engagement, social media and GDPR policies.
3. It is vital that all information is treated sensitively and securely.
4. Councillors and officers are expected to maintain an awareness of the confidentiality of information that they have access to and not to share confidential information with anyone.
5. Failure to properly observe confidentiality may be seen as a breach of the Council's Code of Conduct and will be dealt with through prescribed procedures and may result in a criminal investigation.
6. Councillors and officers should only cc essential recipients on emails and therefore avoid use of the 'Reply to All' option.
7. Councillors and officers should only send emails to those individuals who need to know and ensure that email conversation trails have been removed.

Section 5 - Town Council Website

1. The Council may, at its discretion, allow and enable approved local groups to have and maintain a presence via a link or a page on its website for presenting information about the group's activities. The local group would be responsible for maintaining the content and ensuring that it meets the Council's 'rules and expectation' for the website aligned to the Council's communications, community engagement, social media and GDPR policies.
2. The Council reserves the right to remove any or all a local group's information from the website if it feels that the content does not meet the Council's 'rules and expectation' for its website.
3. Where content on the website is maintained by a local group it should be clearly marked that such content is not the direct responsibility of the Council.

Social Media Policies

Approved: May 2018

Reviewing Committee: Finance Committee

Date of committee meeting: 16 January 2022

Policy version reference:2

Policy effective from: 23/01/2023 after Ratification from Full Council

Date for next review: Annual



Penrith Town Council

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

Draft Training Policy

Purpose

This purpose of this policy is to set out the Council's position on the provision of training and development opportunities for staff and councillors. It applies to all staff whether full or part time, temporary or fixed term.

It is the Council's policy that all employees and Councillors of the Council will be trained to a high standard to ensure that they are able to deliver the Council's strategic priorities efficiently and to help raise the Council's overall performance.

One salary point will be added to an employee's salary, up to a maximum of four points, for success in obtaining or already holding any of the following relevant qualifications:

- Introduction to Local Council Administration
- Financial Introduction to Local Council Administration
- ILCA to CiLCA Knowledge Training
- Certificate in Local Council Administration
- Community Governance – levels 4,5 and 6
- MA Public Leadership and Management
- ILM Certificate in Coaching and Mentoring
- ILM level 5 Diploma in Coaching and Mentoring
- ILM level 5 Diploma in Leadership and Management

The training and development policy is aligned with the Council's overall priorities and objectives and gives due regard to the personal development needs of individuals.

Training and development forms part of the overall performance management of the Council. The Council recognises that because of its size most formal training will be provided by outside bodies.

Scope

The Council will:

- Review its organisational plan regularly to ensure that training and development needs are assessed, and sufficient resources are provided to meet these needs.
- Provide information about training courses, induction programmes and development opportunities to all staff.
- Comply with Equal Opportunities and other Council policies when assessing training and development needs.
- Ensure each employee receives performance reviews, feedback, and assessment of personal development needs.
- Evaluate all training activities to ensure that delivery is relevant to needs, cost effective and that the quality of training is consistent.
- Support the development of personal development plans as part of performance review, which will identify skills and knowledge development needs for each individual.

Identifying, Meeting and Evaluating Training and Development Needs

Training and development needs will be identified from a variety of sources:

- Induction and probationary periods
- One-to-ones
- Performance review
- Workforce planning
- Team meetings
- Annual plan
- Change processes

In addition, the Council will encourage staff to identify their own learning styles and will seek to provide a wide variety of learning and training methods, including:

- Attendance at conferences, seminars, and short courses
- Online training
- Internal coaching
- Shared in-house learning resources (books, journals, DVDs etc.)
- In house training
- Work shadowing

A number of factors will be taken into account when assessing a request from an individual. This policy provides one element of the decision-making process. Other factors will include availability of finance and the individual's employment record.

In order to ensure that the Council is able to consistently evaluate requests, training and development opportunities have been organised into three categories according to the degree of importance each intervention has for different roles.

Categorising training and personal development

The three categories are as follows:

1. Required

Required training is legally required for the post-holder, or a qualification deemed to be so fundamental to the role, that the Council makes it a required requirement. Any required training or qualifications are to be stated on the job description. For required qualifications, it is unlikely that an applicant would be recruited without having previously attained the qualification. Where a qualification becomes required for the role, the Council will provide reasonable assistance for the employee to attain the qualification (see the section on Guidance for Support below).

