



# Penrith Town Council

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

**DATE: 22 January 2024**

**NOTICE IS HEREBY GIVEN** that an **ORDINARY MEETING** of **PENRITH TOWN COUNCIL** will be held on **29 January 2024**, 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, 19-24 Friargate, Penrith.

To assist in the speedy and efficient dispatch of business, Members should read the agenda and reports in advance of the meeting. Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the relevant officer **PRIOR** to 9.00am 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. Knaggs	East Ward
Cllr. Donald	North Ward	Cllr. Lawson	Carleton Ward
Cllr. Holden	Carleton Ward	Cllr. Rudhall	East Ward
Cllr. Jackson	North Ward	Cllr. Shepherd	East Ward
Cllr. B. Jayson	West Ward	Cllr. Smith	South Ward
Cllr. D. Jayson	North Ward	Cllr. Snell	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 29 JANUARY 2024**

## **PART I**

### **1. Apologies for Absence**

Receive apologies from Members.

### **2. Minutes**

#### **a) Committee Minutes**

Note that the minutes from the following committees have been circulated and published on the Council website since the previous ordinary meeting:

- i. Planning Committee: 4 and 18 December 2023 and 8 January 2024
- ii. Finance Committee: 15 January 2024
- iii. Communities Committee: 18 December 2023

#### **b) Confirmation of Full Council Minutes**

Authorise the Chair to sign, as a correct record, the minutes of the meetings of Full Council held on:

- i. Full Council Monday 20 November 2023
- ii. Extra Ordinary Full Council Tuesday 16 January 2024

and agree they be signed as such by the Chair.

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

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

#### **ADVICE NOTE:**

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

#### **4. Public Participation**

- a) Receive any questions or representations that have been received from members of the public. A period of up to 15 minutes for members of the public to ask questions or submit comments.
- b) Receive reports from Westmorland & Furness Councillors

##### **ADVICE NOTE:**

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 helpful if a member of the public who wishes to speak at a meeting makes a request to speak in writing to the Town Clerk **PRIOR** to the meeting. 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. Where the Council is unable to provide a response to the question at the meeting, they will do so in writing within seven days and the response will be attached to the minutes as an appendix.

#### **5. Excluded Item: Public Bodies (Admissions to Meetings) Act 1960**

Determine whether items should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, as publicity relating to that (any of those) matter/s may be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for the other special reasons noted in relation to that matter on the agenda.

Members are asked to note that **matter 16** may be considered as part of **item 10c** providing salary scale grades are not discussed in the public domain and note that salaries are set nationally by the National Joint Council for Local Government Services.

#### **6. Motion on Notice – Inspiring Eden Levelling Up Hub**

To consider the motion on notice from Councillor Smith.

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

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

#### **8. 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.

#### **9. Resolutions Report**

Receive and note the written report.

## **10. Matters from Finance Committee**

Ratify the following approved matters a) and b) from the Council's Finance Committee from their meeting held on Monday 15 January 2024 which have been considered and approved by the members of the Council's Finance Committee and to consider item C. The Committee Chair has requested that these matters be brought to Full Council for ratification and approval:

### **a) Budgetary Control Statement**

Ratify the budgetary control statement for the period 31 December 2023.

### **b) Policy review**

Ratify the following reviewed policies to operate during 2024/25 financial year:

- i. Reserves Policy
- ii. Investment Strategy

### **c) Proposed Budget 2024/25**

Note that the 2024/25 proposed budget and precept application was developed, and considered by Council's Finance Committee and the Chair recommends that the Council approves:

- i) The Forecast Outturn expenditure for 2023/24 of £522,292.
- ii) The Proposed Budget report for 2024/25 with total expenditure of £581,932 which includes:
  - a. Salaries payable to Council staff in 2024/25, as detailed in the supporting confidential report. (Note this matter may remain in PART 1 providing salary scale grades are not discussed in the public domain)
  - b. The allocation of £36,700 for financial growth in 2024/25 for the five service development proposals.
  - c. The proposed level of financial reserves.
  - d. The parameters and forecasts in the Proposed Medium Term Financial Plan.
- iii) A formal written request be made to Westmorland and Furness Council to pay the sum of £487,735 to Penrith Town Council as its precept for the year 2024/25, representing a 1% increase in Council Tax.

## **11. Developer Engagement Policy**

Ratify the recommendation from the Council's Planning Committee, from the meeting held on Monday 04 December 2023 that the Developer Engagement Policy be approved.

## **12.Grants**

Note the Grants awarded and ratify the Signature Event Grant application received.

### **13. Code of Conduct**

Consider the notifications which have been received from Westmorland and Furness Council and to consider whether any further formal training on the code of conduct should be provided for members.

### **14. Code of Conduct**

Consider the notification which have been received from Westmorland and Furness Council.

### **15. Next Meeting**

Note the next meeting of the Full Council is scheduled for **Monday 25 March 2024** at 6.00pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

## **PART II Private Section**

### **16. Proposed Budget 2024/25: Staff Salaries**

Staff salaries report for 2024/25.

## **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**

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

**DRAFT** Minutes of the Ordinary Meeting of Penrith Town Council held on Monday 20 November 2023, at 6.00pm at Unit 2, Church House, Friargate, Penrith CA11 7XR.

## FULL COUNCIL MEMBERSHIP

Cllr. Burgin	South Ward	Cllr. Knaggs	East 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
Cllr. Kenyon	North Ward		

Acting Town Clerk  
Deputy Town Clerk

# **Draft MINUTES FOR THE ORDINARY MEETING OF FULL COUNCIL 20 NOVEMBER 2023**

## **PTC23/73 Apologies for Absence**

Apologies with reasons for absence were received from Councillors Bowen and Lawson.

## **PTC23/74 Minutes**

### **a. Committee Minutes**

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

- i. Planning Committee: 2 October and 6 November 2023
- ii. Finance Committee: 13 November 2023
- iii. Communities Committee: 9 October 2023

### **b. Confirmation of Full Council Minutes**

Members were asked to authorise the Chair to sign, as a correct record, the minutes of:

- i. Full Council: Monday 25 September 2023
- ii. Extra Ordinary Full Council: Wednesday 18 October 2023

and agree they be signed as such by the Chair.

## **RESOLVED THAT:**

The minutes be approved, and the Chair be authorised to sign, as a correct record, the minutes of the meeting of the Town Council held on Monday 25 September 2023, and the Extra Ordinary meeting of the Town Council held on Wednesday 18 October.

## **PTC23/75 Declaration of Interest and Requests for Dispensations**

Members were invited to provide declarations 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.

There were no declarations of interest made.



## **PTC23/76 Public Participation**

### **a) Public Representations**

Members noted that no questions or representations had been received from members of the public.

### **b) Reports from Westmorland and Furness Councillors**

Members noted that no questions or representations had been received from Westmorland and Furness Councillors.

## **PTC23/77 Excluded Item: Public Bodies (Admissions to Meetings) Act 1960**

Members considered whether any items on the agenda should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, and agreed that there were no applications to be considered without the press or public present.

## **PTC23/78 Motion on Notice - Communications Committee**

Motion by Councillor Thomson

Seconded by Councillor Shepherd

Penrith Town Council resolves to set-up a Communications Committee with overall responsibility for the Council's PR, marketing, communications and engagement with all its audiences.

### **RESOLVED THAT:**

The motion to establish a Communications Committee was not approved.

## **PTC23/79 Motion on Notice - Rural Fuel Duty Relief**

Motion by Councillor Rudhall

Seconded by Councillor Knaggs

Clifton Community Council requests Penrith Town Council's support to call for Government to extend Rural Fuel Duty Relief to cover Penrith and neighbouring communities.

Cllr Knaggs proposed an amendment to the motion that reads:

Clifton Community Council requests Penrith Town Council's support to call for Government to extend Rural Fuel Duty Relief but that the Town Council also lobbies for duty relief for domestic oil and propane to cover Penrith and neighbouring communities.

Cllr Burgin seconded the proposed amendment.

The amendment to the motion was approved and became the substantive motion.

**RESOLVED THAT:**

The Council supports Clifton Community Council's request to support the call to extend rural fuel duty relief and writes to the Chancellor of the Exchequer to call for Government to extend Rural Fuel Duty Relief to cover Penrith and neighbouring communities and that the Government be requested to provide duty relief for domestic oil and propane for rural areas.

**PTC23/80 Penrith Lottery**

a) Members noted that the Penrith Lottery Committee has informed the Council in writing that as part of its ongoing review into its operations it has agreed not to proceed with the option for the Penrith Lottery to be managed under the governance of the Council.

b) Members were asked to agree that no further work be undertaken.

**RESOLVED THAT:**

No further work on the Penrith Lottery be undertaken.

**PTC23/81 Report from the Council Chair**

Members noted that the Chair had given his apologies for absence and that there was no report on the duties undertaken by the Town Mayor.

**PTC23/82 Reports from Members**

Members received and noted the following oral reports from Councillors:

Cllr Rudhall reported that he had attended the Judges Service at Carlisle Cathedral and the Torchlight Parade at Kendal.

Cllr Holden reported that she had attended the CALC AGM.

Cllr Donald reported that he had previously attended meetings of the Recovery College, but the group was currently in abeyance. He had attended the Climate Conversation hosted by Westmorland and Furness Council.

Cllr Shepherd reported that he had attended the Armistice Service on 11 November and a meeting of the Scaws Tenants and Residents Association.

