



# Penrith Town Council

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

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**DATE: 10 July 2023**

**NOTICE IS HEREBY GIVEN** that an **ORDINARY MEETING** of **PENRITH TOWN COUNCIL** will be held on **17 July 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 CA11 7XR.**

To assist in the speedy and efficient dispatch of business', Members should read the agenda and reports in advance of the meeting. Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the relevant officer **PRIOR** to 9.00am on the day of the meeting.

Members are asked to indicate if they wish to speak on an item **PRIOR** to the meeting (by 1.00pm on the day of the meeting at the latest) by emailing [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

## **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. 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. Thomson	West Ward

Mr I. Parker, Acting Town Clerk

## **Public Participation**

Members of the public are welcome to attend. Details about 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 15 May 2023, 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 17 July 2023**

## **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 for the Annual Town Council Meeting held on Monday 15 May 2023

### **3. Declarations of Interest and Requests for Dispensations**

Receive declarations by Members of interests in respect of items on this agenda and apply for a dispensation to remain, speak and/or vote during consideration of that item.

#### **ADVICE NOTE:**

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests that have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.) Members may, however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests that they have already declared in the Register, as well as any other registrable or other interests. If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the Monitoring Officer at least 24 hours in advance of the meeting.

### **4. Public Participation**

Receive representations from members of the public. There is a period of up to 15 minutes in total for members of the public to ask questions or submit comments.

Receive reports from Westmorland and Furness Councillors.

#### **ADVICE NOTE:**

Members of the public may make representations, answer 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, 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 items 23 and 24 Staffing Matters 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 as it 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.

## **New Matters of Public Interest**

### **6. Co-option to vacant seat after Full Council elections**

Consider the applications for the vacant seat for Penrith East Ward.

The press and public will be asked to leave the Council meeting, for the applications to be considered. The Council may choose who they like but the person must be qualified to have been a candidate. After due consideration, the chairman will reconvene the meeting and it will be reopened to the public and press and voting takes place. Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting.

Councillors shall vote by show of hands, or, if at least two members so request, by signed ballot. If any member so requires, the Clerk shall record the names of members who voted on any question to show whether they voted for, against, or abstained.

In the case of an equality of votes, the Chairman of the meeting has a second or casting vote. Councillors may be minded not to fill the vacancy and there is no appeal procedure.

Only Councillors present at the full council meeting may nominate, second or vote upon a person to fill the vacancy. At this meeting, members will be informed of the names of anyone wishing to be considered as a councillor.

### **7. 563 Bus Service**

Note the report.

### **8. Penrith Environmental Task and Finish Group**

Consider the motion from Cllr. D. Jayson for the terms of reference for a new task and finish group.

### **9. Stagecoach Bus Service**

Consider the motion from Cllr Jackson to support the Number 2 Bus Service.

### **10. Report from the Council Chair**

Note the duties undertaken by or on behalf of the Town Mayor.

### **11. 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.

## **Routine Business Matters**

### **12. Resolutions Report**

Note the written report.

### **13. Finance Committee**

Ratify items a to c following as approved recommendations from the Council's Finance Committee from their meeting held on Monday 26 June 2023. Members are asked to note that these matters have been considered and approved by the members of the Council's Finance Committee, and the Committee Chair, has requested the matters be brought to Full Council for ratification:

#### **a. Budgetary Control Statement 2023/24: 31 May 2023**

Ratify the Budgetary Control Statement for the period 31 May 2023.

#### **b. Lead Members for Devolution**

Ratify Cllrs Jackson and Shepherd to act as lead and deputy lead Members for devolution and transfer of assets amending the representation to Outside Bodies accordingly.

#### **c. Terms of Reference - Carleton Village Hall Task and Finish Group**

Ratify the Terms of Reference for the Carleton Village Hall Task and Finish Group.

### **14. Draft Neighbourhood Plan Update**

Note the report.

### **15. Borderlands Update**

Note the report.

### **16. Penrith Arts and Culture Update**

Note the report.

### **17. Grants**

Note the grants report.

### **18. Scheme of Delegation – Planning Committee Terms of Reference**

Ratify the amendments to the terms of reference for the Planning Committee.

## **New Business**

### **19. Outside Bodies**

Consider representations to new outside bodies:

a) Friends of Eden Valley Public Transport.

### **20. St Andrews War Memorial**

Consider the proposal to install a sandstone plinth surrounding the base of the St Andrews War Memorial.

## **21. Planning Applications for Consideration**

Consider the following applications for which information can be found on the Westmorland and Furness Council Website

<https://plansearch.eden.gov.uk/fastweb/> by inserting the appropriate planning reference number.

Planning application number:	23/0441
Site address:	STATION VIEW PENRITH CA11 0BX
Description:	Formation of an HGV fuel bunkering site including associated operations.

## **22. Next Meeting**

Note the next meeting of Council is scheduled for Monday 25 September 2023 at 6.00pm, Unit 2, Church House, Friargate, Penrith.

## **PART II – PRIVATE SECTION**

The following is exempt information as it 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.

## **23. Staffing Matter**

Consider the Staffing Report.

## **24. Staffing Matter**

Consider the Staffing Report and the recommendations contained within.

## **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](mailto:office@penrithtowncouncil.gov.uk).

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

## **Members are asked to:**

### **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**

<b>Organisation</b>	<b>Members</b>
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:

<b>Planning application number:</b>	23/0218
<b>Site address:</b>	OMEGA PROTEINS PENRITH LTD PROCESSING PLANT PENRITH CA11 0BX
<b>Description:</b>	Formation of roadway.
<b>RESOLVED THAT:</b> 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.

<b>Planning application number:</b>	23/0250
<b>Site address:</b>	OMEGA PROTEINS PENRITH LTD PROCESSING PLANT PENRITH CA11 0BX
<b>Description:</b>	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><b>RESOLVED THAT:</b> A response be returned to Westmorland &amp; 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"><li>1. There is concern about the lack of information regarding the operation and visual impact of the flare.</li><li>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.</li><li>3. There is no information about how the proposed development may mitigate or potentially add to odour nuisance.</li></ol>	

**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.

**CHAIR:**

**DATE:**

## **PART II – PRIVATE SECTION**

There are no matters that are considered exempt information.

### **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](mailto:office@penrithtowncouncil.gov.uk)

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# REPORT TO FULL COUNCIL

**Date: 17 July 2023**

## **Public Report**

**Matter:** Co-option

**Item no:** 6

**Author:** Deputy Town Clerk

**Supporting Member:** Cllr. Lawson, Council Chair

### **Purpose of Report:**

Members will review applications for the single vacant seat remaining after 4 May 2023 elections for Penrith East Ward. It is intended that co-option to the seat will be agreed.

### **Law and legal implications**

The Town Council resolved from 15 May 2023, 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**

- a. In an ordinary election, it is not uncommon for some councils to receive an insufficient number of candidates to fill its seats. Co-option provides a way for councils to fill their vacancies. Co-option is a process by which a vacant seat on a parish or town council is filled by appointment rather than an election. It is often necessary to ensure a council is fully constituted and able to carry out its duties.
- b. Anyone wishing to join the Council via co-option must be eligible under s.79 of the Local Government Act 1972 and not disqualified under s.80 of the Local Government Act 1972.
- c. Only Full Council can make the decision about who to co-opt; it cannot be delegated to either a committee or to an officer of the Council. There is no statutory procedure for how councils undertake their co-options.
- d. The press and public will be asked to leave the Council meeting, for the applications to be considered however, the decision will not be made in private session.
- e. This session is provided to allow Members to consider personal sensitive data from the application form. If Members feel that they do not need the private session to review the application they need not adjourn.
- f. The Chair will reconvene the meeting and it will be reopened to the public and press when the consideration and voting takes place. Choosing a public representative is expected to be a public and transparent affair. Therefore co-options should not be agreed in confidential session.
- g. The Council may choose who they like but the person must be qualified to have been a candidate. The vacancy does not have to be filled if Council finds the applicants are not suitable but should be mindful that the reason should be sound and there is no appeal procedure.

- h. It is the National Association of Local Council's (NALC) view that where there is the same number, or less, of candidates than there are vacancies, then they shall be co-opted on to the Council.
- i. It is also NALC's view that if an eligible person has come forward for a vacancy, then they shall be co-opted to the Council: Had they nominated themselves in an uncontested election they would have had gained the seat, so it is difficult for the council to refuse an eligible candidate and will likely be subject to challenge if they do so.
- j. Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting.
- k. Councillors shall vote by show of hands, or, if at least two members so request, by signed ballot.
- l. If any member so requires, the Clerk shall record the names of members who voted on any question to show whether they voted for, against, or abstained.
- m. In the case of an equality of votes, the Chair of the meeting has a second or casting vote.
- n. Only Councillors present at the Full Council meeting may nominate, second or vote upon a person to fill the vacancy.
- o. As for elected councillors, co-opted councillors must sign a declaration of acceptance of office at or before their first meeting and must submit their register of interests within 28 days of their co-option.
- p. It is advisable that co-opted councillors do not take office until the end of the meeting at which they are appointed.
- q. The clerk will notify the returning officer at Westmorland and Furness Council that a co-option has taken place as soon as practically possible after the meeting at which they are appointed.
- r. All co-opted councillors are given the same opportunities in regard to induction and training, as elected councillors.
- s. A co-opted councillor will participate in council business in the same way as elected councillors. There are no restrictions to the roles they may perform i.e., membership of committees, election of Chair/Mayor etc.
- t. Co-opted councillors will not count as an 'elected' councillor for the purposes of the General Power of Competence (although councillors appointed at uncontested election will)

## **2. Options Analysis including risk assessment**

### ***a) Risk***

None

### ***b) Consequence***

None

### ***c) Controls Required***

None

## **3. Financial and Resource Implications**

Staff time to carry out induction.

#### **4. Equalities Implications**

Applications for co-option will be considered on their merits and applications are welcomed from all sectors of society.