Some required training may be specific to a particular job role whilst other training may be a generic requirement. Examples of required training include:

- Certificate in Local Council Administration (CiLCA), Data Protection

2. Desirable

Desirable training is not legally required for the post, but it is directly relevant to the individual's job. Any desirable training or qualifications are to be stated on the job description. For desirable qualifications or training, an individual may be recruited without having previously attained the qualification or undergone the training but may be expected to attain the qualification within a defined period. The need for training may also be identified through one-to-one meetings or annual appraisals. A desirable qualification is likely to enhance the skills and reputation of the Council. Examples may include:

Job specific

- Health and Safety (Personal Safety, Manual handling, Display Screen equipment), Microsoft Excel

3. Optional

An optional qualification or optional training may not be directly linked to the individual's current job. Optional training or development is generally more beneficial to the individual's career than it is for the Council. Personal development aimed at developing the skills or knowledge of an individual in order to provide a successor for an existing job is deemed to be optional. However, depending on the circumstances, training for succession may be 'desirable'. These may include:

Job specific

- Using coaching techniques, allotment management, a guide to appraisal, how to organise a safe and successful community event, quotes, tenders, and contract management

4. Guidance for Support

Support for qualifications, training and personal development can include financial assistance towards the cost of tuition, examinations, and resource materials in addition to half / day release and time off for study leave and taking the examination. Any financial and non-financial support to training and development is entirely at the discretion of the Council.

The Council reserves the right to reclaim financial support where the employee:

- Leaves the Council during the duration of the course, or up-to 1 year following completion of the course.
- Fails to complete the training.
- Fails to attend training without good reason.

5. Study leave

Where an individual requires study leave to undertake Required training, they will be able to take all the leave within normal working hours.

Where individuals require study leave to undertake study, which is not Required but part of the individual's formal continuous professional development, the Council, will contribute up to 100% of study leave time, to a maximum of 24 days per annum.

Where individuals require study leave to undertake training, which is not Required but part of the individual's desire for career development, the Council, will contribute up to 12 days study leave per annum for courses, which are directly related to the individual's role.

Time off for study leave must be approved in advance. To make a request the individual is asked to complete and submit the Training Request Form to the Town Clerk setting out the details of the course of study, how it relates to their work, and the time being requested.

No study leave will be granted where individuals undertake study, which is not required for their role, or not directly related to their role. However, the Clerk will consider requests for flexible working to allow the study to take place, as long as the needs of the Council can be met.

6. Training course feedback

In order to evaluate training, employees and Members are required to evaluate how successful and appropriate the training has been. The purpose of this is to provide shared learning across the organisation, which provides both training benefits and represents value for money. Staff and Members are required to produce a brief report on the training course attended, this should include:

- What they have learned from the training and how this relates to the Council's priorities
- Is additional training required
- Are there any organisational changes that need to be made as a result of gaining the information
- Could the training be beneficial to anyone else at the Council

Reports will be added as an agenda item and discussed at appropriate meetings.

National Joint Council ("Green Book") Provisions the Green Book makes specific reference to encouraging local authorities to provide training and development opportunities for their employees at Part 2, Section 3.

Employees attending or undertaking required training are entitled to payment of normal earnings, all prescribed fees and other relevant expenses arising.

Employees are also entitled to paid leave for the purpose of sitting for required examinations.

When attending training courses outside contracted daily hours, part-time employees should be paid on the same basis as fulltime employees.

7. Councillors training

All Councillors are offered the opportunity to attend all relevant training courses as it is essential that Councillors are equipped to make informed decisions and receive training to support their participation in committees and Full Council.

All members and co-opted members have equality of access to a programme of training provided by NALC, CALC and SLCC and approved external providers.

Members take responsibility for their own development needs and fully participate in training and development activities. The Town Clerk provides information on training and development activities, which is communicated in such a way as to give sufficient notice to attend.

All Members are offered a Personal Development Plan with the aim of identifying and prioritising training and development needs when they commence in the role.

Evaluation and feedback relating to development activities are effectively monitored and reviewed so that future provision of training and development remains relevant and to a high standard.