Cllr D. Jayson reported that he had attended a meeting at Omega Proteins to discuss technical matters as part of his work for the Environmental Task and Finish Group.

Cllr Jackson reported that he had attended meetings with the Friends of North Lakes School who are continuing to focus on making the number 2 bus service sustainable.

Cllr Knaggs reported that he had attended a meeting of the Scaws Tenants and Residents Association, the consultation meeting held at Beaconside School, a meeting of the Friends of Castle Park group, a meeting with the Penrith Lottery Committee and an independent external lottery management provider.

Cllr Thomson reported that he was waiting outcomes from some ward matters raised with Westmorland and Furness Council. He reported that defects on the railway footbridge were being rectified and that he had met with the Environment Agency. He reported that he had arranged a residents meeting which would be held the following evening.

### **PTC23/83 Resolutions Report**

Members noted the report.

### **PTC23/84 Neighbourhood Plan**

Members received and noted the oral report from Councillor Jackson.

### **PTC23/85 Grants**

Members noted the Grants awarded since the last meeting of Council.

### **PTC23/86 Biodiversity Statement**

Members considered the report on the duties of the Natural Environment and Rural Communities Act 2006 as updated by the Environment Act 2021.

#### **RESOLVED THAT:**

The Climate Strategy Review Group update the Biodiversity Statement and produce a Biodiversity Policy and Action Plan, and these be brought back to Full Council for approval.

### **PTC23/87 Code of Conduct**

Members were asked to approve the adoption of the revised Code of Conduct from Westmorland and Furness Council as the Council's own Code of Conduct.

#### **RESOLVED THAT:**

- i. The Council adopts the Westmorland and Furness Council's Code of Conduct as its own Code of Conduct.
- ii. Councillors sign and date the new Code of Conduct.

### **PTC23/88 A66 Northern TransPennine Project Update**

Members noted the content of the letter received from National Highways.

### **PTC23/89 Standing Orders**

Members were asked to consider and approve an amendment to the following Standing Orders as follows:

- 3ei 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.
- 3eii. A member of the public who wishes to make a representation, ask a question or give evidence must make a request to do so in writing to the Town Clerk PRIOR to the meeting in order to facilitate a response from the Council. The request may be 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.

## **PTC23/89 Standing Orders, continued**

Cllr Jackson proposed an amendment to the motion that:

3ei 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 helpful if a member of the public who wishes to speak at a meeting makes a request to speak in writing to the Town Clerk prior to the meeting. Where the Council is unable to provide a response to the question at the meeting, they will do so in writing within seven days and the response will be attached to the minutes as an appendix.

3eii this Standing Order is deleted.

Cllr D. Jayson seconded the proposed amendment.

The amendment was agreed and became the substantive motion after which it was.

### **RESOLVED THAT:**

Council approves the amendment to Standing Order 3ei and 3eii as follows.

3ei 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 helpful if a member of the public who wishes to speak at a meeting makes a request to speak in writing to the Town Clerk prior to the meeting. Where the Council is unable to provide a response to the question at the meeting, they will do so in writing within seven days and the response will be attached to the minutes as an appendix.

3eii this Standing Order is deleted.

## **PTC23/90 Finance Committee**

Members considered the approved recommendations from the Council's Finance Committee from their meeting held on Monday 13 November 2023. The Committee Chair had requested that these matters be brought to the Full Council for ratification:

### **a) Budgetary Control Statement 2023/24: 31 October 2023**

Ratify the budgetary control statement for the seven-month period to 31 October 2023.

**RESOLVED THAT:**

The budgetary control statement to 31 October 2023 be ratified.

**b) Policy Review**

Ratify the following reviewed policies:

- a) Social Media Protocol for Councillors
- b) Social Media Employees Policy
- c) Use of Social Media Press and Public
- d) Information Protection Policy
- e) Information Security Incident Policy
- f) Removable Media Policy
- g) Passwords Policy
- h) Data Protection Policy
- i) Record Management and Retention Policy
- j) Privacy Policy

**RESOLVED THAT:**

i. The following policies be ratified.

- a) Social Media Protocol for Councillors
- b) Social Media Employees Policy
- c) Use of Social Media Press and Public
- d) Information Protection Policy
- e) Information Security Incident Policy
- f) Removable Media Policy
- g) Passwords Policy
- h) Data Protection Policy
- i) Record Management and Retention Policy
- j) Privacy Policy

ii. Members noted that the Subject Access Request policy had been reviewed and the policy is not necessary as the Council has to comply with the legislation by law. The Council has an approved internal procedure for dealing with such requests.

**PTC23/91 Next Meeting**

Members noted the next meeting of Council was scheduled for Monday 29 January 2024 at 6.00pm, Unit 2, Church House, Friargate, Penrith.

**PART II – PRIVATE SECTION**

**There are no items in this part of the agenda.**

**FOR THE ATTENTION OF ALL  
MEMBERS OF THE TOWN COUNCIL**

**Access to Information**

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**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 Friday via [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

**CHAIR:**

**DATE:**



# Penrith Town Council

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

**DRAFT** Minutes of the Ordinary Meeting of Penrith Town Council held on Monday 16 January 2024, at 5.30pm at the Function Room, Penrith Cricket Club, Wetheriggs Lane, Penrith CA11 8PE.

## FULL COUNCIL MEMBERSHIP

Cllr. Bowen	Pategill Ward	Cllr. Lawson	Carleton Ward
Cllr. Jackson	North Ward	Cllr. Rudhall	East Ward
Cllr. B. Jayson	West Ward	Cllr. Shepherd	East Ward
Cllr. D. Jayson	North Ward	Cllr. Smith	South Ward
Cllr. Kenyon	North Ward	Cllr. Snell	West Ward
Cllr. Knaggs	East Ward		

Acting Town Clerk  
Deputy Town Clerk  
Economic Development Officer

**Draft MINUTES FOR THE  
EXTRA ORDINARY MEETING OF FULL COUNCIL  
16 JANUARY 2024**

**PTC23/92 Apologies for Absence**

Apologies with reasons for absence were received from Councillors Burgin, Donald and Holden.

**PTC23/93 Declaration of Interest and Requests for Dispensations**

Members were invited to provide declarations 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.

There were no declarations of interest made.

**PTC23/94 Public Participation**

Members received one representation from a member of the public.

Mr Davies, made a statement to the meeting in which he reported that the amount of times the Council uses Part Two, exclusion of press and public in his opinion was excessive. He reported, in his view, the matter being considered at this meeting was a stretch of the Public Bodies (Admissions to Meetings) Act, and requested that the Council considered the use of Part Two in the future, given how this may be perceived by the public.

**PTC23/95 Excluded Item: Public Bodies (Admissions to Meetings) Act 1960**

Members considered whether any items on the agenda should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, and agreed that there were no applications to be considered without the press or public present.

**RESOLVED THAT:**

Item 6 relating to the Borderlands Place Programme be considered in Part Two, private session without the presence of the press and public due to the nature of the business to be transacted in that the item contains financial information in relation to tendered prices and that of a third party.

**PTC23/96 Next Meeting**

Members noted that the next meeting of Council was scheduled for Monday 29 January 2024 at 6.00pm, Unit 2, Church House, Friargate, Penrith.



## **PART II – PRIVATE SECTION**

Members agreed that there was one item in this part of the agenda to be considered in private.

**Cllr Jackson joined the meeting at 17.45**

**Cllr Rudhall joined the meeting at 18:03**

### **PTC23/97 Borderlands Place Programme**

Members considered the Arts and Culture Business Case and governance arrangements to aid in the delivery of the Borderlands Project.

#### **RESOLVED THAT:**

- i. The Council endorsed the Arts and Culture Business Case and approved its submission to the Borderlands Place Programme Partnership Board.
- ii. The Council in principle, and subject to a consideration by Council of its obligations as the accountable body approved to take on the role of accountable body for the Penrith Players project as detailed within the Penrith Arts and Culture Borderlands Inclusive Growth Deal Penrith Place Programme Project Initiation Document.
- iii. The Responsible Financial Officer and Solicitor be given delegated authority to agree terms with Penrith Players relating to their obligations and responsibilities to undertake the grant funded works and meet the grant funding conditions; and with Westmorland and Furness Council if the funding application is successful.
- iv. The Council approved the Terms of Reference for a Borderlands Delivery Group, reporting to the Town Council.
- v. The Responsible Financial Officer be given authority to draw from reserves to assist with any short-term cash flow requirements.

## **FOR THE ATTENTION OF ALL MEMBERS OF THE TOWN COUNCIL**

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### **Background Papers**

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**CHAIR:**

**DATE:**

# **FULL COUNCIL**

**Date: 29 January 2024**

## **Public Report**

**Matter: Motion on Notice – Inspiring Eden Levelling Up Hub**

**Item no: 06**

**Author: Councillor Smith**

**Supporting Member:** Councillor Smith

### **Purpose of Report:**

To consider the motion from Cllr. Smith in relation to the proposed Levelling Up Fund Inspiring Eden Enterprise Hub.

### **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. Motion on Notice from Cllr Smith**

Cllr Smith has proposed a motion on notice that reads:

Penrith Town Council notes that funding for the Inspiring Eden Enterprise Hub Levelling-Up Fund proposals, which were rejected by the Government in 2022, have now been allocated to Westmorland & Furness Council. More than £7million has been allocated for a Business and Enterprise Hub to be built on land adjacent to the Stoneybeck Roundabout. It is understood that the Government has stated that the funding is still subject to final approval, and that Westmorland and Furness Council are reviewing the original business case in light of the Government's announcement.

