



Penrith Town Council

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

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Minutes of the Annual Meeting of Penrith Town Council held on Monday 15 May 2023, at 6.00pm at Unit 2, Church House, Friargate, Penrith CA11 7XR.

FULL COUNCIL MEMBERSHIP

Cllr. Bowen	Pategill Ward	Cllr. Kenyon	North Ward
Cllr. Burgin	South Ward	Cllr. Lawson	Carleton Ward
Cllr. Donald	North Ward	Cllr. Rudhall	East Ward
Cllr. Holden	Carleton Ward	Cllr. C Shepherd	East Ward
Cllr. Jackson	North Ward	Cllr. Smith	South Ward
Cllr. B. Jayson	West Ward	Cllr. Snell	West Ward
Cllr. D. Jayson	North Ward	Cllr. J. Thomson	West Ward

Town Clerk, PSLCC
Deputy Town Clerk
Responsible Finance Officer
Services and Contract Manager
Community Services Officer

MINUTES FOR THE ANNUAL MEETING OF PENRITH TOWN COUNCIL 15 May 2023

PTC23/01 Election of Chair

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

RESOLVED THAT:

Councillor Lawson be elected Chair for the 2023-2024 municipal year.
Cllr. Lawson assumed the Chair and Town Mayor roles and made a declaration of acceptance of office in the prescribed form.

PTC23/02 Appointment of Vice Chair

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

RESOLVED THAT:

Councillor Rudhall be appointed Vice-Chair for the 2023-2024 municipal year. Cllr Rudhall assumed the Vice Chair and Deputy Mayor roles and made a declaration of acceptance of office in the prescribed form.

PTC23/03 Acceptance of Office

Members noted that the Town Clerk had received completed Declaration of Acceptance of office forms from all Members.

PTC/23/04 General Power of Competence

Members were asked to confirm by resolution that the Council may continue to exercise the General Power of Competence as at least two thirds of the members of the Council hold office as a result of being declared elected and at the time the resolution is passed the Town Clerk and Services and Contracts Manager hold the certificate in Local Council Administration.

RESOLVED THAT:

From 15 May 2023, until the next relevant Annual Meeting of the Council, the Council, having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Council's (General Power of Competence) (Prescribed Conditions) Order 2012, Penrith Town Council continue to adopt the General Power of Competence.

PTC23/05 Apologies

There were no apologies from Members.

PTC23/06 Interests

Members noted that they were required to submit their completed Register of Interests within 28 days. of election, by 1 June to the Monitoring Officer.

PTC23/07 Declarations of Interest and Requests for Dispensations

Members were asked to disclose their interests in matters to be discussed on the agenda.

Item 20 on the agenda:

23/0218 Formation of roadway, Omega Proteins Penrith Ltd Processing Plant Penrith CA11 0B

23/0250 Anaerobic digestion facility with gas to grid transmission pipeline, Omega Proteins Penrith Ltd Processing Plant Penrith CA11 0B

The following Members declared an interest in the two planning applications and excused themselves from participating in the debate and voting for item 20 on the agenda:

Cllr. B. Jayson, Cllr. Kenyon, Cllr. Smith, Cllr. Snell and Cllr Thomson.

Cllr. Snell made a statement to the meeting.

PTC23/08 Excluded Item: Public Bodies (Admissions to Meetings) Act 1960

Members noted that there were no items to 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.

PTC23/09 Minutes Approval

Members were asked to approve the minutes of the last meeting of Council and any other meetings which took place during the previous municipal year that have not been formally approved.

RESOLVED THAT:

- a) The Chair be authorised to sign the Minutes of the Full Council minutes of 27 March 2023 and as a true and accurate record.
- b) The Chair be authorised to sign the year-end minutes of the committees as a true and accurate record:
 - i. Planning Committee: Monday 6 March 2023
 - ii. Finance Committee: Monday 24 April 2023

PTC23/10 Outside Bodies

Members were asked to decide the list of outside bodies on which the Council will seek and/or continue representation.