#### **5. Climate Change and Environmental Implications**

None

#### ***Appendices***

##### ***Background Documents:***

Confidential applications



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# Report to Full Council

**Date: 17 July 2023**

## **Public Report**

**Item no: 7**

**Matter:** 563 Bus Service

**Author:** Economic Development Officer

**Supporting Member:** Cllr. Doug Lawson, Chair of Council

**Purpose of Report:** Provide an update on the 563 Bus Service

## **Summary**

Kirkby Stephen Town Council has sought to facilitate the provision of a pilot Saturday Bus service between Kirkby Stephen and Penrith. They have engaged with Penrith Town Council, Brough, Warcop, Kirkby Thore and Temple Sowerby Parish Councils and Appleby Town Council to deliver this project.

This report provides Council with an update on progress to date.

## **Recommendations:**

Note the update on the 563 Bus Service.

## **Law and Legal Implications**

The Town Council resolved from 15 May 2023, until the next relevant Annual Meeting of the Council, which 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. BACKGROUND:**

1. Kirkby Stephen Town Council carried out a transport audit completed in 2022 <https://www.kirkby-stephen.com/app/uploads/20221125-Transport-Audit-Final.pdf> . This was funded by Cumbria County Council through a BSOG (Bus Service operators grant)
- 1.2 One of the outcomes was the need for a commuter friendly Saturday service between Kirby Stephen and Penrith.
- 1.3 Kirkby Stephen Town Council approached Stagecoach who needed a guaranteed income of £397 for each Saturday the bus runs. This equates to only 40 passengers paying a £10 return fare, but it is also expected that shorter journeys will be popular along the valley.

- 1.5 Kirkby Stephen Town Council have undertaken to subsidise the trial to the value of £397 less the fares and ENCTS payments. It is difficult to assess the overall subsidy needed for the service as it is very much dependent on the passenger numbers. Kirkby Stephen Town Council budgeted £5000 and approached other councils along the route whose residents and businesses will benefit from the service to contribute.
- 1.6 Kirkby Stephen Town Council are optimistic that the service will be popular and committed to a 16-week trial at the end of which it is expected that the service will show signs of being commercially viable.

## **2. RATIONALE FOR SUPPORT:**

- Increased footfall to Penrith.
- Good news story for all parishes along the route.
- Aligns with the Council's priorities for a vibrant town and to mitigate climate change.

## **3. REPORT**

- 3.1 £1,352 of Penrith Town Council's marketing budget has been allocated to support the trial of the Saturday bus service between Kirby Stephen and Penrith for a period of 16 weeks.
- 3.3 The Council's contribution has been held in an earmarked reserve at KSTC to subsidise the trial. The guarantee fund accrued to £8,512 which covers the full 16 weeks of the trial plus advertising costs.
- 3.4 If there is any underspend this will be returned to PTC and other contributing Councils pro rata.
- 3.5 Timetables and information promote the collaboration of all the councils.
- 3.6 Starting on 1 April 2023 the service was reviewed at the end of June:

At the time of the review the service was very nearly commercially viable.

This service had not been registered at the time that the £2 bus fare cap had been announced. The £2 fare had therefore been offered on the bus at Stagecoach's discretion and cost. This scheme has now been extended beyond June and Stagecoach will continue to offer the £2 fare while crediting the full value of the fare to KSTC effectively contributing subsidy to the trial.

On the basis of current use Stagecoach felt that the subsidy available, held by KSTC, would be more than adequate to guarantee the service in 2023.

It was agreed to review the service in August regarding the requirement for subsidy/guarantee. Stagecoach anticipated that the service would cease at the end of October (April/October) and potentially be reinstated in the 2024 season on a commercial basis when a year's operational figures would be available. The performance of the service at a commercial fare circa £4/£5 remained unknown. It was believed that Govt. would offer to maintain the reduced fare with a £2.50 bus fare cap in 2024.

#### **4. RISK ASSESSMENT**

##### **Risk**

That the following priorities are not delivered:

- Providing and funding to support initiatives that raise the profile of Penrith and for marketing activities that support and encourage tourism.
- Working with community groups and stakeholders to participate in local projects.
- Strategy for tourism and marketing.

##### **Consequence**

- Impact on the Council's reputation and perceived ability to deliver community/town centre projects.
- The Town's recovery and rejuvenation after the Covid 19 Pandemic will be impeded.

##### **Controls Required**

- The scheme of work continues with stakeholder collaboration.

#### **5. FINANCIAL AND RESOURCE IMPLICATIONS**

An allocated Marketing budget was available and £1,352 was allocated under delegated authority by the Town Clerk and has been paid to Kirkby Stephen Town Council.

#### **Appendices**

Saturday 563 Flyer

Saturday 563 Timetable



# Saturday 563 Bus Service

Penrith to Kirkby Stephen Station



Stagecoach have agreed to extend their 563 service to run every Saturday in addition to the weekday 563 Penrith to Appleby services. This route will operate each Saturday from 1 April for a trial period until 15 July 2023 to assess whether it can be successful commercially.

There will be 4 return journeys between Penrith and Kirkby Stephen Station allowing 3 return journeys from Kirkby Stephen to Penrith. The full timetable is overleaf.

This new service is supported by Kirkby Stephen Town Council, Appleby Town Council, Penrith Town Council, the parish councils of Brough, Warcop, and Kirkby Thore, and the Friends of the Settle-Carlisle Line.

The service is a pilot and its continuation will be dependent on usage.

The national £2 single fare cap will apply until the end of June and bus passes will be valid at all times.

## You could use it to...

- Spend time in the shops or cinema in Penrith
- Visit the leisure centres in Penrith and Appleby
- Visit the cafes and shops in Appleby, Kirkby Stephen and along the Eden Valley
- Connect with the trains on the Settle & Carlisle Line or the West Coast Mainline
- Meet and visit your friends and relatives
- Visit the castles at Brough, Appleby and Penrith
- Go walking in the Upper Eden hills
- Connect with other bus services in Penrith

This flyer has been funded by Cumbria County Council as part of a BSO grant awarded to Kirkby Stephen Town Council



## MONDAY TO FRIDAY (excluding public holidays)

Penrith Railway Station	0915 1055 1330
Penrith Bus Station arrive	- - 1335
Penrith Bus Station depart	0920 1100 1340
Penrith Health Centre	0924 1104 1344
Temple Sowerby Post Office	0934 1114 1354
Kirkby Thore A66	0938 1118 1358
Kirkby Thore War Memorial Hall	- - 1400
Long Marton Merryvale	- - 1410
Brampton Watergate	- - 1416
Appleby The Sands Church	0947 1127 1422
Drawbriggs Lane	- - 1426
Appleby Moot Hall	0949 1129 1430

Scattergate Green	0951 1131 1432
Appleby Moot Hall	0953 1133 1434

## SATURDAY (excluding public holidays)

Penrith Railway Station	- 1050 1415 1650
Penrith Bus Station arrive	- 1055 1420 1655
Penrith Bus Station depart	0747 1056 1425 1700
Penrith Health Centre	0750 1100 1428 1703
Temple Sowerby Post Office	- - 1439 1714
Kirkby Thore A66	0802 1111 1443 1718
Kirkby Thore Sanderson's Croft	- - 1446 1721
Appleby The Sands Church	0811 1120 1457 1732
Warcop	- 1132 1509 1744
Brough Clock	0825 1139 1516 1751
Kirkby Stephen Costa	0835 1148 1525 1800
Kirkby Stephen Railway station	0840 1154 1531 1806

• Kirkby Stephen • Appleby • Kirkby Thore • Penrith

## MONDAY TO FRIDAY (excluding public holidays)

Appleby Moot Hall	0955 1135 1435
Drawbriggs Lane	0959 - -
Appleby The Sands Church	1003 1137 1437
Brampton Watergate	1008 - -
Long Marton Merryvale	1014 - -
Kirkby Thore Cherry Tree Garage	1024 - -
Kirkby Thore A66	- 1145 1445
Temple Sowerby	1031 1150 1450
Penrith Sainsbury's	1043 1202 1502
Penrith Railway Station	1049 1208 1508

## SATURDAY (excluding public holidays)

Kirkby Stephen Railway station	0940 1200 1535 1810
Kirkby Stephen Pennine Hotel	0946 1206 1541 1816
Brough Clock	0957 1217 1552 1827
Warcop	1003 1223 1558 1833
Appleby The Sands Church	1013 1233 1608 1843
Kirkby Thore A66	- - - 1852
Kirkby Thore Sanderson's Croft	1025 1245 1620 -
Temple Sowerby	1032 1252 1627 1857
Penrith Sainsburys	1045 1305 1640 1909
Penrith Railway Station	1050 1310 1645 1914

Service does not operate on a Sunday.

Key

- Stop not served

Key

- Stop not served

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# **REPORT FOR FULL COUNCIL**

**Date: 17 July 2023**

## **This is a Public Report**

**Item no: 08**

**Matter:** Motion on Notice - Cllr. D. Jayson

**Author:** Cllr. D Jayson

### **Purpose of Report:**

To consider the motion from Cllr. D. Jayson for the terms of reference for a new Penrith Environmental Task and Finish Group.

### **Summary**

The Council are aware of significant environmental issues related to industry and traffic in and around Penrith that are of concern to residents. By bringing together an informal Penrith Environmental Task and Finish Group presents an opportunity to investigate, discuss and consider options and measures to reduce and mitigate against noise, carbon, mineral, nitrates and odour emissions to improve the quality of life, health (including mental) and well-being of Penrith residents, visitors and workers and the natural environment (e.g River Eden)

This Group will support the Council's climate change strategy and seek to demonstrate a town wide approach involving key stakeholders to address matters of concern.