### **Background**

Penrith Town Council at its meeting of Full Council, July 18th, 2022, considered a report on the Inspiring Eden Enterprise Hub / Levelling Up Fund, where the Council were asked to consider providing a letter of support to the then Eden District Council to support a single bid for a Enterprise Hub on land owned by a third party and with outline planning permission for a business park next to Stoneybeck Roundabout. The Council resolved, Minute PTC22/25:

That a letter of no support be submitted to the leader and CEO of the District Council, Leader of Eden District Council, Leader of Westmorland and Furness Shadow Council and Neil Hudson MP and that the letter would include:

- a. Any bid for levelling up funding is targeted at the town centre and is complementary to the Borderland funding bid and any monies received.
- b. Concern about the total lack of consultation with stakeholders.
- c. Concern that the district council bid does not align with the required themes for Levelling Up.
- d. The proposal is a lost opportunity to improve the vitality of the town centre.

The Town Council's letter (attached at Appendix A) outlined the key reasons for its decision which were:

- The Council believes that the bid is likely to fail as it barely, if at all, fits with the three main criterion for this Levelling Up round, i.e. Transport Investment; Regeneration and Town Centre Investment; and Cultural Investment (it did fail initially).
- As far as the town council was aware, there was no stakeholder involvement nor consultation in the development of the Eden District Council proposal for the out-of-town Enterprise Hub.
- The Town Council disagreed with the assertion that that the only alternative to this proposal was to do nothing.
- There was no completed business plan nor feasibility study illustrating the need for this hub.
- The land in question only has outline planning permission for categories B1, B2 and B8
- Current experts advise that out-of-town developments compete with town centres rather than sustaining them and an out-of-town hub will inflict significant damage to the towns and villages of the Eden District.

According to the plans, a mix of office, studio, workshop and collaborative spaces would be provided as part of the development.

As things stand there are buildings in the town centre that stand empty. Some of these buildings are located in proximity to the bus station and taxi rank and provide very accessible locations for both the public and businesses/enterprises to get to and operate from with less need for car travel.

Community services/groups, independent businesses, sole traders, and voluntary sector organisations need space closer to people in order to trade with and support them, especially those who are vulnerable, lacking in mobility, and most in need.

In bringing this motion, I consider that, investment needs to be spent on regenerating the town centre to bring people into it, not on a project removed from the town that would take people away from it. I consider that:

- i. Businesses and Enterprises need to be accessible to as much of the public as possible (and vice versa). This has environmental, climate and health implications, as well as accessibility impacts.
- ii. Money from the Levelling Up fund should be used within the criteria for which it has been intended (the three main criterion for the Levelling Up round being, i.e. Transport Investment; Regeneration and Town Centre Investment; and Cultural Investment). The current plans do not meet these criteria.

Given that the Levelling-Up Fund proposals, which were rejected by the Government in 2022, have now been allocated to Westmorland & Furness Council since the Council's resolution and letter of July 2022, and given that during this period there has been a change to Unitary Council's following Local Government Reorganisation that:

**Penrith Town Council resolves to:**

Write to Westmorland and Furness Council to reaffirm that Penrith Town Council continues to object to the proposed Inspiring Eden Enterprise Hub Levelling-Up Fund bid on land adjacent to Stoneybeck, and in doing so:

- i. Restates its reasons for objection in July 2022.
- ii. Requests for a feasibility study be done on the prospect of using some of the Levelling Up Fund money to create an Enterprise and Business hub in the town centre.
- iii. Emphasises the need for any studio, workshop and collaborative spaces to be included in plans for the town centre, so that community services/groups, independent businesses, sole traders, and voluntary sector organisations have space closer to people in order to support them and make them more viable.
- iv. Requests that Westmorland and Furness Council liaise with the Town Council as part of its ongoing work reviewing the Business Case.

**Appendices**

Appendix A – Letter, Minute PTC22/25, Full Council, 18 July 2022.

**Background Documents:**

Full Council, 18 July 2022, Agenda item 8, Minute PTC22/25

Westmorland and Furness Council Media release:

[Welcome for £7m rural enterprise hub funding | Westmorland and Furness Council](#)



# Penrith Town Council

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

[REDACTED], Interim Economic Development Manager  
[REDACTED], Chief Executive Eden District Council  
[REDACTED] Leader, Westmorland & Furness (Shadow Authority)  
[REDACTED], Council Leader, Eden District Council  
[REDACTED] MP  
Eden District Councillors

## **BY EMAIL**

19 July 2022

Dear Colleagues

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

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

The key reasons for this decision were:

1. The Council believes that the bid is likely to fail as it barely, if at all, fits with the three main criterion for this Levelling Up round, i.e. Transport Investment; Regeneration and Town Centre Investment; and Cultural Investment. Other authorities who have submitted a bid appear to understand the scope of this bidding round having put forward bids that propose town centre regeneration projects that reduce the need for transport and that aspire to reinvigorate their towns. This makes the Eden District Council bid likely to be rejected.

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

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

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

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

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

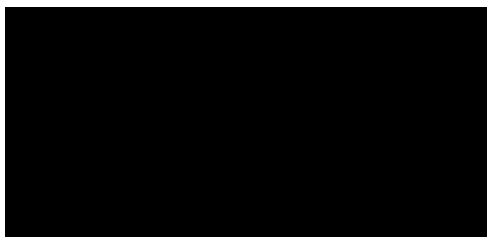
The future of Penrith requires a credible, feasible and strategic plan with extensive public and stakeholder involvement.

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

Yours faithfully and on behalf of Penrith Town Council,



Councillor Charlie Shepherd, Chair of Penrith Town Council



Councillor Dave Knaggs, Vice Chair of Penrith Town Council



## FULL COUNCIL 29 January 2024 ITEM: 09

### STATUS KEY:

On hold - Not commenced

Completed

In progress - Started and ongoing

Note the progress on resolutions from previous Full Council meetings.

Reference	Activity	Status
<b>Full Council, 17 July 2023</b>		
PTC23/42	St Andrews War Memorial, Plinth Project	
<b>Full Council, 25 September 2023</b>		
PTC23/52	Letter from Chair - DVLA/Minister for Transport	
PTC23/53	Penrith Lottery Scoping document to Councillors - Report to Council	
PTC23/54	Establish Climate Strategy Task and Finish Group	
PTC23/57d	Reviewed Policies on to the website	
PTC23/57e	Lloyds Bank Closed	
PTC23/57e	SCM Administrator on HSBC account	
PTC23/57e	Business Debit Card application for SCM at HSBC	
PTC23/57e	Account Signatories updated at PBS, HSBC, CCLA	
PTC23/57e	HSBC Daily Payment Limit increased to £20k	
PTC23/59	Grant letters and SLA to Signature Grant Applicants	
PTC23/60	Quotations for Design of Interpretation and Wayfinding scheme	
PTC23/62	Liaison with Highways England re: A66 Thacka	
PTC23/63	Confirmation on Employment Contract matters	
<b>Extra Ordinary Council, 18 October 2023</b>		
PTC23/68	Expansion of Places at Beaconside School Consultation response	
PTC23/69	Statement of Licensing Policy Consultation response	
PTC23/60	Statement of Gambling Policy Consultation response	
PTC23/61	LCWIP confirmation of Penrith CWZ with W&F Council	

Reference	Activity	Status
<b>Full Council, 20 November 2023</b>		
PTC23/79	Rural Fuel Duty Letter to Government	
PTC23/86	Biodiversity Statement, Policy and Action Plan (referred to Climate Task and Finish)	
PTC23/87	Code of Conduct (Council adopted W&F as its own Code of Conduct)	
PTC23/89	Standing Orders (amended updated 3ei, 3eii)	
PTC23/90	Policy Review (Data, Information and Social Media)	
<b>Extra Ordinary Council, 16 January 2024</b>		
PTC23/97	Submit Arts and Culture Business Case to Borderlands	

# FULL COUNCIL

**Date: 29 January 2024**

## **Public Report**

**Matter: Budget Control Statement 2023-24 Expenditure to 31 December 2023**

**Item no: 10a**

**Author:** Responsible Finance Officer

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

### **Purpose of Report:**

Ratify the budgetary control statement for the nine-month period to 31 December 2023.

### **Recommendations:**

Ratify the budgetary control statement for the nine-month period to 31 December 2023.

### **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.

The Local Government Act 1972 requires the Council to have sound financial management.

## **1. Report Details**

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

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

- The full year's Approved Budget for 2023-24, which was ratified by Council on 23 January 2023.
- The budget to date, based on the latest budget for the year. For most headings, this budget to date will be a simple pro-rata of the annual budget (i.e. 9/12ths for the current period).
- Actual income and expenditure to 31 December, 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 December. 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 overall underspending from the anticipated position at this time in the year. The following comments concentrate on unusual or unexpected variances.

### **B.1 Income**

Overall income of £383,078 exceeds the profiled budget of £368,774 by £14,304.

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

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

There has been very little expenditure up to this period in the year.

### **B.3 Communities Committee**

Net spend of £52,814 is shown against the profiled budget of £80,250, an underspending of £27,436.

- The Town Projects budget is currently underspent by £15,095. With less Council expenditure on Christmas lights this underspend is likely to increase in the coming months.

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

Net expenditure of £328,849 is shown against the budget to date of £328,077, an overspending of £772. This small overspend is likely to decrease over the coming months. This small variance indicates this budget is being spent as planned.

