



Penrith Town Council

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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

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 Gwyn 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