The main purpose and activities of the Task and Finish Group as set out in the draft Terms of Reference would:

- a) Establish baseline data (through measurement / survey)
- b) Determine exceedances.
- c) Understand the regulatory and enforcement framework and relevant legislation.
- d) Research medical statistics - human development, respiratory, and mortality.
- e) Investigate what other local authorities and agencies are doing in towns of a similar size.
- f) Collect and hear evidence to understand the full range of issues throughout the town.
- g) Consult with residents to hear their concerns.
- h) Confirm with the appropriate authorities and experts what action needs to be taken to address matters of concern.
- i) Consider mitigation, adaption and resilience.



- j) Undertake site visits to fact find and enhance knowledge.
- k) Identify themes and priorities which may include:
  - Odour
  - CO2 and traffic emissions
  - Dust
  - Light pollution (Industrial and other)
  - Nitrates
  - Waste and fly tipping
  - Rivers and watercourses
  - Other environmental matters deemed appropriate.
- l) Prepare a final report on the findings of the group.

The overriding aim of bringing this group together and its work is to look at avenues to improve the environment in Penrith for all.

**Penrith Town Council resolves to:**

Approve the terms of reference for a new Penrith Environmental Task and Finish Group.

## **Appendices**

### **Appendix A - Draft Penrith Environmental Task and Finish Group Terms of Reference**

### **DRAFT**

## **Penrith Environmental Task and Finish Group**

### **Terms of Reference**

#### **Background**

The Council are aware of significant environmental issues related to industry and traffic in and around Penrith that are of concern to residents. This informal Task and Finish Group (Group) presents an opportunity to investigate, discuss and consider options and measures to reduce and mitigate against noise, carbon, mineral, nitrates and odour emissions to improve the quality of life, health (including mental) and well-being of Penrith residents, visitors and workers and the natural environment (e.g., River Eden)

This Group will support the Council's climate change strategy and seek to demonstrate a town wide approach involving key stakeholders to address matters of concern.

#### **Power**

Local Government Act 1972, Section 101

#### **Membership**

a) The Group will comprise:

- Town Clerk
- Services Contracts and Manager
- Council Chair – Cllr Lawson
- Ward Councillor – Cllr Thomson
- Ward Councillor – Cllr B. Jayson
- Ward Councillor – Cllr Snell
- Councillor – D. Jayson

b) Additional members may be included in the Group as required.

c) Non council members may be invited to join the Group.

d) Possible invitees (not exhaustive)

- Representatives from Westmorland and Furness Council.
- Representatives from the Environment Agency
- Local resident's representatives.

- Representatives from the Penrith Industrial BID
- Representatives from local industry, business and the NHS.

### **Purpose and Activities**

- Establish baseline data (through measurement / survey).
- Determine exceedances.
- Understand the regulatory and enforcement framework and relevant legislation.
- Research medical statistics - human development, respiratory, and mortality.
- Investigate what other local authorities and agencies are doing in towns of a similar size.
- Collect and hear evidence to understand the full range of issues throughout the town.
- Consult with residents to hear their concerns.
- Confirm with the appropriate authorities and experts what action needs to be taken to address matters of concern.
- Consider mitigation, adaption and resilience.
- Undertake site visits to fact find and enhance knowledge.
- Identify themes and priorities which may include:
  - Odour
  - CO2 and traffic emissions
  - Dust
  - Light pollution (Industrial and other)
  - Nitrates
  - Waste and fly tipping
  - Rivers and watercourses
  - Other environmental matters deemed appropriate.
- Prepare a final report on the findings of the group.

### **Convenor**

Meetings will be convened by the Group Chair and supported by the Town Clerk.

### **Chair**

The Group will be chaired by the Council Chair. A vice chair will be approved at the first meeting of the Group and will act in the Chairs absence.

### **Public Participation**

The Group is an informal Group of the Council and is therefore not open to the press and public.

### **Agenda, Minutes and Meeting Papers**

- a) The Group will meet without the need to give public notice and will be able to be held without the press and public being present.
- b) The agenda, with any attached meeting papers, will be distributed at least five working days prior to the next scheduled meeting.
- c) The Group will be responsible for keeping a record of their activities. This record will be in the form of short notes, usually in bullet point form. The record will NOT constitute Minutes, but it should be noted that they could form part of a response to a request for information made under the Freedom of Information Act.
- d) The notes of every meeting should be sent to the appropriate officer immediately for comment and verification prior to circulation to the Group.
- e) Administrative support for and advice to the Group may be provided by officers.

### **Reporting**

- a) Full copies of the notes of previous meetings, including attachments, will be provided to the Group membership.
- b) Meeting Notes will be circulated to members no later than five working days following each meeting.
- c) The Group cannot make decisions and only provide advice and recommendations to Full Council; and by agreement of the Group, recommendations will be presented by the Chair to Full Council upon conclusion of the Groups work.

### **Meetings**

- a) The Chair of the Group will convene meetings as and when required.
- b) The Group Chair shall have discretion to hold meetings by virtual conferencing instead of in person.

### **Proxies to meetings**

- a) Members will nominate a proxy (deputy) to attend a meeting if they are unable to attend.
- b) The Chair will be informed of the substitution at least two working days prior to the scheduled meeting.
- c) The nominated proxy will provide relevant comments/feedback about the attended meeting to the member they are representing.

### **Quorum requirements**

3 Council members

### **Priority Weighting**

All activities of Task & Finish Groups must align with the Councils powers and function and the Council Plan.

The Council has the General Power of Competence.

This Groups purpose aligns with the Council Plan as follows:

### **Living Well – Vibrant Town and Economy**

Encourage Penrith's economic and social growth by working collaboratively to encourage business, health, arts, culture, heritage, tourism, and recreation, initiatives, and projects, which are essential to enjoying a good quality of life, for well-being and the vitality of Penrith.

### **Climate Change**

Valuing our environment by responding to climate change, safeguarding our heritage and developing schemes to adapt to climate change and encourage sustainability.

The Task and Finish Group will use a full range of research methods including benchmarking, research, consultation, and visits. By gathering such a wide range of information on a particular issue, the members can ensure that any recommendations are evidence based.

After considering all the evidence the group has collated, the group will agree its conclusions and produce a report making recommendations to Full Council.

**Approximate timescale:** 6 months or 10 meetings.

# **REPORT FOR FULL COUNCIL**

**Date: 17 July 2023**

## **This is a Public Report**

**Item no: 09**

**Matter:** Motion on Notice - Cllr. Jackson

**Author:** Cllr. Jackson

### **Purpose of Report:**

To consider the motion from Cllr. Jackson to support the Stagecoach Number 2 Bus Service.

### **Summary**

The Council is being informed that the Number 2 town bus is to be discontinued by its operator Stagecoach. This bus serves Penrith West and Penrith North and is used by pupils of North Lakes School in getting to and from said school. This is a public bus but used primarily to facilitate the school run and is chaperoned by an adult funded by North Lakes School.

A petition, at time of writing this motion, has attracted more than three hundred signatures seeking to reverse this withdrawal of service.

A North Lakes School survey of parents has received a record response, totalled roughly a quarter of the entire parental body and represented the vast majority, if not all, of the current users of the service. The survey respondents overwhelmingly supported the retention of the service.

North Lakes is a junior school serving years 3-6, situated in the South of Penrith. It is heavily fed by the graduating pupils of the infant school Brunswick, which serves reception, years 1 and 2 and is one of two schools serving northern Penrith. As a result, pupils in the north of the town going to Brunswick have a longer journey to school in the second half of their primary education. Families with multiple children of primary age may need to make a journey to two schools at almost the same time.

The Council believes that:

- i. School bus provision is of vital importance to the town.
- ii. The Number 2 bus ensures the viability of Penrith's current primary school catchment landscape and the relationship between two schools in different areas of the town.

- iii. That the No.2 bus allows a considerable number of parents to negotiate the school run, of multiple children, and the morning commute; and that this reduces car journeys and congestion around North Lakes school to the benefit of school children and local residents.

**Penrith Town Council resolves:**

- i. Chair of the Council write to Stagecoach expressing disappointment in the decision to withdraw the Number 2 service and offering to engage in dialogue to explore opportunities to continue the service.
- ii. To engage with school and parental representatives of North Lakes; Westmorland & Furness Council; existing community public transport groups; Stagecoach; and other possible providers to explore alternative provision of bus services.

## FULL COUNCIL 17 JULY 2023 ITEM: 12

### STATUS KEY:

On hold - Not commenced

Completed

In progress - Started and ongoing

Reference	Activity	Status
PTC23/01 and 02	Declarations of acceptance of office	
PTC23/03	Declarations of acceptance of office	
PTC23/09	Signed minutes	
PTC23/14	Publish meeting dates	
PTC23/15a	Standing Orders - Amended published on website	
PTC23/15 b	Homeworking Policy - Added to internal policies	
PTC23/16	Membership - RSN informed	
PTC23/17fi, ii and iii	AGAR - Scan, copy, publish and post	
PTC23/18	Carleton Village Hall - EOI - submitted and WFC informed	
PTC23/19	Asset of Community Value - WFC informed	



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# **REPORT FOR FULL COUNCIL**

**Date: 17 July 2023**

## **This is a Public Report**

**Item no: 13**

**Matter:** Budgetary Control Statement 2023-24 Expenditure to 31 May 2023

**Author:** Responsible Finance Officer

**Supporting Member:** Cllr. C Shepherd, Finance Committee Chair

## **Recommendation**

Ratify the budgetary control statement for the two-month period to 31 May 2023.

## **Law and legal implications**

The Town Council resolved from 15 May 2023, until the next relevant Annual Meeting of the Council, which 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.

## **Contribution to Council Business Plan**

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

### **1. Report Details**

#### **A. Budgetary Control Statement (Appendix A)**

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

- The full year's Approved Budget for 2023-24, which was ratified by Council on 23 January 2023.
- The budget to date, based on the latest budget for the year. This proportion is the anticipated budget for the first two months of the year, based on a forecast of the expected pattern of income and expenditure, known as the budget profile. For most headings, this profile will be a simple pro-rata of the annual budget (i.e., 2/12ths for the current period).