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

- The individual variances result in an underspending of £42,440 against the profiled total expenditure budget of £424,302. As there is £14,304 more income, there is a net variation of £56,744 on the profiled amount transferrable to the General Reserve.

### **B.6 Reserves**

- The General Reserve is profiled to decrease by £55,528 in the period, it has actually increased by £1,216 to £500,102.

- The Devolution Reserve opened the year with a balance of £156,794, the amount of £15,295 transferrable into the Devolution Reserve is £1,238 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 December 2023. The following points may be noted:

- The total invested of £766,626 includes £680,000 placed with CCLA, this will be managed through the year to allow a reasonable return while maintaining a sufficient bank balance to make required payments.
- The VAT debtor of £3,642 is VAT reclaimed from HMRC in respect of December transactions.
- Prepayments of £8,781 include adjustments for insurance, office rental, licences, subscriptions and maintenance agreements.
- Accruals of £8,588 represent goods and services received before 31 December, where the payment was not made by that date. Individual items include grounds maintenance, caretaking and audit and accountancy fees.
- The Payroll Control balance of £16,761 relates to deductions calculated in the October 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 January 2024 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 December was around £42,000 below the Latest Budget for the period.

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

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

### **Risk & Consequences**

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

Adverse criticism of over or underspending.

### **Controls Required**

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

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

This report is concerned solely with financial management.

### **4. Equalities Implications**

There are no equalities implications associated with this report.

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

There are no climate and environmental implications associated with this report.

### **6. Legal Implications**

There are no legal implications arising from this report.

### **Appendices**

Appendix A – Budgetary Control Statement Nine Months Ended 31 December 2023

Appendix B – Balance Sheet as at 31 December 2023

### **Background Papers**

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



# Penrith Town Council

## BUDGETARY CONTROL STATEMENT: NINE MONTHS ENDED 31 DECEMBER 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	351,221	351,221	0
7,388	7,642	<b>CTRS Grant</b>	5,732	5,732	0
		<b>Other Income:</b>			
13,577	15,750	Investment Income	11,813	26,125	14,312
0	10	Miscellaneous Income	8	0	(8)
<b>476,174</b>	<b>491,697</b>	<b>TOTAL INCOME</b>	<b>368,774</b>	<b>383,078</b>	<b>14,304</b>
		<b>EXPENDITURE</b>			
		<b>PLANNING COMMITTEE:</b>			
		<b>Planning:</b>			
2,118	10,000	Planning Consultancy	7,500	199	7,301
2,118	10,000		7,500	199	7,301
		<b>Climate Change:</b>			
2,910	8,300	Climate Efficiency	6,225	0	6,225
2,910	8,300		6,225	0	6,225
<b>5,028</b>	<b>18,300</b>	<b>Planning Committee Total</b>	<b>13,725</b>	<b>199</b>	<b>13,526</b>
		<b>COMMUNITIES COMMITTEE:</b>			
		<b>Town Projects:</b>			
4,689	47,000	Town Projects	35,250	20,155	15,095
4,689	47,000		35,250	20,155	15,095
		<b>Arts &amp; Entertainment:</b>			
21,474	10,000	Arts & Culture Development	7,500	4,327	3,173
21,474	10,000		7,500	4,327	3,173
		<b>Grants:</b>			
20,283	15,000	Grants	11,250	11,763	(513)
0	20,000	Signature Grants	15,000	9,965	5,035
20,283	35,000		26,250	21,728	4,522
		<b>Corporate Communications:</b>			
4,839	15,000	Communications	11,250	6,604	4,646
4,839	15,000		11,250	6,604	4,646
<b>51,285</b>	<b>107,000</b>	<b>Communities Committee Total</b>	<b>80,250</b>	<b>52,814</b>	<b>27,436</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	185,400	191,155	(5,755)
19,268	23,780	National Insurance	17,835	18,578	(743)
42,230	53,150	LG Pension Scheme	39,863	39,697	166
3,029	500	Recruitment Expenses	375	567	(192)
1,282	600	Staff Training	450	285	165
0	500	Conferences	375	0	375
238	500	Staff Expenses	375	64	311
260,794	326,230		244,673	250,346	(5,673)
		<b>Accommodation:</b>			
7,500	7,500	Rent	5,625	5,625	0
3,104	4,000	Heat, Light & Water	3,000	2,033	967
2,331	1,020	Service Charges	765	1,790	(1,025)
1,782	1,730	Room Hire & Meetings	1,298	1,302	(4)
390	380	Insurances	285	293	(8)
0	0	Letting Income	0	0	0
15,107	14,630		10,973	11,043	(70)
		<b>Civic Functions:</b>			
76	400	Civic Functions	300	20	280
700	700	Mayoral Expenses	525	700	(175)
300	300	Deputy Mayor's Expenses	225	300	(75)
102	100	Civic Regalia	75	486	(411)
1,178	1,500		1,125	1,506	(381)
		<b>Cost of Democracy:</b>			
225	200	Annual Meeting	200	30	170
	5,000	Elections	0	0	0
160	1,000	Members' Training	750	421	329
0	200	Members' Expenses	150	0	150
0	1,200	Notice/Honours Board	900	102	798
385	7,600		2,000	553	1,447
26,800	20,000	<b>IT</b>	15,000	14,019	981
340	2,050	<b>Website</b>	1,538	0	1,538
		<b>Devolved Services:</b>			
(450)	800	Allotments	488	1,598	(1,110)
0	400	War Memorial	300	0	300
0	1,500	Benches	1,125	2,785	(1,660)
3,330	3,000	Bus Shelters	2,250	233	2,017
1,021	1,750	Bandstand	1,313	473	840
653	800	Musgrave Monument	600	0	600
7,426	5,500	Fairhill Park	4,125	6,047	(1,922)
19,407	3,700	Thacka Beck Field	2,775	1,613	1,162
27	300	Signage, etc	225	0	225
7,991	10,000	Community Caretaker	7,500	6,714	786
6,939	18,594	Contribution to/(from) Devolution Reserve	14,057	15,295	(1,238)
46,344	46,344		34,758	34,758	0
0	5,000	<b>Local Government Re-organisation</b>	3,750	0	3,750
		<b>Other Overheads:</b>			
3,614	3,000	Printing, Postage & Stationery	2,250	2,341	(91)
1,166	1,450	Audit Fees	1,088	1,098	(10)
3,241	4,180	Insurance	3,135	2,555	580
123	130	Bank Charges & Interest	98	260	(162)
2,205	2,900	Accountancy Fees	2,175	3,260	(1,085)
1,898	1,650	Legal & Professional Fees	1,238	3,683	(2,445)
827	500	Licences	375	1,020	(645)
3,354	3,201	Subscriptions	2,401	2,313	88
16,428	17,011		12,760	16,530	(3,770)
1,690	2,000	<b>Repairs &amp; Renewals</b>	1,500	94	1,406
<b>369,066</b>	<b>442,365</b>	<b>Finance Committee Total</b>	<b>328,077</b>	<b>328,849</b>	<b>(772)</b>



Actual 2022-23	Approved Budget 2023-24	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£ 0	£ 3,000	Contingency	£ 2,250	£ 0	£ 2,250
(20,000)	5,000	Transfer to/(from) Election Reserve		0	0
405,379	575,665	TOTAL EXPENDITURE	424,302	381,862	42,440
70,795	(83,968)	INCREASE/(DECR) IN GENERAL RESERVE	(55,528)	1,216	56,744
		RESERVES:			
		General Reserve:			
428,090	482,605	Balance brought forward 1 April 2023	482,605	498,886	16,281
70,795	(83,968)	Increase/(decrease) in year	(55,528)	1,216	56,744
498,885	398,637	Balance carried forward	427,077	500,102	73,025
		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	14,057	15,295	1,238
156,794	183,413	Balance carried forward	178,876	172,089	(6,787)
		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	617,050	TOTAL RESERVES	635,953	702,191	66,238



## Penrith Town Council

### BALANCE SHEET AS AT 31 DECEMBER 2023

	£	£
<b>Investments</b>		
Penrith Building Society	86,626	
CCLA Public Sector Deposit Account	<u>680,000</u>	
		766,626
<b>Current Assets</b>		
Debtors	3,313	
Debtor - VAT	3,642	
Prepayments	8,781	
HSBC Bank Account	<u>71,592</u>	
	87,328	
<b>Current Liabilities</b>		
Creditors	0	
Accruals	8,588	
Payroll Control	16,761	
Receipts in Advance	<u>126,414</u>	
	151,763	
<b>Net Current Assets</b>		(64,435 )
		<u><b>702,191</b></u>
<b>Represented by:</b>		
<b>Reserves</b>		
General Reserve		500,102
Devolution Reserve		172,089
Election Reserve		30,000
		<u><b>702,191</b></u>



# Penrith Town Council

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

## RESERVES POLICY

### PURPOSE

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

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

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

### 1. GENERAL RESERVE

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

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

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

## 2. EARMARKED RESERVES

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

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

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

## 3. ESTABLISHMENT AND USE OF RESERVES

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

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

### Review

This policy will be subject to annual review.

**LAST REVIEW: January 2023**

**Review: ANNUAL**

## CURRENT RESERVES

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

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

**DATE OF APPROVAL:** January 2023

**REVIEW:** ANNUAL



# Penrith Town Council

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

## INVESTMENT STRATEGY

### PURPOSE

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

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

### INVESTMENT OBJECTIVES

The Council invests monies for treasury management purposes.