RESOLVED THAT

The following groups be added to the list of outside bodies:

- a) Healthwatch Cumbria
- b) Cold Springs Steering Group
- c) Recovery College

Members were asked to receive nominations and appoint Members to represent the Council on the outside bodies.

RESOLVED THAT

Organisation	Members
106 Partnership	Cllr. Burgin, Cllr. Kenyon
A66 Community Liaison Group	Cllr. Shepherd, Cllr. Smith
WFC Assoc. of Local Councils	Cllr. Holden, Cllr. D. Jayson
Eden Health and Wellbeing Forum	Cllr. Snell
Local Cycling and Walking Infrastructure Plan (LCWIP)	Cllr. Bowen, Cllr. D. Jayson
Penrith Parking and Movement Study (PPMS)	Cllr. Holden, Cllr. Jackson, Cllr. Shepherd
Borderlands	Cllr. Kenyon, Cllr. Jackson, Cllr. B. Jayson
Penrith Action for Community Transition (PACT)	Cllr. D. Jayson
Penrith and Eden Refugee Network (PERN)	Cllr. Kenyon, Cllr. Snell
Rural Market Town Group - Members	Cllr. Burgin, Cllr. Donald
Town Working Group	Deputy Town Clerk Economic Development Officer
Town Working Group- Sub-groups	Officers and Members depending on the purpose of the group
Zero Carbon Cumbria Partnership	Cllr D Jayson Town Clerk
Devolution LGR strategic group Including any specific working groups for individual assets	Lead Member Chair and Vice Chair Services and Contracts Manager Solicitor Town Clerk
Health Watch Cumbria	Cllr. Snell
Coldsprings Steering Group	Cllr. Lawson
Recovery College	Cllr. Donald

PTC23/11 Committees

Members considered the appointment of Members a to serve on the under mentioned Committees:

a) **Finance Committee** – for a term of 4 years

RESOLVED THAT:

Cllr. Burgin
Cllr. Jackson
Cllr. D. Jayson
Cllr. Kenyon
Cllr. Lawson
Cllr. Rudhall
Cllr. C Shepherd

b) **Communities Committee** – for 12 months

RESOLVED THAT:

Cllr. Bowen
Cllr. Donald
Cllr. Jackson
Cllr. B. Jayson
Cllr. Kenyon
Cllr. Snell

c) **Planning Committee** – for 12 months

RESOLVED THAT:

Cllr. Bowen
Cllr. Holden
Cllr. Jackson
Cllr. D. Jayson
Cllr. Shepherd
Cllr. Snell
Cllr. Thomson

PTC23/12 Appointment of Substitute Members of Committees

As well as allocating seats on standing committees, Members considered the allocation of seats in the same manner for substitute members.

a) **Finance Committee**– for a term of 4 years

RESOLVED THAT:

Cllr. Bowen
Cllr. Donald

PTC23/12 Appointment of Substitute Members of Committees continued.

b) **Communities Committee** – for 12 months

RESOLVED THAT:

Cllr. Holden

Cllr. Lawson

Cllr. Smith

c) **Planning** – for 12 months

RESOLVED THAT:

Cllr. Kenyon

Cllr. Rudhall

PTC23/13 Election of Committee Chair

Members of the Council were asked to elect the Chair to serve on the under mentioned Standing Committees:

a) **Finance Committee**– for 12 months

RESOLVED THAT:

Cllr. Shepherd be elected as Chair.

b) **Communities Committee**– for 12 months

RESOLVED THAT:

Cllr. Snell be elected as Chair.

c) **Planning Committee** – for 12 months

RESOLVED THAT:

Cllr. Jackson be elected as Chair.

PTC23/14 Meetings

Members considered the dates and times of ordinary meetings of the Council and Committees for the ensuing year noting that the timings are as set out in the report but may be considered and amended by the committee at its first meeting.