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

## **B. Commentary**

The statement shows underspendings on most budget headings, which is to be expected at this early stage in the year. The following comments concentrate on unusual or unexpected variances.

### **B.1 Income**

Overall income of £83,200 exceeds the profiled budget of £81,950 by £1,250.

- The returns are higher than expected due to the higher than budgeted rates of interest.

### **B.2 Planning Committee**

There has been very little expenditure this early in the year.

### **B.3 CCEG Committee**

Net spend of £10,535 is shown against the profiled budget of £17,833, an underspending of £7,298.

- The Town Projects budget is currently underspent by £6,072, however the timing of the events means that further expenditure is expected later in the year.

### **B.4 Finance Committee**

Net expenditure of £71,563 is shown against the budget to date of £72,686, an underspending of £1,123. There is therefore little variance and this budget is being spent as planned.

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

- The individual variances result in an underspending of £11,939 against the profiled total expenditure budget of £94,069. As there is £1,250 more income, there is a net variation of £13,189 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 2023 of £498,886 which was £16,281 higher than forecast in the Approved Budget because of underspendings in 2022-23.
- The profiled budget assumes that the Reserve should decrease by £12,119 in the period, resulting in a balance of £470,486 at 31 May. The actual balance on the reserve at the month end is £499,956, which is £29,470 higher than expected.
- The Devolution Reserve opened the year with a balance of £156,794 which was £8,025 lower than the Approved Budget. The actual amount of £5,287 transferrable into the Devolution Reserve is £2,188 higher than profile.
- The Election Reserve opened the year with a balance of £30,000, an amount of £5,000 is budgeted to be added at the end of the financial year.

## **C. Balance Sheet (Appendix B)**

Appendix B shows the Council's balance sheet as at 31 May 2023. The following points may be noted:

- The total invested of £616,626 includes £530,000 placed with CCLA, this has been increased in June (reported next meeting) and then managed through the year to allow a reasonable return while maintaining a sufficient bank balance to make required payments.
- The VAT debtor of £1,105 is VAT reclaimed from HMRC in respect of May transactions.
- Prepayments of £14,189 include adjustments for insurance, office rental, licences, subscriptions and maintenance agreements.
- The HSBC Bank balance stands at £495,346, largely due to the early receipt of the full year's precept from Westmorland and Furness Council. The intention being to transfer part of this balance to CCLA.
- Accruals of £20,137 represent goods and services received before 31 May, where the payment was not made by that date. Individual items include staff time, grounds maintenance, caretaking and audit and accountancy fees.

- The Payroll Control balance of £11,155 relates to deductions calculated in the May payroll; the total is due to HMRC for income tax and national insurance and to the Cumbria Pension Fund for employee pensions.
- The Receipts in Advance figure represents income for the period 1 June 2023 to March 2024 already received from Westmorland and Furness Council as precept and grants, together with monies from United Utilities for planting maintenance.

## **D. Conclusion**

The budgetary control statement shows that net spending to 31 May was around £12,000 below the Latest Budget for the period.

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

## **2. Options Analysis including Risk Assessment**

### **Risk & Consequences**

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

Adverse criticism of over or underspending.

### **Controls Required**

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

## **3. Financial Implications**

This report is concerned solely with financial management.

## **4. Equalities Implications**

None identified.

## **5. Climate Change and Environmental Implications**

None identified.

## **6. Legal Implications**

There are no legal implications arising from this report.

## **Appendices**

Appendix A – Budgetary Control Statement Two Months Ended 31 May 2023

Appendix B – Balance Sheet as at 31 May 2023

**Background Papers**

- Transaction and trial balance reports from the Sage accountancy system
- Budgetary Control Working papers.



# Penrith Town Council

## BUDGETARY CONTROL STATEMENT:TWO MONTHS ENDED 31 MAY 2023

Actual 2022-23	Approved Budget 2023-24	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£	£		£	£	£
		<b>INCOME</b>			
		<b>Precept:</b>			
455,209	468,295	Council Tax	78,049	78,049	0
7,388	7,642	<b>CTRS Grant</b>	1,274	1,274	0
		<b>Other Income:</b>			
13,577	15,750	Investment Income	2,625	3,877	1,252
0	10	Miscellaneous Income	2	0	(2)
<b>476,174</b>	<b>491,697</b>	<b>TOTAL INCOME</b>	<b>81,950</b>	<b>83,200</b>	<b>1,250</b>
		<b>EXPENDITURE</b>			
		<b>PLANNING COMMITTEE:</b>			
		<b>Planning:</b>			
2,118	10,000	Planning Consultancy	1,667	32	1,635
2,118	10,000		1,667	32	1,635
		<b>Climate Change:</b>			
2,910	8,300	Climate Efficiency	1,383	0	1,383
2,910	8,300		1,383	0	1,383
<b>5,028</b>	<b>18,300</b>	<b>Planning Committee Total</b>	<b>3,050</b>	<b>32</b>	<b>3,018</b>
		<b>COMMUNITIES COMMITTEE:</b>			
		<b>Town Projects:</b>			
4,689	47,000	Town Projects	7,833	1,761	6,072
4,689	47,000		7,833	1,761	6,072
		<b>Arts &amp; Entertainment:</b>			
21,474	10,000	Arts & Culture Development	1,667	0	1,667
21,474	10,000		1,667	0	1,667
		<b>Grants:</b>			
20,283	15,000	Grants	2,500	6,000	(3,500)
0	20,000	Signature Grants	3,333	0	3,333
20,283	35,000		5,833	6,000	(167)
		<b>Corporate Communications:</b>			
4,839	15,000	Communications	2,500	2,774	(274)
4,839	15,000		2,500	2,774	(274)
<b>51,285</b>	<b>107,000</b>	<b>Communities Committee Total</b>	<b>17,833</b>	<b>10,535</b>	<b>7,298</b>

Actual 2022-23	Approved Budget 2023-24	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£	£		£	£	£
		<b>FINANCE COMMITTEE:</b>			
		<b>Staffing:</b>			
194,747	247,200	Salaries	41,200	40,881	319
19,268	23,780	National Insurance	3,963	3,902	61
42,230	53,150	LG Pension Scheme	8,858	9,036	(178)
3,029	500	Recruitment Expenses	83	275	(192)
1,282	600	Staff Training	100	370	(270)
0	500	Conferences	83	0	83
238	500	Staff Expenses	83	17	66
260,794	326,230		54,370	54,481	(111)
		<b>Accommodation:</b>			
7,500	7,500	Rent	1,250	1,250	0
3,104	4,000	Heat, Light & Water	667	510	157
2,331	1,020	Service Charges	170	344	(174)
1,782	1,730	Room Hire & Meetings	288	608	(320)
390	380	Insurances	63	65	(2)
0	0	Letting Income	0	0	0
15,107	14,630		2,438	2,777	(339)
		<b>Civic Functions:</b>			
76	400	Civic Functions	67	0	67
700	700	Mayoral Expenses	117	0	117
300	300	Deputy Mayor's Expenses	50	0	50
102	100	Civic Regalia	17	0	17
1,178	1,500		251	0	251
		<b>Cost of Democracy:</b>			
225	200	Annual Meeting	200	30	170
	5,000	Elections	0	0	0
160	1,000	Members' Training	167	163	4
0	200	Members' Expenses	33	0	33
0	1,200	Notice/Honours Board	200	102	98
385	7,600		600	295	305
26,800	20,000	<b>IT</b>	3,333	2,925	408
340	2,050	<b>Website</b>	342	0	342
		<b>Devolved Services:</b>			
(450)	800	Allotments	(242)	(450)	208
0	400	War Memorial	67	0	67
0	1,500	Benches	250	765	(515)
3,330	3,000	Bus Shelters	500	0	500
1,021	1,750	Bandstand	292	33	259
653	800	Musgrave Monument	133	0	133
7,426	5,500	Fairhill Park	917	601	316
19,407	3,700	Thacka Beck Field	617	166	451
27	300	Signage, etc	50	0	50
7,991	10,000	Community Caretaker	1,667	1,322	345
6,939	18,594	Contribution to/(from) Devolution Reserve	3,099	5,287	(2,188)
46,344	46,344		7,350	7,724	(374)
0	5,000	<b>Local Government Re-organisation</b>	833	0	833
		<b>Other Overheads:</b>			
3,614	3,000	Printing, Postage & Stationery	500	641	(141)
1,166	1,450	Audit Fees	242	228	14
3,241	4,180	Insurance	697	557	140
123	130	Bank Charges & Interest	22	18	4
2,205	2,900	Accountancy Fees	483	1,230	(747)
1,898	1,650	Legal Fees	275	53	222
827	500	Licences	83	234	(151)
3,354	3,201	Subscriptions	534	400	134
16,428	17,011		2,836	3,361	(525)
1,690	2,000	<b>Repairs &amp; Renewals</b>	333	0	333
<b>369,066</b>	<b>442,365</b>	<b>Finance Committee Total</b>	<b>72,686</b>	<b>71,563</b>	<b>1,123</b>



Actual 2022-23	Approved Budget 2023-24	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£ 0	£ 3,000	Contingency	£ 500	£ 0	£ 500
(20,000)	5,000	Transfer to/(from) Election Reserve		0	0
405,379	575,665	TOTAL EXPENDITURE	94,069	82,130	11,939
70,795	(83,968)	INCREASE/(DECR) IN GENERAL RESERVE	(12,119)	1,070	13,189
		RESERVES:			
		General Reserve:			
428,090	482,605	Balance brought forward 1 April 2023	482,605	498,886	16,281
70,795	(78,968)	Increase/(decrease) in year	(12,119)	1,070	13,189
498,885	403,637	Balance carried forward	470,486	499,956	29,470
		Devolution Reserve:			
149,855	164,819	Balance brought forward 1 April 2023	164,819	156,794	(8,025)
6,939	18,594	Contribution from/(to) 2023-24 Budget	3,099	5,287	2,188
156,794	183,413	Balance carried forward	167,918	162,081	(5,837)
		Election Reserve:			
0	30,000	Balance brought forward 1 April 2023	30,000	30,000	0
30,000	5,000	Contribution from/(to) 2023-24 Budget	0	0	0
30,000	35,000	Balance carried forward	30,000	30,000	0
685,679	622,050	TOTAL RESERVES	668,404	692,037	23,633