Its priorities in investing surplus funds are:

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

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

### TYPES OF INVESTMENT

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

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

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

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

## **RISK ASSESSMENT**

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

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

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

## **APPROVED COUNTERPARTIES**

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

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

## **TREASURY MANAGEMENT RESPONSIBILITIES**

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

Any transfer of monies between bank accounts shall be made by any combination of two officers of the Council -the RFO, Services and Contracts Manager, the Town Clerk, the Deputy Town Clerk and in the absence of one, by one of the designated Councillors pre-approved by Full Council. Investment activities are reported to the Finance Committee to be noted.

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

## **ACTIVITIES FOR NEXT 12 MONTHS**

The Town Council plans to maintain its investments in the Penrith Building Society. As it receives its full annual precept income early in the financial year, it will have surplus funds for most of the year and these will be invested in the CCLA Public Sector Deposit Fund until needed. As the Council does not have a long history of managing its cash



flow actively, it will adopt a cautious approach to investing surplus monies to ensure that its bank account balance is always sufficient to meet short-term requirements.

**REVIEW**

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

**APPROVED: 2019**

**LAST REVIEW: January 2023**

**Review: ANNUAL**

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# **FULL COUNCIL**

**Date: 29 January 2024**

## **Public Report**

**Matter: Proposed Budget 2024-25**

**Item no: 10c**

**Author:** Responsible Finance Officer

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

### **Purpose of Report:**

To consider and approve the Proposed Budget and Council Tax Precept for 2024/25, service development proposals and the proposed Medium Term Financial Plan.

### **Recommendations:**

Council is recommended to:

- i) Approve the Forecast Outturn expenditure for 2023/24 of £522,292.
- ii) Approve the Proposed Budget 2024/25 with total expenditure of £581,932 which includes:
  - a) Salaries payable to Council staff in 2024/25, as detailed in the supporting confidential report.
  - b) Service development proposals totalling £36,700.
  - c) The proposed level of financial reserves.
  - d) The parameters and forecasts in the Proposed Medium Term Financial Plan.
- iii) A formal written request be made to Westmorland and Furness Council to pay the sum of £487,735 to Penrith Town Council as its precept for the year 2024/25 representing a 1% increase in Council Tax.

### **Law and Legal Implications**

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

# 1. Report Details

## A. Introduction

Draft estimates for 2024/25 were considered by the Budget Working Group on 4 December 2023. The Working Group proposed that a 1% increase in Council Tax for next year would be appropriate, in view of the current circumstances, the cost of living and that reserves were at a comparatively high level, giving scope for a release of resources to the annual budget over a period of years to fund new initiatives.

The Council Taxbase figure for next year has been provided by Westmorland and Furness Council. The final figure is 5812 representing a 3.12% increase.

Westmorland and Furness Council has confirmed the CTRS grant to be paid will be £7,642, though they have also confirmed that 2024/25 will be the last year that this will be paid.

Proposed estimates were presented to Finance Committee on the 15 January 2024, which determined to forward them to this meeting for approval.

This report presents the Proposed Budget for 2024/25 (Appendix A), including a position on growth items (Appendix C), and budget adjustments which can be financed by a 1% increase in Council Tax.

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

This report presents a Proposed Budget for 2024/25 and Medium Term Financial Plan, which indicate that the Council will be able to set sustainable budgets for subsequent years that will incorporate further financial growth in services and meet its target reserve level, with modest annual tax increases.

## B. Proposed Budget 2024/25

## Appendix A

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

- a) The Actual Outturn income and expenditure for 2022/23, for comparison purposes.
- b) The Approved Budget for 2023/24.
- c) The Forecast Outturn for the current year with the projected full year's expenditure based on trends identified from budget monitoring statements and including the effect of decisions made by Council to date and proposals for the redirection of estimates. Total outturn expenditure for 2023/24 of £522,292 is forecast to decrease by £53,373 from the Approved Budget of £575,665.
- d) The Proposed Budget for 2024/25, which allows for a continuation (standstill) budget that identifies and provides for the current committed level of service to be maintained. This involves the current year's budget being adjusted to

remove any one-off items and to include the estimated costs of contractually committed changes to expenditure or income; inflationary increases have only been allowed where necessary.

Based on these estimates, the proposed precept for 2024/25 will be £487,735, the increase of £19,440 from the 2023/24 figure of £468,295 is due to a higher Council Taxbase and a 1% increase in Council Tax.

- e) The position on the Council's three reserves.
- f) The resulting Council Tax based on the budgets representing a 1% increase in the Council Tax for 2024/25.

### **C. Proposed Medium Term Financial Plan (MTFP)**

### **Appendix B**

**Appendix B** shows a forecast of income and expenditure for the years 2024/25 to 2028/29, based on the figures in the 2024/25 Draft Budget, again showing only continuation budgets. These are adjusted for planned variations, together with a modest provision for growth in subsequent years; basic figures are at April 2024 prices and future inflation has been allowed for as a global figure on staffing and running costs.

Except for a 1% increase Council Tax and allowance for a 4% pay award for 2024/25, the parameters adopted in the Plan are largely those in the current MTFP approved in January 2023 and updated as part of this budget review process:

- A 1% Council Tax increase for 2024/25 followed by 3.0% in each of the years 2025/26 to 2028/29.
- Pay inflation of 4% in 2024/25 and 4.0% thereafter.
- Average price inflation of 4% pa
- Achievement of a General Reserve equivalent to 30% of net expenditure by 31 March 2029.
- Contributions to the Devolution Reserve until expenditure on existing devolved assets reaches the agreed target figure of £46,344.

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

### **D. Service Development Proposals (Growth Items)**

### **Appendix C**

Planning Committee proposed a Growth bid of £5,000 to be considered for 2024/25, following their meeting in November. This was to support the engagement of a consultant to develop a plan to identify improvements to enhance the public realm and street scape in a cohesive way, which will act as a catalyst for stakeholder buy in and the ability to draw down external funding.

Communities Committee proposed a growth bid of £5,000 for 2024/25 for grants. This was to reflect the increased interest in Council grants, applications expected in

the new financial year and the intention to continue to increase publicity of the grant scheme.

The Climate Strategy Task and Finish group has proposed an increase in the climate budget from £8,300 to £15,000. This will be to facilitate the delivery of the refreshed Climate Strategy and Action Plan that is currently being finalised.

The Economic Development Officer has submitted a growth bid of £10,000 for associated work that may be required for a new Interpretation and Wayfinding scheme. This work and budget will be classed as matched funding against potential funding from the Borderlands Programme.

The Economic Development Officer also submitted a growth bid of £10,000 to support the marketing programme for Penrith. The development of a brand for Penrith is presently being undertaken via an already approved resolution and budget. This proposed growth bid is required to match fund and develop joint marketing for Penrith. Working with stakeholders the marketing will be aimed at attracting new business, visitors and shoppers which will in turn will provide inclusive community benefit, economic benefit and increase footfall. Through joint marketing the effectiveness will be greater, and all parties will benefit from economies of scale.

Finance Committee proposed no Growth Bids be considered for 2024/25 following their meeting in November.

Service Development Proposals (Growth Bids) for 2024/25 = £36,700.

## **E. Detailed Budgets**

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

### **a) Income**

The precept income for 2024/25 is based on a 1.0% increase in Council Tax and a small increase in the Council Taxbase. The parameters in the Medium-Term Plan project tax income which will allow sustainable budgets and reducing the General Reserve towards its target level. The investment income budget has been increased due to higher interest rates.

### **b) Planning Committee**

Planning Services are expected to continue at their current level of £10,000 pa which will in the main support the Neighbourhood Plan referendum which is expected in early 2024/25. The planning committee have also submitted a growth bid of £5,000 for improvements in public realm and street scape. The committee also requested that the climate change budget be transferred from them. It was felt that this would sit better in the Communities Committee.

### **c) Communities Committee**

Based on budget monitoring in the current year, an underspending of £27,000 is forecast for the Committee's budget lines overall in 2023/24 expenditure. Town

Projects accounts for £21,000 of this underspend. The increased budget was not required after the successful re-launch of Penrith BID.

#### Town Projects

The proposed budget for 2024/25 is £10,000 for Town Projects, this reduces it to the previous level after last year's one off increase to cover Christmas lights and greening.

#### Arts & Entertainment

The proposed budget for 2024/25 includes £10,000 for Arts and Cultural Development and enabling the delivery of the actions contained within the Priorities Plan.

#### Corporate Communications

The Corporate Communications budget is proposed to remain at £15,000.

#### Grants

The forecast outturn for the current year is £30,000. The budget for 2023/24 was £35,000 which included £20,000 for Signature Grants and £15,000 for Grants. There is a predicted underspend of £5,000 on the Signature grant fund, there have been 3 signature grants of £5,000, there is enough budget for one more grant of that size. It is anticipated that the Grants budget will be close to being fully committed by year end. Grants have historically been underspent so the change of policy and increased promotion is showing to have an effect on the uptake of the budget. Communities Committee has proposed a £5,000 increase in the Grants budget for 2024/25 to reflect the increase in demand for grants in the current year.

### **d) Finance Committee**

#### Staffing

The 2023/24 Forecast Outturn and 2024/25 Proposed Budget estimate the costs of the existing approved staff establishment. After adjusting for pay awards and the removal of the Sustainability Officer post the overall staff cost budget is £7,568 higher than in the previous budget year. Future years' forecast pay awards are provided as a global sum alongside price inflation.