RESOLVED THAT:

a) **Full Council 6:00 - 8:00 UNIT 2**

17 July 2023

25 September 2023

20 November 2023

29 January 2024 - Precept

25 March 2024

22 April 2024 – Annual Town Meeting

20 May 2024 - Annual Meeting of the Town Council

PTC23/14 Meetings continued

b) Finance Committee 4:00 - 6:00 BOARD ROOM

26 June 2023

18 September 2023

13 November 2022

15 January 2024

18 March 2024

22 April 2024 finish at 5:30pm

c) Communities Committee 4:00 - 6:00 BOARD ROOM

12 June 2023

9 October 2023

18 December 2023

26 February 2024

15 April 2024

Caveat – timings may vary to suit attendees from community groups.

d) Planning Committee 1:30 - 3:00 UNIT 2

5 June 2023

3 July 2023

4 September 2023

2 October 2023

6 November 2023

4 December 2023

8 January 2024

5 February 2024

4 March 2024

8 April 2024

13 May 2024

PTC23/15 Policies & Procedures

Members noted that the review of policies, procedures and terms of reference had been completed and that there were two policies for members consideration:

a) Motion on Notice – Amendment to Standing Orders – Councillor Lawson

Members considered the motion on notice from Councillor Lawson to:

“Amend Standing Order 3e to include a requirement for the public to submit written questions and statements in advance of Council meetings and a process for handling follow-up questions.

The proposed amendment would allow Council and officers time to consider and provide a measured response that may not be forthcoming if the question is a “surprise” and vocalised live during the meeting.

PTC23/15 Policies & Procedures Continued

a) Motion on Notice – Amendment to Standing Orders – Councillor Lawson

The process encourages the questioner to think carefully about what they want to ask, and they will receive a diligent response to a question of importance to them.”

Cllr. Jackson proposed an amendment that Section 3i and ii read as follows:

Members of the public may make representations, ask questions, and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. It is preferred that a member of the public make a request in writing to the Town Clerk PRIOR to the meeting to facilitate a full response from the Council to the questioner.

A question should only be asked if notice has been given by delivering it in writing or by electronic mail to the Town Clerk no later than midday one clear working day (that is not counting the day of the meeting or the day of delivery) before the day of the meeting.

Rather than:

- i. Members of the public may make representations, ask questions, and give evidence at a meeting which 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.
- ii. A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Town Clerk no later than midday one clear working day (that is not counting the day of the meeting or the day of delivery) before the day of the meeting.

RESOLVED THAT:

That the amendment to the motion on notice be approved, and the substantive motion be approved.

b) Homeworking Policy

Members considered the Home Working Policy which is new and supports the Council’s Flexible Working Policy. The Homeworking Policy provides a framework for remote working and identifies the Council and employee obligations.

RESOLVED THAT:

The policy be approved.

PTC23/16 Membership to national organisations

Members noted the:

- a) Council's continuing subscription to the Cumbria Association of Local Councils, the Society of Local Council Clerks, the National Allotment Society, the Living Wage Foundation, and the Information Commissioner's Office.
- b) Council received 12 months free membership of the Rural Services Network and the Rural Market Town Group.

Members were asked to accept the recommendation to renew membership for the Rural Market Town Group for the term of the Council at the subscription rate of £121.82 for 23/24, noting that this may change for each membership year.

RESOLVED THAT:

The membership for the Rural Market Town Group be renewed for the term of the Council at the subscription rate of £121.82 for 23/24, noting that this may change for each membership year.

PTC23/17 Matters from Finance Committee

- a) **Joint Panel on Governance and Accountability Practitioners' Guide March 2023**

Members were asked to ratify the adoption of Joint Panel on Governance and Accountability Practitioners' Guide March 2023.

RESOLVED THAT:

The adoption of Joint Panel on Governance and Accountability Practitioners' Guide March 2023 be ratified.

- b) **Fixed Asset Register 31 March 2023**

Members noted that:

- i. For accounting purposes, assets have been valued in accordance with the Council's Asset Valuation Policy and total £181,919.13.
- ii. The value, £181,919.13 recorded in box 9 of the Annual Governance and Accounts Return 2022-2023 is taken from the Council's asset register which is up to-date at 31 March 2023 and includes all acquisition and disposal transactions recorded in the cashbook during the year.
- iii. The insurance value of the assets is £689,674.
- iv. An insurance review had been completed and the Council's insurance would renew automatically in May, as the Council was committed to a three-year agreement.