Members will be encouraged to share their knowledge and expertise with fellow members, where appropriate, by:

- Leading workshops.
- Supporting newly elected mentors (buddying)

Officers will support training and development by:

- Providing the main support and source of information for all Councillor training and development, ensuring that all members are clearly aware of training and development opportunities in good time.
- Providing 1-2-1 support to newly elected members as part of their planned induction programme.
- Devising and delivering in consultation with a programme of induction training for new Councillors.
- Provide administrative support for all training and including communication with Members and provision of feedback to providers.
- Managing the member training budget.

Whether delivered through the Council's internal expertise or through specialist external training providers, access to training will be offered as follows:

- Core induction programme courses – Required and committee specific
- In-house briefings and workshops
- External conferences and seminars
- Written learning materials
- Peer mentors, political group/officer buddying
- E-Learning packages
- Study visits to other Councils or relevant partners
- Targeted training for newly elected Members
- Shadowing opportunities
- Sharing knowledge with other elected and co-opted Members
- Leadership development opportunities, and chairmanship

8. Required Training for both Councillors and staff

Required training applies to both councillors and staff for:

- GDPR and Privacy
- Carbon Literacy
- Code of Conduct
- Civility and Respect– various training
- Respectful Social Media — How to deal with attacks and negative engagement by Breakthrough Communications

Required training for committee membership for Councillors:

- Planning
- Local Council Finance

Required training for Chairs with no experience of chairing meetings:

- New chairman training offered by CALC

Councillors are offered up to six months in post to attend the required training on offer. Failure of Councillors to attend the required training sessions would be taken to Full Council and may result in expulsion from committees.

Staff are offered up to six months in post to attend the required training on offer. Failure of staff to attend required training may be raised as a disciplinary matter.

9. Desirable training for both Councillors and Staff

- Uncovering the issues for the public sector
- What makes people become challenging
- Personal resilience and self-protection
- Understanding psychopathic and narcissistic behaviour

Training Policy

Approved: May 2017

Reviewing committee: Finance Committee

Date of committee meeting: 16 January 2022

Policy version reference:2

Policy effective from: 23/01/2023 after ratification from Full Council

Date for next review: 2027



Penrith Town Council

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

DRAFT FOR APPROVAL

ITEM 10 Penrith Football Club

Penrith Association Football Club (AFC) are seeking from the Town Council a letter of support as drafted:

Mr Brian Williams
Penrith AFC
Frenchfield Park
Penrith
Cumbria
CA11 8UU

24 January 2023

Dear Mr Williams

Frenchfield Park 3G Pitch and Stadium Improvements

I am writing on behalf of Penrith Town Council to express the Councils' support for the Penrith Football Clubs proposal to enhance the Frenchfield Park stadium facilities to provide a new 3G Artificial Turf Pitch, replacement floodlighting, fencing and storage and cycle parking.

The provision of enhanced all weather facilities will clearly extend the use of the current facilities and seek to provide greater opportunities for the local community to participate in football.

It is encouraging to learn that Penrith AFC has developed to provide a vast array of football opportunities and to provide provision for adults, children, women and girls and disability football, much of which is organised and delivered by volunteers.

The provision of these new facilities will further address other local needs including providing high quality sport and physical activity opportunities and the promotion of community health and wellbeing.

Given that the Local Football Facilities Plan for Eden District which was developed by all the key sporting stakeholders identifies a new full size 3G pitch for Penrith; and that the Football Foundation itself has updated the priority site to be Penrith AFC provides further strategic evidence of the benefit of this project to Penrith.

The Council are in agreement that this development would provide first class opportunities for football at a location that is already associated with the sport. The project is further complemented by the existing grass pitches and sporting opportunities available on the adjacent Frenchfield Sports Centre which together showcases Penrith as a provider of high-quality sporting opportunity.

The Council are aware that Penrith AFC which was founded in 1894 and has been in existence for 129 years has contributed to the Penrith sporting community throughout that period, and it is hoped that the development will allow the club to operate on a sustainable footing and continue to provide football and community wellbeing opportunities into the future.

Should the Council be able to provide any further assistance in relation to this project then do not hesitate to get in touch. Otherwise the Council wishes Penrith AFC every success with this project.

Yours sincerely

Councillor Charlie Shepherd

Mayor and Chair of Council

**FOR THE ATTENTION 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:

<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 9.00am and 3.00pm, Monday to Wednesday via: office@penrithtowncouncil.gov.uk

END OF DOCUMENT