The 2024/25 Draft Budget assumes a full establishment. The supporting Part 2 confidential report shows the recommended salary points for each member of staff, effective from 01 April 2024. Future years' forecast pay awards are provided as 4%.

#### Accommodation

The principal changes in accommodation budgets for 2024/25 relates to heat, lighting and water to reflect the increase in utility charges.

### Cost of Democracy

The budget is similar to last years except there are no expected election costs. The Elections reserve would be expected to be used to meet the costs of one-off by-elections.

### IT

The expenditure for IT is in line with budget. The same budget is proposed in 2024/25, but it is felt that the website budget should now sit within IT and not as a separate line.

### Devolved Services

The Forecast Outturn for 2023/24 and the Draft Budget 2024/25 include the latest estimated costs and income for assets already transferred. Service expenditure forecasts have been reviewed in the light of operating experience and are continued into future years. The Council will continue to liaise with Westmorland and Furness Council about future asset transfers which would be subject to further reports resolutions including budget implications.

### Contribution to Devolution Reserve

A target of £46,344 has been set for Devolved Services. It is forecast that the total cost of services will be permanently lower than £46,344 so the difference is contributed to the Devolution Reserve, which will accumulate until decisions are made on its use. In the light of LGR it is recommended as prudent to continue the contribution to the Devolution Reserve in line with current arrangements.

### Other Overheads

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

### Repairs & Renewals

This budget is being retained at £2,000 and is used to fund repairs and one-off expenditure that does not align with another budget.

## **e) Contingency**

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

## **f) Inflation**

Anticipated pay and price inflation has been included in the detailed budgets for 2024/25. For 2025/26 onwards, the MTFP allows for compound pay inflation of 4.0% pa and price inflation at an average rate of 4% pa as a global figure.



## **F. Reserves**

The Draft Budget and Medium-Term Plan assume a continuation of existing plans for reserves.

### **General Reserve**

The Council has a policy of reaching a target balance in the Reserve equivalent to 35% of its forecast net expenditure by 31 March 2025, reducing to 30% from 01 April 2026. Underspending in previous years, and a forecasted underspend of £53,000 this financial year, mean that this target is not yet met. As a result, there are resources in the Reserve which can be used to fund service delivery over the life of the Plan.

### **Devolution Reserve**

As noted above, the Reserve is being built up from contributions from the Devolved Services budget heading until the total cost of those services reaches £46,344. Appendix B shows that the MTFP projections forecast that this target figure will not be reached and that contributions will stabilise at £16,944 in 2025/26, leading to a balance of £260,258 on 31 March 2029. The reserve is intended to act as a cushion against the longer-term full costs of devolved assets being higher than expected, necessary renovation and/or improvements and any expectations arising from LGR.

### **Elections Reserve**

The Elections Reserve will have a balance of £35,000 at the end of 2023/24, this will increase by £5,000 per annum. This budget would be available to meet the costs of one off by elections and ensure the Council has funds to meet election costs in 2027.

## **G. Council Tax**

The current year's Band D Council Tax is £83.09 per property. Adoption of the Draft Budget for 2024/25 would result in an increase to £83.92. The proposed budget is based on a confirmed Council Taxbase of 5812 (3.12% increase), resulting in a precept of £487,735.

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

## **H. Observations**

- i) This will be the first increase in Council Tax in four years. While there is no need in the short term for a larger increase, the medium-term forecasts allow for only modest financial growth over the life of the MTFP. All other things being equal, the introduction of more ambitious new spending programmes in future years would require tax increases beyond the 3.0% factored into the Plan. If this were the case, a nil increase now would represent a lost opportunity to secure a higher base income: a 1.0% rise in 2024/25 would represent around £24,000 additional income over the five years of the Plan.

- ii) The latest rate of inflation as measured by the Consumer Price Index is 3.9% (November 2023), higher than the Bank of England's 2.0% target. There are a number of reasons for this level of inflation, many of which will be included in the Council's expenditure.
- iii) The Medium-Term Financial Plan assumes average inflationary price increases of 4% pa. In reality, the Council has not automatically inflated budgets each year recently, only where contractually committed, yet there has been no pressure on budgets and significant overall underspending.
- iv) We do not know the outcome of the negotiations for the April 2024 staff pay round. The Draft Budget allows for 4% wage inflation and MTFP assumes 4% from 2025/26 thereafter and appears reasonable.
- v) Superannuation contributions are assessed triennially; and were increased from 19.9% to 21.5% in April 2023. Contributions are based on actuarial forecasts such as age of the workforce, working lives and life expectancy, together with economic factors such as inflation and investment returns. The effect of the increase in contributions from April 2023 are £3,960 per annum (£19,800 over the next 5 years).
- vi) Setting a precept based on a fixed or nil increase in Council Tax means that it is dependent on knowledge of the actual Council Taxbase determined by Westmorland and Furness Council. This figure has been confirmed at 5812 properties representing a 3.12% increase. The MTFP assume 1.0% pa rises after 2024/25. Standstill Taxbases throughout the five years of the Plan would result in £80,000 less income, demonstrating how spending plans are dependent on regular healthy increases in the Taxbase.
- vii) Appendix B shows that the MTFP forecast predicts that the Devolution Reserve will continue to grow, with expenditure on the assets never reaching the target £46,344 figure and annual contributions levelling out at £16,944. By 31 March 2029, the Reserve will have a balance of £260,258, which is beyond any day to day demands. Although this is an unlikely scenario as there is bound to be the need for major repairs, improvements or upgrades which would reduce the balance, the Council may need to reconsider the purpose of the Reserve, its accumulation of resources and its potential use. It would be appropriate to continue to review this budget annually and with regard to any progress on Asset transfer work with Westmorland and Furness Council.
- viii) By far the biggest unknown in the Medium-Term Plan is the implication of Asset Transfer. The Plan assumes business as usual, with no increased responsibilities taken over by the Council. This assumption may be unlikely, with the Council having expressed an interest in the transfer of assets, however without a known methodology assets may or may not come across with adequate funding, presenting a potential risk to future Council Tax levels. There is no way to predict the consequences at present, but the Council is in a strong financial position, with sustainable standstill budgets and healthy Devolution Reserve. It will be important to revise the medium-term projections should new responsibilities be considered, to ensure that the Council's longer-term budgets remain viable.
- ix) Council is asked to consider this report in conjunction with the draft Reserves and Investment Policies elsewhere on the agenda.

## **I. NEXT STEPS**

A formal written request be made to Westmorland and Furness Council by the 31 January 2024 to pay the approved precept.

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

### **a) Risk**

The Council sets an invalid or inadequate budget.

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

### **b) Consequence**

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

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

### **c) Controls Required**

A sound budget process will address these risks.

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

This report is concerned solely with financial management.

## **4. Equalities Implications**

There are no equalities implications associated with this report.

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

There are no climate and environmental implications associated with this report.

## **Appendices**

2024/25 Draft Budget:

Appendix A – Proposed Budget 2024/25

Appendix B - Proposed Medium Term Financial Plan 2024/25 to 2028/29

Appendix C – Proposed MTFP Service Developments 2024/25 to 2028/29

## **Background Papers**

2024/25 Budget Working Papers



## Penrith Town Council

### PROPOSED BUDGET 2024/25

ACTUAL OUTTURN 2022/23	APPROVED BUDGET 2023/24		BUDGET HEADING	FORECAST OUTTURN 2023/24		DRAFT BUDGET 2024/25	
£	£	£		£	£	£	£
			<b>INCOME</b>				
455,209		468,295	<b>Precept:</b> Council Tax		468,295		487,735
7,388		7,642	<b>CTRS Grant</b>		7,642		7,642
13,577		15,760	<b>Other Income:</b> Investment Income		27,000		23,000
<b>476,174</b>		<b>491,697</b>	<b>TOTAL INCOME</b>		<b>502,937</b>		<b>518,377</b>
			<b>EXPENDITURE</b>				
			<b>PLANNING COMMITTEE:</b>				
1,270	0		<b>Planning:</b>				
848	10,000		Officer Support	0		0	
2,118		10,000	Planning Consultancy	1,000	1,000	10,000	10,000
			Sub-Total				
<b>2,118</b>		<b>10,000</b>	<b>Planning Committee Total</b>		<b>1,000</b>		<b>10,000</b>
			<b>COMMUNITIES COMMITTEE:</b>				
2,910	0		<b>Climate Change:</b>				
0	8,300		Carbon Literacy Training	1,000		0	
2,910		8,300	Climate Efficiency	0	1,000	8,300	8,300
			Sub-Total				
3,337	47,000		<b>Town Projects:</b>	26,000		10,000	
1,352	0		Town Projects	0		0	
4,689		47,000	Marketing Penrith		26,000		10,000
			Sub-Total				
3,147	0		<b>Arts &amp; Entertainment:</b>				
18,327	10,000	10,000	Officer Support	0		0	
21,474			Arts & Culture Development	10,000	10,000	10,000	10,000
			Sub-Total				
20,283	15,000		<b>Grants:</b>	15,000		15,000	
20,283	20,000	35,000	Grants	15,000	30,000	20,000	35,000
			Signature Grants				
			Sub-Total				
	15,000		<b>Corporate Communications:</b>	14,000		15,000	
3,319	0		Communications	0		0	
1,520	0		Community Engagement	0		0	
4,839	0	15,000	Press Support	0	14,000	0	15,000
			Sub-Total				
<b>54,195</b>		<b>115,300</b>	<b>Communities Committee Total</b>		<b>81,000</b>		<b>78,300</b>
			<b>FINANCE COMMITTEE:</b>				
194,747	247,200		<b>Staffing:</b>	248,543		252,873	
19,268	23,780		Salaries	24,573		24,760	
42,230	53,150		National Insurance	51,552		54,365	
3,029	500		Superannuation	700		500	
1,282	600		Recruitment Expenses	800		600	
0	500		Staff Training	0		200	
238	500		Conferences	300	326,468	500	
260,794		326,230	Staff Expenses				333,798
			Sub-Total				