Members were asked to ratify the Fixed Asset Register for 31 March 2023 and the reconciliation of transactions in 2022-23.

RESOLVED THAT:

The Asset Register for 31 March 2023 and the reconciliation of transactions in 2022-23 be ratified.

PTC23/17 Matters from Finance Committee continued.

c) Finance Outturn Report – Year ended 31 March 2023

Members were asked to ratify the final outturn report for the financial year ended 31 March 2023.

RESOLVED THAT:

That the final outturn report for the financial year ended 31 March 2023 be ratified.

d) Internal Audit

Members were asked to ratify the Internal Audit final report for 2022-23.

RESOLVED THAT:

That the Internal Audit final report for 2022-23 be ratified.

e) Effectiveness of Internal Audit Provision for 2022-23 and reappoint the Internal Auditor

- i. Members were asked to ratify the review of effectiveness of internal audit provision during 2022/23.

RESOLVED THAT:

The review of effectiveness of internal audit provision during 2022/23 be ratified.

- ii. Members were asked to ratify the re-appointment of G. Airey as the Internal Auditor for 2023-24.

RESOLVED THAT:

The re-appointment of G. Airey as the Internal Auditor for 2023-24 be ratified.

f) Annual Governance and Accountability Return (AGAR)) Annual Governance Statement 2022-2023 Section 1 of the Annual Governance and Accountability Return (AGAR))

- i. **Review the Annual Governance Statement for 2022-23**

Members noted that:

Members noted that the Town Council must conduct an annual review of the effectiveness of the system of internal control prior to the completion of the Annual Governance Statement and a full review was carried out by the Finance Committee on the 20 March 2023 which was duly ratified by Council on the 27 March 2023. The review confirmed that the Council's system of internal controls were effective and the review of the effectiveness of internal audit provides further support for that assessment.

- A) Members were asked to approve the Annual Governance Statement for 2022-2023 Section 1 of the Annual Governance and Accountability Return.

RESOLVED THAT:

The Annual Governance Statement for 2022-2023 Section 1 of the Annual Governance and Accountability Return be approved.

PTC23/17 Matters from Finance Committee Continued

B) Members were asked to authorise the Chair of the Council and the Town Clerk sign the Statement at Section 1 of the Annual Governance and Accountability Return.

RESOLVED THAT:

The Chair of the Council and the Town Clerk sign the Statement at Section 1 of the Annual Governance and Accountability Return.

ii. Accounting Statements Section 2 Annual Governance and Accountability Return 2022-2023

A) Members were asked to approve the Accounting Statements 2022-23 and AGAR reconciliation.(Section 2 of the AGAR).

RESOLVED THAT:

The Accounting Statements 2022-23 and AGAR reconciliation.(Section 2 of the AGAR) be approved.

B) Members were asked to authorise the Chair of the Council to sign the Statements on behalf of the Council prior to the submission of the AGAR by the RFO to the External Auditor.

RESOLVED THAT:

The Chair of the Council sign the Statements on behalf of the Council prior to the submission of the AGAR by the RFO to the External Auditor.

iii. Notice of public rights and publication of unaudited Annual Governance & Accountability Return

Members noted that the notice for the unaudited AGAR would be published on the Council's website and noticeboard from Sunday 4 June 2023 to Friday 14 July 2023

g) Payments for Approval

Members were asked to identify two Members from the new Finance Committee to undertake the Payments for Approval reconciliation for the meeting of Finance Committee on the 26 June 2023.

RESOLVED THAT:

Cllrs. Burgin and Jackson undertake the Payments for Approval reconciliation for the meeting of Finance Committee on the 26 June 2023.

Councillor Rudhall declared an interest in the following item of business as a close relative had just signed on a house at Carleton Heights and informed the meeting that he would not comment or vote on this issue.