## Penrith Town Council

### BALANCE SHEET AS AT 31 MAY 2023

	£	£
<b>Investments</b>		
Penrith Building Society	86,626	
CCLA Public Sector Deposit Account	<u>530,000</u>	
		616,626
<b>Current Assets</b>		
Debtors	2,306	
Debtor - VAT	1,105	
Prepayments	14,189	
HSBC Bank Account	<u>495,346</u>	
	512,946	
<b>Current Liabilities</b>		
Creditors	0	
Accruals	20,137	
Payroll Control	11,155	
Receipts in Advance	<u>406,243</u>	
	437,535	
<b>Net Current Assets</b>		75,411
		<u><b>692,037</b></u>
<b>Represented by:</b>		
<b>Reserves</b>		
General Reserve		499,956
Devolution Reserve		162,081
Election Reserve		30,000
		<u><b>692,037</b></u>

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## Carleton Village Hall Task and Finish Group

### Terms of Reference

#### Background

This informal Task and Finish Working Group will have an advisory and strategic planning role, to assist the potential transfer of the Carleton Village Hall from Persimmon Homes.

This matter is supported by the Agenda Report for item 18, Full Council 15 May 2023.

#### Purpose

- a) To develop a Business Case and Options Analysis to include:
  - i. The Council owning and managing the building and the services it provides long term.
  - ii. The Council owning the building and supporting a group of residents to manage the service several years on from the asset transfer so that residents manage an existing asset.
  - iii. Review of local village halls in and around Penrith, the services provided, hire and running costs and all aspects of building and service operation.
  - iv. Consultation with residents on the demand and potential use of the Hall
  - v. Identification of resources, equipment, alarm systems, security, hire arrangements and similar.
  - vi. Staffing implications for the management and operation of the Hall.
  - vii. Feasibility report and service proposals.
- b) To consider the potential for construction design changes and improvements including energy efficiency, inclusivity and practical usability.
- c) To develop a community engagement plan for the project.

#### Membership

- a) The Group will comprise:
  - Town Clerk

- Services Contracts and Manager
- Community Services Officer
- Solicitor
- Council Chair – Cllr Lawson
- Council Vice Chair – Cllr Rudhall
- Ward Councillor – Cllr Holden
- Local Resident - Cllr Smith

- b) Additional members may be included in the Group as required.
- c) Non council members may be invited to join the Group.
- d) Possible invitees (not exhaustive)

- An officer from Action for Communities in Cumbria
- Representatives from Persimmon Homes
- Representatives from Westmorland and Furness Council
- Land and asset specialists
- Local resident's representatives.

### **Convenor**

Meetings will be convened by the Services Contracts and Manager or the Community Services Officer.

### **Chair**

The Group will be chaired by the Council Chair, and in his/her absence the Council Vice Chair.

### **Public Participation**

The Working Group is an informal Group of the Council and is therefore not open to the press and public.

### **Agenda, Minutes and Meeting Papers**

- a) As the Group will be discussing commercially sensitive information, contracts, business, and staffing all matters will be discussed in private and be treated as strictly confidential.
- b) The agenda, with any attached meeting papers, will be distributed at least five working days prior to the next scheduled meeting.
- c) Notes and action points arising from meeting will be prepared by either the Services Contracts and Manager or the Community Services Officer.

### **Reporting**

- a) Full copies of the notes of previous meetings, including attachments, will be provided to the Group membership and will be available to members of the Town Council.

- b) Meeting Notes will be circulated to members no later than five working days following each meeting.
- c) By agreement of the Group, the Group will make recommendations to the Council's Finance Committee in the first instance. If accepted and approved by the Finance Committee, these will then be reported to and or ratified by Full Council at the earliest opportunity.

## **Meetings**

- a) The frequency of the meeting will be dictated by the timelines arising from discussions with Persimmon Homes.
- b) Initially the Group will meet following the first meeting held with Persimmon Homes.
- c) The Group Chair shall have discretion to hold meetings by virtual conferencing instead of in person.

## **Proxies to meetings**

- a) Members will nominate a proxy (deputy) to attend a meeting if they are unable to attend.
- b) The Chair will be informed of the substitution at least two working days prior to the scheduled meeting.
- c) The nominated proxy will provide relevant comments/feedback about the attended meeting to the member they are representing.

## **Quorum requirements**

2 Council members

## **Delegation of authority**

The Lead Officer and the Solicitor, the Council Chair and Vice Chair have delegated authority to respond swiftly to emerging matters, represent the Council at external meetings.

The Lead Officer will be responsible for reporting any such decisions to Finance Committee and or Full Council and for making financial decisions up to a value of £25,000. A budget allocation will be available for works related to the project for resources, legal and professional advice, consultation and community engagement.

## **Activities**

- a) The Group will be supported by senior officers who will undertake research to consider the items set out in the Purpose section of the Terms of Reference.
- b) Officers will continue to strive to obtain the information directly from the Persimmon Homes.
- c) Officers will strive to obtain information from Westmorland and Furness Council with particular regard to the terms and clauses as set out in the Section 106 agreement.
- d) Officers will seek advice and guidance from Action for Communities in Cumbria, Village Hall Officer and other village hall committees locally.
- e) Officers will develop a public consultation exercise and community engagement plan.
- f) Officers will investigate management arrangements, operational implications.
- g) Officers will identify resources, equipment, alarm systems, security, hire arrangements, loose items of equipment and furniture and similar including costs.
- h) Staffing implications for all aspects of the operation of the village hall will be considered including administration, caretaking, security.
- i) Potential construction design changes will be considered where considered appropriate including energy efficiency, inclusivity, practical usability and associated costs obtained where possible.
- j) And all associated and relevant matters to progress this scheme of work.
- k) The outturn of the research will be considered by the Group in the form of a report and options appraisal to Finance Committee and Full Council.

# REPORT TO FULL COUNCIL

**Date:** 17<sup>th</sup> July 2023

## **Public Report**

### **Item no: 14**

**Matter:** Neighbourhood Development Plan

**Author:** Deputy Town Clerk

**Supporting Member:** Councillor S Jackson, Chair of Planning Committee

**Purpose of Report:** Provide an update on progress to date.

### **Summary:**

The Neighbourhood Plan process commenced in 2016 with extensive community consultation events to determine public priorities. The Neighbourhood Plan Group comprising of Councillors and representatives from sustainability groups, youth groups, schools, arts organisations, the Chamber of Trade and Penrith BID drew up the draft plan based on the comments received.

During the public consultations undertaken by the Town Council, Penrith residents were emphatic that they highly valued a number of green spaces within their residential areas that could either be used freely for leisure or recreation or that added to the ambiance of the area. These areas were included in Policy 8 of the draft plan.

Some of the more formalised areas such as play areas were included in the draft plan as Policy 9 which asked that they be given the same protection as those listed in Policy COM2 of the Eden Local Plan.

An examiner must consider whether the Neighbourhood Plan meets the basic conditions, in particular if:

- a) Having regard to national policies and advice contained within guidance issued by the Secretary of State, it is appropriate to make the order; and
- b) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority.

In terms of the National Planning Policy Framework, areas identified as local green space should be:

- a) In close proximity to the community they serve;
- b) Demonstrably special to the local community because of their recreational value;
- c) Local in character and not an extensive tract of land.

During the examination the Inspector stated that although Beacon Hill met the criteria as demonstrably special and in close proximity to the community it serves, it was an extensive tract of land at 144 acres and therefore did not meet the criteria.

He suggested developing a policy specifically for Beacon Hill and, in fact, developed one himself that the Town Council could not support.



In his final report the Planning Inspector made a number of minor wording recommendations along the recommendation to delete the policies relating to open green space and sports, leisure, and recreation spaces.

The Town Council challenged the Inspector's report, particularly the recommendations to delete policies 8 and 9 as evidence had been submitted showing why the areas were demonstrably special along with a number of unsubstantiated comments and opinion.

Eden District Council agreed that a further consultation could be undertaken on the open green spaces to determine their importance to residents and those who use them. The consultation was carried out during February 2023 and the results forwarded.

The Planning Policy Officers at Westmorland & Furness Council have been reviewing the consultation responses and will be drafting a report to go to Cabinet and then Council recommending that the NDP goes to referendum with the inspectors recommendations however RETAINING policies 8 and 9 as we included them – with the removal of Beacon Hill as it does not meet the national criteria.

The Planning Policy officer has informed us that the consultation just carried out again shows how important the green spaces are to the residents of Penrith.

The Town Council is currently ensuring that the NDP documentation is correct to forward as part of the report to go to W&F Councillors.

# **REPORT TO FULL COUNCIL**

**Date:** 17<sup>th</sup> July 2023

## **Public Report**

### **Item no: 15**

**Matter:** Borderlands Partnership Inclusive Growth Deal

**Author:** Economic Development Officer and Deputy Town Clerk

**Supporting Member:** Council Chair

**Purpose of Report:** Provide an update on progress to date.

### **Summary:**

On 18 March 2021, the Leaders of the Borderlands Councils and UK and Scottish Government Ministers signed the Borderlands Inclusive Growth Deal Agreement. The jointly funded Deal secures up to £350m from the UK Government and Scottish Government and unlocks a further £102.56m of local investment across the area.

The Deal includes provision for the Borderlands Place Programme. The Borderlands Partnership Board has approved £50m for this activity, subject to approval from Government. This includes £18m for six towns in Cumbria.