ACTUAL OUTTURN 2022/23	APPROVED BUDGET 2023/24		BUDGET HEADING	FORECAST OUTTURN 2023/24		DRAFT BUDGET 2024/25	
£	£	£		£	£	£	£
7,500	7,500		<b>Accommodation:</b>	7,500		7,500	
3,104	4,000		Rent	4,000		4,500	
2,331	1,020		Heat, Light & Water	2,500		2,520	
1,782	1,730		Service Charges	1,900		1,730	
390	380		Room Hire/Meetings	380		380	
15,107		14,630	Insurances		16,280		16,630
			Sub-Total				
			<b>Civic Functions:</b>				
76	400		Civic Functions	100		400	
700	700		Mayoral Expenses	700		700	
300	300		Deputy Mayor's Expenses	300		300	
102	100		Civic Regalia	500		200	
1,178		1,500	Sub-Total		1,600		1,600
			<b>Cost of Democracy:</b>				
225	200		Annual Meeting	100		100	
0	5,000		Elections	0		0	
160	1,000		Members' Training	1,000		1,000	
0	200		Members' Expenses	200		100	
0	1,200		Notice/Honours Board	200		200	
385		7,600	Sub-Total		1,500		1,400
27,140		22,050	<b>IT</b>		22,000		22,000
			<b>Devolved Services:</b>				
(450)	800		Allotments	800		1,200	
0	400		War Memorial	200		100	
0	1,500		Benches	1,800		2,000	
3,330	3,000		Bus Shelters	3,000		3,500	
1,021	1,750		Bandstand	1,750		1,750	
653	800		Musgrave Monument	800		800	
7,426	5,500		Fairhill Park	5,500		6,000	
19,407	3,700		Thacka Beck	3,700		3,700	
27	300		Signage	300		300	
7,991	10,000		Community Caretaker	10,000		10,000	
6,939	18,594		Contribution to Devolution Reserve	18,494		16,994	
46,344		46,344	Sub-Total		46,344		46,344
0		5,000	<b>Local Government Re-organisation</b>		0		0
			<b>Other Overheads:</b>				
3,614	3,000		Printing, Postage & Stationery	3,700		3,700	
1,166	1,450		Audit Fees	1,450		1,450	
3,241	4,180		Insurance	3,500		4,680	
123	130		Bank Charges & Interest	350		180	
2,205	2,900		Accountancy Fees	4,000		4,100	
1,898	1,650		Legal & Professional Fees	1,500		6,150	
827	500		Licences	1,400		1,400	
3,354	3,201		Subscriptions	3,200		3,500	
1,690	2,000		Repairs & Renewals	1,000		2,000	
18,118		19,011	Sub-Total		20,100		27,160
			<b>Finance Committee Total</b>		<b>434,292</b>		<b>448,932</b>
369,066		442,365					
0		3,000	<b>Contingency</b>		<b>1,000</b>		<b>3,000</b>
n/a		0	<b>Allowance for Growth Items</b>		<b>0</b>		<b>36,700</b>
(50,000)		0	<b>Transfer to/(from) Acquisitions Reserve</b>				<b>0</b>
30,000		5,000	<b>Transfer to/(from) Election Cost Reserve</b>		<b>5,000</b>		<b>5,000</b>
405,379		575,665	<b>TOTAL EXPENDITURE</b>		<b>522,292</b>		<b>581,932</b>
					53,373		
			<b>INCREASE/(DECREASE) IN</b>				
70,795		(83,968)	<b>GENERAL RESERVE</b>		<b>(19,355)</b>		<b>(63,555)</b>

ACTUAL OUTTURN 2022/23	APPROVED BUDGET 2023/24		BUDGET HEADING	FORECAST OUTTURN 2023/24		DRAFT BUDGET 2024/25	
£	£	£		£	£	£	£
428,090	16,280	482,605	<b>General Reserve:</b>		498,885		479,530
70,795		(83,968)	Balance brought forward 1 April		(19,355)		(63,555)
<b>498,885</b>		<b>398,637</b>	<b>Balance carried forward 31 March</b>		<b>479,530</b>		<b>415,976</b>
149,855	(8,025)	164,819	<b>Devolution Reserve:</b>		156,794		175,288
6,939		18,594	Balance brought forward 1 April		18,494		16,994
<b>156,794</b>		<b>183,413</b>	<b>Balance carried forward 31 March</b>		<b>175,288</b>		<b>192,282</b>
50,000		0	<b>Acquisitions Reserve:</b>		0		0
(50,000)		0	Balance brought forward 1 April		0		0
<b>0</b>		<b>0</b>	<b>Balance carried forward 31 March</b>		<b>0</b>		<b>0</b>
0		30,000	<b>Election Cost Reserve</b>		30,000		35,000
30,000		5,000	Balance brought forward 1 April		5,000		5,000
<b>30,000</b>		<b>35,000</b>	<b>Balance carried forward 31 March</b>		<b>35,000</b>		<b>40,000</b>
<b>685,679</b>		<b>617,050</b>	<b>TOTAL RESERVES AT 31 MARCH</b>		<b>689,818</b>		<b>648,258</b>

ACTUAL OUTTURN 2022/23	APPROVED BUDGET 2023/24		COUNCIL TAX	FORECAST OUTTURN 2023/24		DRAFT BUDGET 2024/25	
£455,209		£468,295	Precept		£468,295		£487,735
5,478.50		5,636.00	Taxbase (Band D properties)		5,636.00		5,811.91
£83.09		£83.09	Council Tax (Band D)		£83.09		£83.92
0.00%		0.00%	Increase (%)		0.00%		1.00%




## Penrith Town Council

### PROPOSED MEDIUM TERM FINANCIAL PLAN 2024/25 TO 2028/29

BUDGET HEADING	2024/25	2025/26	2026/27	2027/28	2028/29
	£	£	£	£	£
<b>INCOME</b>					
Council Tax	487,735	507,405	527,835	549,101	571,224
All Other Income	30,642	18,000	16,000	15,000	14,000
<b>TOTAL INCOME</b>	<b>518,377</b>	<b>525,405</b>	<b>543,835</b>	<b>564,101</b>	<b>585,224</b>
<b>EXPENDITURE</b>					
Staff Costs	333,798	318,215	314,270	314,270	314,270
All Other Expenditure	189,440	189,440	189,440	239,440	189,440
Inflation: Staff Costs: 4.0% pa	0	12,730	26,160	40,850	56,820
Inflation: Other Expenditure: Average 4% pa	0	7,580	15,160	28,730	30,310
Contribution to Devolution Reserve	16,994	16,994	16,994	16,994	16,994
Transfer to/(from) Election Reserve	5,000	5,000	5,000	(50,000)	5,000
Allowance for Growth Items (Illustrative)	36,700	40,000	40,000	30,000	30,000
<b>TOTAL EXPENDITURE</b>	<b>581,932</b>	<b>589,959</b>	<b>607,024</b>	<b>620,284</b>	<b>642,834</b>
<b>INCREASE/(DECR) IN GENERAL RESERVE</b>	<b>(63,555)</b>	<b>(64,554)</b>	<b>(63,189)</b>	<b>(56,183)</b>	<b>(57,610)</b>

RESERVES:	2024/25	2025/26	2026/27	2027/28	2028/29
	£	£	£	£	£
<b>General Reserve:</b>					
Balance brought forward 1 April	479,530	415,976	351,422	288,233	232,050
Increase/(decrease) in year	(63,555)	(64,554)	(63,189)	(56,183)	(57,610)
<b>Balance carried forward 31 March</b>	<b>415,976</b>	<b>351,422</b>	<b>288,233</b>	<b>232,050</b>	<b>174,440</b>
<i>Target General Reserve: 35/30% of Expenditure</i>		184,800	163,500	187,000	177,300
<b>Devolution Reserve:</b>					
Balance brought forward 1 April	175,288	192,282	209,276	226,270	243,264
Contribution from Annual Budget	16,994	16,994	16,994	16,994	16,994
<b>Balance carried forward 31 March</b>	<b>192,282</b>	<b>209,276</b>	<b>226,270</b>	<b>243,264</b>	<b>260,258</b>
<b>Election Cost Reserve:</b>					
Balance brought forward 1 April	35,000	40,000	45,000	50,000	0
Contribution from Annual Budget	5,000	5,000	5,000	(50,000)	5,000
<b>Balance carried forward 31 March</b>	<b>40,000</b>	<b>45,000</b>	<b>50,000</b>	<b>0</b>	<b>5,000</b>
<b>TOTAL RESERVES AT 31 MARCH</b>	<b>648,258</b>	<b>605,698</b>	<b>564,503</b>	<b>475,314</b>	<b>439,698</b>