PTC23/18 Carleton Village Hall

Members considered the report and the recommendations contained within.

RESOLVED THAT:

- i. The Council formally express their interest subject to contract and the agreement of terms without prejudice, in accepting the ownership of the hall.
- ii. That the Services and Contracts Manager, Town Clerk and Solicitor have delegated authority to negotiate with Permission on the proposed terms of any purchase and Westmorland and Furness Council on its position in relation to the acquisition of the village hall and planning matters.
- iii. The Council agree the terms and approve the business case when completed.
- iv. That once the essential terms, on costs and principles agreed provide authority to the Town Clerk to complete the transfer if the terms, costs, and business case are favourable.
- v. That expenditure to support the acquisition be funded by reserves to the value of £25,000 and that Council approve the establishment of a budget for Carleton Village Hall that will sit with the Finance Committee.
- vi. That officers have authority to negotiate changes and enhancements to the design for climate change mitigation.
- vii. That a task and finish group be established to assist the successful transfer of the hall and engage with the residents and develop the business case: the membership will include the Council Chair, Vice Council Chair, Carleton Ward Cllrs Holden and Lawson and officers.
- viii. That the Services and Contracts Manager and Community Services Officer develop a business case. with an options analysis to go forward to the next scheduled meeting of the Council.

Councillor D Lawson declared an interest in the following item of business as a as a member of CAMRA.

PTC23/19 Asset of Community Value

Members considered the letter dated 25 April 2023 from the Westmorland and Furness Council's Assistant Director Legal and Democratic Services seeking the Council's opinion for the registration of the Agricultural Hotel as an asset of community value.

RESOLVED THAT:

The Council supports the registration of the Agricultural Hotel as an asset of community value as the building is iconic and is a building of significant historical interest.

PTC23/20 Planning Applications for Consideration

Cllr. Thomson made a representation for application 23/0218 before the debate opened having excused himself from debating and voting on the matter.

Members considered the following applications:

Planning application number:	23/0218
Site address:	OMEGA PROTEINS PENRITH LTD PROCESSING PLANT PENRITH CA11 0BX
Description:	Formation of roadway.
RESOLVED THAT: a response of no objection be returned to Westmorland & Furness Council with a request that a condition be included that the proposed track be retained as a permeable surface so that surface water runoff is not increased.	

Cllr. Thomson made a representation as a member of the public before the debate opened for application 23/0250 having excused himself from debating and voting on the matter.

Planning application number:	23/0250
Site address:	OMEGA PROTEINS PENRITH LTD PROCESSING PLANT PENRITH CA11 0BX
Description:	Anaerobic digestion facility with gas to grid transmission pipeline.
<p>It was suggested but not seconded that a response be returned objecting to the application. During the debate Members identified that they had insufficient information to decide to support or object the application. Following further discussion it was</p> <p>RESOLVED THAT: A response be returned to Westmorland & Furness Council stating that Penrith Town Council did not feel able to make a formal response due to having insufficient information or photo montages showing the proposed new development within the existing site. However the following concerns should be forwarded to, and taken into consideration by, the Local Planning Authority:</p> <ol style="list-style-type: none">1. There is concern about the lack of information regarding the operation and visual impact of the flare.2. The new development adds to the scale and massing of the site as a whole although it is recognised that it is a highly industrialised site. Photo montages should be included which show the proposed development within the site.3. There is no information about how the proposed development may mitigate or potentially add to odour nuisance.	

Planning application number: 23/0250 continued

4. It is imperative that the Highways Authority provide a response on the potentially increased traffic generation to and from the site relating to the proposed development.

5. The Environment Agency must advise on drainage pollutants and any disturbance, smells or fumes resulting from the proposed development.

PTC23/21 Next Meeting

Members noted the next meeting of the new Council would be the Ordinary Town Council meeting scheduled for Monday 17 July 2023 at 6.00pm, Unit 2, Church House, Friargate, Penrith.

PART II – PRIVATE SECTION

There are no matters that are considered exempt information.

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