Release of the funding for individual towns within the programme, is subject to approval of Place Plans and Borderlands Town Investment Plans (BTIPs).

Officers and Members of Penrith Town Council continue to work with stakeholders and representatives from other authorities to deliver schemes of work related to Borderlands.

### **Recommendations:**

Note the update on the Borderlands Partnership Growth Deal.

### **Law and Legal Implications**

The Town Council resolved from 15 May 2023, 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. Overview**

- 1.1 Cumbria County Council have developed Place Plans for five of the selected towns in Cumbria, including Penrith.
- 1.2 The aims of the Place Programme are to:
  - a) Attract new businesses to our towns and town centres.
  - b) Increase and retain our working age population.
  - c) Raise the standard of the physical environment in our towns and town centres.
  - d) Increase the number of people living in our towns and town centres.
  - e) Deliver new jobs and opportunities for economic and social participation.
  - f) Increase the number of visitors who spend time and money in our towns and town centres.
- 1.3 Penrith's Plan aims to articulate a case for investment for Penrith; identifying a vision for where Penrith would like to be, the key opportunities and challenges within the town, themes for possible investment opportunities, and suggested concepts to achieve the town's aims and objectives.
- 1.4 The agreed vision for the town:

"The Vision incorporates a strong economic role for Penrith that comes from: its highly strategic location in Northern England, sitting within an amazing rural environment and with fantastic growth opportunities for business, population and the visitor economy creating a quality town that meets the needs and aspirations of residents, businesses and visitors alike whilst growing as a hub for a wider experience."

- 1.5 The agreed themes for Penrith are:

### **Theme 1 - Capitalising on our Connections Concepts**

- Green Routes and Movement around Town
- Transport Links and Rural Mobility
- National Parks Centre

### **Theme 2 - Hub for business, industry, enterprise & entrepreneurship**

- Highstreet Enhancements
- Redevelopment of key sites and buildings
- Support for Business

### **Theme 3 - Culturally Centred**

- Support for the enhancement, improvements, and development of Penrith's cultural and heritage assets

- Pride in Penrith

## **2. Update**

- 2.1 Town Council Officers continue to attend Town Team meetings whilst Councillors Kenyon and former Councillor Knaggs attended Stakeholder meetings prior to May 2023, where possible, give input into the development of the shortlisted themes and potential projects.
- 2.2 As part of Theme 3 Culturally Centred - Town Council Officers have been working with the Penrith Town Council Penrith Arts and Culture Stakeholder Group to identify potential projects to ensure that the uniqueness and “story” of Penrith is interpreted and that all interventions are complementary.
- 2.3 Projects that have been identified are not only eligible for Borderlands, but are seen as long-term sustainable, grass roots led projects with a clear and identified need. These projects are:
  - i. Refurbishment of Penrith Players Theatre, to update the seating and sound system, improving accessibility to the wider community and increase its availability and use for other cultural activities.
  - ii. Creation of an arts/heritage trail.
  - iii. Work with stakeholders to add value to new signage way finding.
  - iv. Create pop up gallery/workshop space.
- 2.4 Expressions of interest were developed by officers and submitted to the Borderlands Board; they were favourably received. Detailed business plans are now being developed.
- 2.5 The projects prioritised for Borderlands funding will be included together with their respective business plans within the Borderlands Town Investment Plan (BTIP) and will be prepared for submission to the Borderlands Partnership Board.
- 2.6 The BTIP and business Plans will require endorsement from the Town Team, the Area Local Committee, Westmorland and Furness Council and Penrith Town Council prior to submission.
- 2.7 It is important to recognise, that while Borderlands does offer a focus for the Place Plan, their strategy should be viewed as a tool that can support steps to secure other external funding and the Place Plan is not limited to Borderlands funding.
- 2.8 It is expected that the Business Case for Penrith Players Theatre will be completed in September 2023 to be submitted to the Borderlands Partnership Board in October 2023.
- 2.9 Officers continue to work with stakeholders in the development of the arts/heritage trail, engaging with stakeholders to add value to

new signage way finding within the town centre and the provision of a pop-up gallery/workshop space.

- 2.10 Officers have also been working with Penrith Chamber of Trade in a benchmarking and mapping exercise which will support potential projects for high street improvement schemes.
- 2.11 Officers continue to liaise with other project managers who are developing Business cases for Penrith Train Station, Castle Park and the Town Hall to ensure continuity of design for signage and interpretation.
- 2.12 The Local Cycling Walking Infrastructure Plan (LCWIP) is also being taken into account for continuity of design.
- 2.13 Officers are conducting a survey of physical interpretation and wayfinding throughout the town and reviewing what is available.
- 2.14 A strategy will be developed, identifying what is presently available, what is required and ultimately what is possible. This will be needed when developing the Business case and identifying funders.

### **3. Risk assessment**

#### ***a) Risks***

The schemes of work are not delivered effectively and efficiently within agreed timescales.

Failure to attract additional funding.

#### ***b) Consequence***

- i. Impact on the Council's reputation and perceived ability to deliver community/town centre projects.
- ii. The Town's recovery and rejuvenation after the Covid 19 Pandemic.
- iii. Loss of confidence in the Council during a period of significant change in local government.

#### ***c) Mitigation***

Continue to work with partners, stakeholders and the community to deliver Borderlands.

### **4. Financial Implications**

Officer time to attend meetings and to facilitate and participate in development and delivery work.

### **5. Equalities Implications**

None identified.

### **6. Climate Change and Environmental Implications**

None identified.

### **Background Papers**

Penrith Place Plan.

# Report to Full Council

**Date: 17 July 2023**

## **Public Report**

**Item no: 16**

**Matter:** Arts and Culture Stakeholder Group

**Author:** Economic Development Officer

**Supporting Member:** Cllr. Doug Lawson, Chair of Council

**Purpose of Report:** Provide an update.

## **Summary**

The Council has engaged and consulted with the community and stakeholders to develop and enhance Arts and Culture in Penrith and the following key priorities have been identified:

- Need for a network of organisations.
- Desire to share facilities and resources.
- Sharing of skills and ideas.
- Encouragement of innovation and new set up businesses.
- Mutual support.
- Joint marketing and promotion.
- Shared branding.
- Coordination and development of a program of events, festivals and activities.

This report provides Council with an update on progress to date and information regarding the provision of a community website.

## **Recommendations:**

Note the update on Penrith Arts and Culture.

## **Law and Legal Implications**

The Town Council resolved from 15 May 2023, until the next relevant Annual Meeting of the Council, which 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**

- a. A Penrith Arts and Culture Stakeholder Group have been formally constituted and an externally facilitated action plan has been developed and adopted. Members of the group include:
  - i. Chair of Penrith Town Council
  - ii. Sunbeams Music
  - iii. Forest School
  - iv. EVAN
  - v. Bluejam
  - vi. Westmorland & Furness Council
  - vii. Penrith Players
  - viii. Plug and Play
  - ix. Penrith Museum
- b. The Groups scope includes:
  - i. Large events led by external bodies/organisations.
  - ii. Small events led by the community, charities, and local bodies.
  - iii. Annual festivals typically a large-scale event of more than one day's duration.
  - iv. Projects and activities for example themed trails around the town, window dressing competitions, arts and crafts demonstrations etc.
- c. The Group's remit extends to:
  - i. Creating and delivering an annual events programme which encourages community cohesion and inclusivity, ensuring a good mix of regular family friendly, accessible events with one-off events.
  - ii. Developing and managing events, festival and projects.
  - iii. Working in partnership with others to develop and manage events.
  - iv. Providing sponsorship for events developed and managed by other organisations.
  - v. Encouraging, supporting and promoting community events.
  - vi. Seeking additional external funding/income streams.
  - vii. Promoting events, which attract visitors to the Town and boost the local economy.
  - viii. Monitoring events.
  - ix. Coordinating in Bloom and any entries to any national or regional competitions.

- d. The group met in October, November and December 2022 and have identified priorities for 23/24. These priorities are:
  - i. Shared marketing/promotion.
  - ii. Creation of a Penrith Arts and Culture Website.
  - iii. Joint Asset Register.
  - iv. Development of an events programme for 2023-24.
- e. Activities to date and for 2023 include:
  - i. Establishing a WhatsApp group to allow each group member to share marketing material, which is then shared through the other groups marketing and promotional channels.
  - ii. Developing and sharing a joint asset register.
  - iii. Developing and delivering an events programme for 2023:
    - a. A Community Picnic with entertainment and activities planned for the 22<sup>nd</sup> of August.
    - b. Christmas 2023
  - iv. Developed and delivering weekly music around town from May 2023 to September 2023.  
 Programme of weekly music sessions around town funded by Penrith Town Council began on the 27<sup>th</sup> May and will continue for 16 Saturdays until September.
  - v. Contributing to a business case for Penrith Players to upgrade the theatre as part of the Borderlands project.
  - vi. Development of an art trail to be incorporated in future developments.
  - vii. Penrith history/heritage interpretation.
  - viii. Designing a logo for the group: The streetscape from the Penrith Town Council logo has been identified as the preferred logo with Penrith Arts and Culture added.
  - ix. The group have identified several potential projects which they feel compliment the arts and heritage theme from the Borderlands Penrith Place Plan which should be considered as part of the Borderlands Initiative. These are: the proposed developments of the Penrith Players Theatre, interpretation/signage and street scape, an arts trail and "Pop up Workshops/Galleries". Not all of these suggestions may be eligible for Borderlands funding however it has been suggested that a business case be submitted at a very early stage.
  - x. Expressions of interest were produced by officers and submitted to the Borderlands Board which have been accepted as potential Borderlands funded activity. Officers are working with Penrith Players to develop a full business case for submission to Penrith



Town Council and subsequently the Borderlands Board later this year.

- xi. Officers are also developing a Borderlands Project around interpretation and wayfinding, the aim to not only tell the story of Penrith but also to link all the potential projects in a cohesive way.
- xii. Provide a website which aims to:
  - Offer a designated point of information about different groups and activities in Penrith.
  - Extend the range of audience and traffic to stakeholders own sites.
  - Promote Arts and Culture activity in Penrith.
  - Be easily accessible for members of the group to upload their information.
  - Have terms of use which will be agreed with the Town Council retaining the administrative role and KTD/Aindale hosting the site.
  - Be accessible for members of the public to navigate, and will include a page for arts, music, heritage, and a what's on calendar.
  - Allow for additional pages for new members or activities.
  - Have an overview of Penrith and its arts and culture activity, promoting Penrith as having a vibrant accessible arts and cultural offering.

The website is now complete and will go live when third party access agreements are signed and returned.

## **2. Risk Assessment**

### **Risk**

That the following priorities are not delivered:

- Developing and improving amenities, leisure, art, and cultural facilities.
- Funding new and existing events.
- Providing and funding to support initiatives that raise the profile of Penrith nationally and for marketing activities that support and encourage tourism.
- Working with community groups and stakeholders to participate in Cumbria in Bloom/Britain in Bloom and other local and national projects/events.
- Strategy for tourism and marketing.

- Support/facilitate initiatives and projects that invest, preserve, or interpret Penrith's heritage for the inspiration, learning and enjoyment for all.

### **Consequence**

- Impact on the Council's reputation and perceived ability to deliver community/town centre projects.
- The Town's recovery and rejuvenation after the Covid 19 Pandemic will be impeded.
- Loss of confidence in the Council during a period of significant change in local government.
- Inability to demonstrate effective management of the public purse.

### **Controls Required**

- The Arts and Culture Stakeholder Group Action Plan is delivered.
- The scheme of work continues with community collaboration.

### **3.Financial and Resource Implications**

An allocated budget is available for the website:

- i. The design development cost - £360.
- ii. Domain name and website hosting for [www.penrithartsandculture.co.uk](http://www.penrithartsandculture.co.uk) - £195.00
- iii. Configuring WordPress and Logins for hosting website - £158.00
- iv. Adhoc costs for updates as and when required.
- v. "Sounds around Town" £3000
- vi. Community Picnic £1221.50

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# **REPORT TO FULL COUNCIL**

**Date: 17 July 2023**

## **Public Report**

**Item no: 17**

**Matter: Grants**

**Author: Services and Contracts Manager**

**Supporting Member:** Council Chair

### **Purpose of Report:**

Note the grants awarded since the last meeting of the Council.

### **Law and Legal Implications**

The Town Council resolved from 15 May 2023, 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**

- a. The Council makes an annual budget provision for grants to help meet its aims. Grants come from the Council's council tax income and a key principle of this Scheme is to ensure that grant expenditure is open and transparent.
- b. The Council has a policy for awarding grants to organisations and has an approved budget to support this.
- c. The Council resolved at the Full Council, 27 March 2023, Minute PTC22/122v a new grant scheme which was simplified from the previous policy. The aim being to make the application process more user friendly and to aim to invite an increase in applications.
- d. Grant applications will be considered providing sufficient funds remain in the budget i.e., the budget will be allocated on a "first come, first served" basis.
- e. Officers are responsible for receiving, reviewing, and awarding all grants.
- f. Officers of the Council have authority for expenditure and decide on applications without approval of a committee or Full Council assuming that there is no conflict of interest.
- g. On receipt of an application, it is scrutinised by Officers and the Responsible Finance Officer using the criteria within this Scheme and records are maintained.
- h. All the Council work is within the GDPR 2018 framework and respects the confidentiality of individuals, personal data, and sensitive personal data.
- i. This report outlines the grants awarded since the last meeting of Council.

## 2. Risk Assessment

The Council must guard against the risk that there is insufficient monitoring of grants once awarded which may lead to grants not being used for their intended purpose.

To mitigate this risk the Council where required enters into a Service Level Agreement with successful grant applicants to ensure that grants are managed in accordance with the terms and conditions of the grant scheme.

## 3. Financial Implications

a. The Council have supported two funding applications that have been awarded:

- i. **Penrith Cricket Sports and Social Club:**  
£1,000 towards the costs of a kitchen replacement project in the club's pavilion.
- ii. **Penrith AFC:**  
£5,000 towards a replacement 3G artificial grass pitch, replacement floodlighting, fencing and storage at Frenchfield Park the home of Penrith Football Club.
- iii. **Budget** - £15,000 - £9,000 remaining.

## 4. Legal Implications

Grants awarded by the Council are discretionary. Any award of grant will be subject to conditions relating to the proper and effective use of the grant for the approved purpose, with conditions set out in a Service Level Agreement for grants in excess of £1,000.

## 5. Background Papers

- Grants scheme
- Grant Applications

## Scheme of Delegation

### Planning Committee Terms of Reference

PLANNING COMMITTEE	
<ul style="list-style-type: none"> <li>• Housing and Planning</li> <li>• Conservation and heritage</li> <li>• Street naming</li> <li>• Footpaths and rights of way</li> <li>• Highway and traffic regulations</li> <li>• Traffic calming</li> <li>• General Highways Issues</li> <li>• Tree preservation</li> <li>• Planning policy</li> <li>• Town Centre</li> <li>• Parking &amp; Movement</li> </ul>	<ul style="list-style-type: none"> <li>• Transport</li> <li>• Connectivity</li> <li>• Climate Change mitigation for planning applications</li> <li>• Recycling</li> <li>• Community Partnerships</li> <li>• Green spaces</li> <li>• LCWIP</li> <li>• Regeneration &amp; development projects</li> <li>• Borderlands</li> </ul>

### Planning Committee Terms of Reference

**MEMBERSHIP:** Up to SIX **EIGHT** Members of Penrith Town Council.

**QUORUM:** **THREE** Members of the Committee.

#### Terms:

- a) The Council's Standing Orders apply to all meetings of the Committee.
- b) The Committee shall be appointed on an annual basis at the Annual Meeting of the Town Council when the Committee Chair will be appointed.
- c) The first order of business of the first meeting of the Committee after its annual appointment will be to elect a Vice-Chair.
- d) Unless the Council directs otherwise, the Committee may arrange to devolve any of its functions to a Sub-Committee or to Officers of the Council.
- e) The Committee will meet monthly.
- f) Meetings shall be open to the public unless the Committee feels it appropriate to exclude the press and public for specific items.
- g) Members of the Committee will receive an agenda and supporting papers in accordance with the Councils Standing Orders.
- h) All Members of the Council will receive an agenda only, sent via email.
- i) Notice of meetings will be published in accordance with the Councils Standing Orders.

## **Limitations**

- a) Only Members of the Committee may vote on agenda items.
- b) Non-Members of the Committee may attend in their capacity as a Councillor and will be allowed to speak on an agenda item with the agreement of the Chair.
- c) Non-Members of the Committee are subject to the same rules as Committee Members regarding confidentiality and the requirements of the Code of Conduct.
- d) Non-Members of the Committee have no more rights at Committee meetings than members of the public.

## **Responsibilities**

- a) Consider and provide responses to planning applications made to Eden District Council for planning permission.
- b) Consider and provide responses to any proposals by the Local Planning Authority to make Tree Preservation Orders.
- c) Consider consultation responses to the Government's Planning Inspectorate and other appropriate bodies.
- d) Consider and provide responses with respect to the stopping up, diversion, maintenance, or creation of public rights of way.
- e) Consider and provide responses with respect to footpath/bridleway creation orders, highway adoption orders and other highway notices.
- f) Consider and recommend responses to any proposals with respect to street naming.
- g) Consider and provide responses to proposals with respect to highway and traffic regulation issues and orders.
- h) Develop and implement a Neighbourhood Plan for Penrith.
- i) Delegate areas of responsibility to either a sub-committee or to an office.
- j) Formulate budget recommendation.
- k) Develop policy.

## **Delegated Powers**

The committee has delegated authority:

- a) Respond to all planning matters referring contentious and significant applications to full Council for consideration.
- b) Design, develop and approve policy relevant to the Neighbourhood Plan and Climate Change Strategy.
- c) Financial powers within the approved budget for expenditure related to the Neighbourhood Plan budget.



# **Penrith Town Council**

## **Membership of Outside Bodies 2023-2024**



## **Guidance for Town Councillors appointed as representatives to external community and local organisations (Outside Bodies)**

Penrith Town Council believes that appointing representatives to community and local organisations is of considerable value to both the organisation and the Council. Representation for Outside Bodies are confirmed annually by Full Council or when required and it is recommended that the Member who is appointed as the representative should have a particular interest in, or possess knowledge of the responsibilities of the outside body. Engagement with Outside Bodies is key to helping the Councils deliver their priorities for the people and in supporting the Bodies themselves to deliver their objectives. Councillors participate in a variety of external organisations and support the development of important community services. Members appointed to outside bodies are able to work with and alongside local community groups, helping to empower them in terms of addressing local issues. Benefits of membership include but are not limited to:

- Provide knowledge, skills and expertise, which may not otherwise be available.
- Ensure that good relationships and effective communication can be maintained with the body.
- Protect the Council's investments or assets i.e. if the Council has provided grant funding or provides funding for service delivery.

In the context of this guidance 'outside bodies' include trusts, companies, charities, school governing bodies, industrial and provident societies and community associations. Councillors may be involved as a director, trustee, governor or member (with or without voting powers).

With the increasing emphasis on partnership working, councillors, as community leaders, have an important role to fulfil in supporting and advising outside bodies. However, this can give rise to conflicts of interest, particularly where the organisation is seeking or receiving funding from the Council. Councillors always need to be clear about their roles and alert to potential conflicts of interest in order to ensure transparency and public confidence in local democracy.

The purpose of this guidance is to assist councillors in the discharge of their responsibilities on outside bodies clearly and effectively. It covers, primarily, the position of councillors appointed by the Council to serve on outside bodies, though much of the advice applies equally to councillors who are involved with

outside bodies in a private capacity. In those situations, however, the Council's insurances will not apply.

## **Application of the Code of Conduct for Members**

Whilst representing the Town Council, Councillors are reminded that they are subject to abide by the Penrith Town Council Standing Orders and Code of Conduct. Members found to have breached the Council's Code of Conduct will be removed from representing the Council on Outside Bodies for the term of the Council.

Councillors who serve on more than one body, in particular, need to be mindful of potential conflicts of interest and always act in an open and transparent manner in carrying out their respective roles. For example, where a councillor is at a council meeting considering an application for a grant or a community asset transfer request from a parish council or other public body of which they are a member, they should declare the existence and nature of their interest. Having done so, they may take part in the discussion of that item and vote, unless there are particular reasons why this would not be appropriate. It is also advisable as a matter of transparency, to include details of the interest in their register of interests.

## **Predetermination and Bias**

Predetermination occurs where someone has a closed mind so that they are unable to apply their judgement fully and properly to the issue requiring a decision. This can lead to legal challenges and decisions being set aside.

The Localism Act 2011 has clarified the rules on predetermination. It makes it clear that a councillor is not deemed to have had a closed mind on an issue just because they have indicated what view they have taken or may take before the issue is decided. A councillor is not, for example, prevented from participating in discussion of an issue, or voting on it, if they have campaigned on the issue or made public statements about their approach to it. The general position remains however, that, whatever their views, councillors must approach their decision-making with an open mind in the sense that they must have regard to all material considerations and must be prepared to change their views if persuaded that they should.

Councillors need to be aware that decisions may be challenged and set aside on the grounds of bias. Under common law, bias involves some element of partiality or personal interest in the outcome of a case, because of a close connection with the parties, or the subject matter of the dispute, or because of a tendency towards a particular shared point of view. The relevant test for bias is whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the decision-maker was biased. The risk of a successful challenge on these grounds may be overcome by proper observance of the requirements of the Code of Conduct and particularly the provisions set out above.

## **Liability, Insurance and Indemnity**

Councillors can incur personal civil and criminal liability from formal participation in outside bodies. However, under section 265 of the Public Health Act 1875 (as applied by Section 39, Local Government (Miscellaneous Provisions) Act 1976), councillors enjoy statutory immunity from civil liability where they act within the powers of the authority, in good faith and without negligence. This immunity does not apply however, where they act beyond the powers of the Council or act in bad faith (i.e. with dishonest or malicious intent) or negligently, and it does not protect them from criminal liability, for example for fraud where they exercise managerial responsibilities.

Penrith Town Council has a wide insurance provision to protect its assets and liabilities. Within these provisions, the Council has extended its cover to protect Councillors when carrying out duties in connection with the business of the Council.

## **Confidential Matters**

Councillors appointed to serve on outside bodies should be mindful of their legal obligations regarding disclosure of confidential information and in case of doubt should seek advice from the Town Clerk or solicitor. Councillors are not at liberty to divulge any Penrith Town Council matters of a confidential nature to any individuals or organisations irrespective of their representative role.

## **General**

As part of the new councillor induction process, Members will be supported to develop an understanding of their role and responsibilities regarding participation on Outside Bodies, and provided with appropriate guidance. Members will receive a briefing from officers about the role of the body, the Council's policy position in relation to this area of work, and any key information and facts that Members need to be aware of prior to attending their first meeting. A Senior Officer is designated as a link for each outside body, and their contact name and details are made available to Members and as part of the general list and information relating to Outside Bodies.

Councillors acting as representatives do not have authority to commit Council to any course of action or any financial obligation without the matter being referred to Council for consideration.

Members are welcome to attend any Outside Bodies as part of their own ward case work or personal interest in a private capacity rather than as a representative of the Council. Members will need to ensure that they are clear in advising these Bodies when they are not serving on them as a representative of the County Council and its views.

## **Procedures**

There are two categories of representation:

1. Representatives to organisations that are legally or constitutionally required to have a Town Council representative: for example Eden Association of Local Councils.
2. Representatives who are requested by organisations but where there is no legal, constitutional or funding obligation.

Representatives appointed under the first category will be expected to attend meetings of that organisation on a regular basis and make oral reports to Council after each meeting.

Representatives appointed under the second category should attend meetings where possible and report to Council after each meeting attended.

Representatives are expected to report in writing if they are unable to attend the next Full Council meeting.

It is imperative that the Town Council's representative report to the Town Council includes any matters which could have a major impact on the town or its residents or which are contrary to Council policy. If necessary, such matters should be reported to Council in a confidential session of the meeting and at the earliest opportunity.

In addition, they may give prior notice to the Town Clerk / Chair of the Council that they wish to raise a matter for consideration by Council and that matter will be itemised on the next appropriate Council agenda.

Councillors attending organisations' AGMs are expected to submit to Council copies of the organisation's Annual Report and Accounts.

All Members who are appointed to Outside Bodies will provide an annual report to feedback any key matters from their attendance on the Outside Body. This would form part of the Annual Town Meeting Agenda and Annual Report.

**Review** This guidance, the appointments and the register of Outside Bodies is reviewed as and when new appointments are agreed throughout the municipal year and at least once a year at the Annual Town Council Meeting.

## Representatives to external bodies and community organisations and informal groups in 23-24

Organisation	Officers	Members
106 Partnership		Cllr. Burgin, Cllr. Kenyon
A66 Community Liaison Group	Deputy Town Clerk Economic Development Officer	Cllr. Shepherd, Cllr. Smith
WFC Assoc. of Local Councils	Town Clerk	Cllr. Holden, Cllr. D. Jayson
Eden Health and Wellbeing Forum	Economic Development Officer	Cllr. Snell
WFC Resilience Group	Town Clerk Services & Contracts Manager	
Local Cycling and Walking Infrastructure Plan	Deputy Town Clerk Economic Development Officer	Cllr. Bowen, Cllr. D. Jayson
Parking and Movement Study	Deputy Town Clerk, Economic Development Officer	Cllr. Holden, Cllr. Jackson, Cllr. Shepherd
Borderlands	Deputy Town Clerk, Economic Development Officer	Cllr. Kenyon, Cllr. Jackson, Cllr. B. Jayson
Penrith Action for Community Transition	Town Clerk	Cllr. D. Jayson
Penrith and Eden Refugee Network		Cllr. Kenyon, Cllr. Snell
Rural Market Town Group - Officers	Town Clerk Economic Development Officer	
Rural Market Town Group - Members		Cllr. Burgin, Cllr. Donald

Organisation	Officers	Members
Town Working Group	Deputy Town Clerk Economic Development Officer	
Town Working Group- Sub-groups	Officers	Members depending on the purpose of the group
Zero Carbon Cumbria Partnership	Town Clerk	Cllr. D. Jayson
Devolution LGR strategic group Including any specific working groups for individual assets	Services and Contracts Manager Solicitor Town Clerk	Lead Member Cllr. Jackson Deputy lead Member Cllr Shepherd  To be ratified – Council 17 July 2023
Health Watch Cumbria		Cllr. Snell
Coldsprings Steering Group		Cllr. Lawson
Recovery College		Cllr. Donald
Friends of Eden Valley Public Transport		To be determined – Council 17 July 2023

# REPORT FOR FULL COUNCIL

Date: 17 July 2023

## This is a Public Report

Item no: 20

**Matter:** St Andrews War Memorial

**Author:** Services and Contracts Manager

**Supporting Member:** Cllr. C Shepherd, Finance Committee Chair

## Recommendation

Council is recommended to:

- i. Approve for the installation of a sandstone plinth at the St Andrews War Memorial, and
- ii. Approve for the Services and Contracts Manager to develop the scheme including agreeing a design for the plinth, obtaining quotations, investigating and applying for any consents required and preparing a further report to the Finance Committee setting out the budgetary implications.

## Law and legal implications

The Town Council resolved from 15 May 2023, until the next relevant Annual Meeting of the Council, which 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.

## Contribution to Council Business Plan

This report contributes to the Living Well, Vibrant Town and Economy priority which encourages culture and heritage.

### 1. Report Details

- 1.1 The Council is responsible for the maintenance and upkeep of the War Memorial in St Andrews Churchyard. The war memorial is listed at Grade II and commemorates the first world war.
- 1.2 The Council has been approached by members of the Royal British Legion and other armed forces personnel to give consideration to improving the appearance of the monument. They have asked the Council to give consideration to the installation of a sandstone plinth around the base of the monument.



- 1.3 It is considered that by installing a sandstone plinth it will enhance the setting of the war memorial and protect it from damage.
- 1.4 To progress this scheme of work will require the involvement of other organisations and consents including:
- i. Liaison with the War Memorials Trust. This has commenced and so far, they are in support of the proposed scheme.
  - ii. An application for Listed Building Consent from Westmorland and Furness Council as the Planning Authority.
  - iii. Approval from the Carlisle Church Diocese via a Faculty Application which will involve consultation with the Penrith Church Council.
- 1.5 This report asks the Council to approve the installation of a sandstone plinth around the base of the war memorial and approve for the Services and Contracts Manager to progress the scheme. A further report will then be brought to Finance Committee setting out the budgetary implications.

## **2. Options Analysis including Risk Assessment**

### **Risk & Consequences**

The main risk associated with this report is reputational should the Council not seek to investigate this scheme further given the approaches from the public.

### **Controls Required**

Investigate the consent process, seek designs and costs and report findings to the Finance Committee.

## **3. Financial Implications**

There are no direct financial implications associated with this report. Full scheme costs will be reported to the next meeting of the Finance Committee.

It may be that external funding and grants are investigated to meet the costs of the scheme.

## **4. Equalities Implications**

None identified.

## **5. Climate Change and Environmental Implications**

None identified.

## **6. Legal Implications**

There are no legal implications arising from this report, but to further this scheme will require official consents.

## **Background Papers**

None