COUNCIL TAX:	2024/25	2025/26	2026/27	2027/28	2028/29
Precept	£487,735	£507,405	£527,835	£549,101	£571,224
Taxbase (Band D properties)	5,811.91	5,870.03	5,928.73	5,988.02	6,047.90
Council Tax (2023/24 £83.09)	£83.92	£86.44	£89.03	£91.70	£94.45
Increase (%)	1.00%	3.00%	3.00%	3.0%	3.00%



**Penrith Town Council**

PROPOSED MEDIUM TERM FINANCIAL PLAN  
 SERVICE DEVELOPMENTS  
 (GROWTH ITEMS)

REF	PROPOSAL	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
	Allowance for New Growth in Future Years (Illustrative)	£	£	£	£	£	£
		36,700	40,000	40,000	30,000	30,000	176,700
		36,700	40,000	40,000	30,000	30,000	176,700
	TOTAL GROWTH ITEMS						

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# Penrith Town Council

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

## DEVELOPER ENGAGEMENT POLICY

### Policy Statement

- 1.1 Penrith Town Council recognises that pre-application discussions can play an important part in major planning applications and welcomes the desire of developers to consult both Penrith Town Council and the public more widely. However, the Council is aware of the importance of public perception in planning and the critical need to avoid any appearance that Penrith Town Council is conducting secretive negotiations or is colluding with developers. It is important therefore that such pre-application discussions are undertaken appropriately and transparently.
- 1.2 This policy is designed to clarify how Penrith Town Council will engage with developers and/or their agents, both prior to, and following, the submission of a planning application within the parish. The policy will inform both Councillors and Officers when arranging discussions with developers.

### Scope

- 1.3 This policy applies to:
  - a) All Councillors and Officers of Penrith Town Council as well as third parties and agents of the Council who work and act on behalf of the Council.
  - b) All stages of the development cycle including speculative queries and during the construction phase. Penrith Town Council will not offer any advice on planning policy or provide a formal view at presentations; and

- c) All meetings with developers, landowners, their employees, and agents that act on their behalf.

## **Responsibility for Implementation**

- 1.4 The Council has overall responsibility for the effective operation of this policy.
- 1.5 All Councillors and employees should ensure that they read and understand it.
- 1.6 Any breach of this policy should be reported to the Town Clerk.
- 1.7 Questions regarding the content or application of the policy should be directed to the Town Clerk in the first instance.

## **Pre-determination**

- 1.8 In all meetings and discussions, developers, Councillors and Officers are reminded of the critical importance of not pre-determining their position on any future application, as this could require them to take no part in the discussion at Committee or Council. It should be noted, that expressing a pre-disposition, for example 'welcome in principle' or 'concerns' is permissible.
- 1.9 Those considering an application must be able to apply an open mind and be willing to consider all material issues before deciding on a particular view of an application.
- 1.10 On occasions, individual Councillors may be approached by developers for informal discussions about an application already within the planning system or regarding possible future applications. Whilst it is up to the individual whether they take part in a discussion, based on the nature of the proposed development and the possible level of controversy, they are advised:
  - a) To carefully consider the public perception of such a discussion/meeting.
  - b) To avoid any appearance of collusion in applications.
  - c) To avoid accepting any hospitality or gifts from the developer in connection with such meetings; and
  - d) To advise the Chair of the Planning Committee and Officers of such meetings as soon as possible.
- 1.11 Councillors must not suggest that they are representing Penrith Town Council at such meetings, unless expressly authorised to do so by the Council.

## **Pre-Application Meeting Guidelines**

- 1.12 Penrith Town Council will, where possible, accommodate requests from developers to present their pre-application proposals at a Planning Committee or other arranged meeting on the following conditions:
- a) Full public consultation is either already scheduled or firmly planned.
  - b) The meeting is open to the public to attend and has been reasonably advertised.
- 1.13 The developer must provide information about the proposed development in writing.
- 1.14 If the developer considers that the information provided is sensitive and wishes it to remain confidential, the developer must identify the specific information that they wish to remain confidential and explain the reasons in writing. If the reasons are legitimate, the Council will keep a written record of the confidential and non-confidential issues.
- 1.15 Where possible, specific meetings with developers will normally be held before a meeting of the Planning Committee and, as a preference, be open to the public. Should developers request not to attend a public meeting because of compelling and justifiable reasons (e.g. strong commercial sensitivity), a private meeting may be arranged.
- 1.16 All meetings with developers will be documented and reported to Committee/Council.
- 1.17 Pre-application planning discussions, communications and any comment given by Penrith Town Council, individual Councillors or Officers, will not bind the Council to making a particular decision and any views expressed will be without prejudice and based on the information available at that time.

## **Pre-Application Public Consultations**

- 1.18 Penrith Town Council strongly encourages developers to carry out full public consultation before submitting plans for major developments on the following basis:

- a) Any consultation meeting should be held at an accessible and convenient venue.
- b) Sufficient publicity should be given to likely interested parties, in good time.
- c) Appropriate timings should be given to allow as wide a range of people as possible to attend.
- d) Consultation should be meaningful. Developers should have a genuinely open mind and a willingness to adapt and revise plans in response to feedback.

1.19 Councillors are advised not to attend separate private briefings as part of public consultation, but instead to attend with the public.

### **Monitoring and Review**

The Planning Committee shall be responsible for reviewing this policy every two years or sooner if legislation dictates, to ensure that it meets legal requirements and reflects best practice.

**Approved: March 2021**

**Review: 2023**

# **REPORT TO FULL COUNCIL**

**Date: 16 January 2024**

## **Public Report**

**Item no: 12**

**Matter: Grants**

**Author: Acting Town Clerk**

**Supporting Member:** Council Chair

### **Purpose of Report:**

Note the grants awarded since the last meeting of the Council and to ratify the recommendation for Signature Event Grant application received.

### **Recommendations:**

- i. Note the grants awarded from the Grants Budget.
- ii. Ratify the decision of officers to award a Signature Event Grant of £5,000 to the Lions Club of Penrith towards the May Day Carnival 2024 event and approve the principle of an annual grant for the same value for the same event over the term of this Council subject to meeting the terms of a Service Level Agreement.

### **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 an approved budget to support the provision of grants during the 2023-24 financial year which includes a Grants budget of £15,000 and a Signature Events Grant Budget of £20,000.
- c. The Council resolved at 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.

### **Grants Budget (Grant Scheme)**

- 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. Since the last meeting of Council one grant has been awarded. The 2<sup>nd</sup> Penrith Scout Group has been awarded a grant of £2,090 towards the costs of the supply and installation of a new oil storage tank as the previous tank no longer meets the regulations. The new oil storage tank requires siting in a different area, being double bunded with suitable fire protection around it. Having a source of heating and hot water is essential to the operation of the scout group.

### **Signature Event Grants**

- j. Council identified a need for consistent funding for events and the Signature Events Grant fund was created. The fund allows applicants to apply once for up to £20,000 over four years or the term of a Council. The grants are limited to £5,000 per annum.
- k. The Signature Events Grant fund supports annual events that drive the primary criteria of economic impact and visitor experience. The fund is intended to support large scale events that take place in Penrith. Such events require coordination with multiple agencies, service providers, vendors and entails large numbers of people where more than 500 people are anticipated to attend.
- l. Signature Event Grant applications are received, reviewed and decided by officers following receipt of an application and supporting information and ratified by Council. Once ratified, the Council will enter into a Service Level Agreement with the event provider which will be reviewed annually.
- m. One application to the Signature Events Grant fund have been received:

### **Penrith Lions Club – May Day Carnival 2024**

The Penrith Lions Club May Day Carnival is an annual event scheduled for Monday 06 May 2024. The May Day Carnival is a street festival including a variety of activities including street stalls, funfair, musical entertainment, cultural demonstrations, static displays and a celebration of the Penrith May Queen.

In 2024, The May Day Carnival will be held in Penrith Town Centre for the forty first time. Following the usual single day format, the May Day Carnival will be open to the public from 10am.

The event attracts in the region of between 3,000 to 5,000 people. It aims to increase the number of people attending a major event in the town and attracts families from the local area and visitors.

The applicant outlines that the event delivers economic benefit to local businesses over the course of the day of the event and via promotional opportunities. Local charities and community groups benefit, and the event contributes to social and community outcomes by bringing the community together.

The organisation of the event requires the coordination of multiple agencies, including a Safety Advisory Group that is convened by Westmorland and Furness Council. This group brings together the relevant agencies including the local authority and the emergency services. The event is fully insured and risk assessed.

The event scheduled for 2024 seeks to focus on the crowning of the May Queen. The event will include musical and artistic performances, local community group involvement, stalls, vintage vehicle display, pipe band, food and funfair and will be held throughout the town centre.

The Penrith Lions Club has submitted a full application supported by an Event Plan, risk assessment, insurance and supporting policies. The event is organised and managed on the day by a team of volunteers.

Officers have assessed the application and request that Council ratifies a Signature Event Grant of £5,000 to Penrith Lions Club towards the May Day Carnival 2024; and ratify the principle of an annual grant for the same value for the same event over the term of this Council (2024-2027) subject to meeting the terms of a Service Level Agreement.

In respect of future years event support the Penrith Lions Club would need to submit to the Council annually in advance of the event an Event Plan, an event budget, associated policy documents, an event risk assessment, insurance and further Service Level Agreements would be issued.

## **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**

The Council has an approved Grants budget of £15,000 and a Signature Events Grant budget of £20,000 for the 2023-24 financial year.

### **Grants Budget**

Prior to this meeting the Council have supported eight funding applications from the Grants budget, totalling £11,762.94. One further grant application has been

received and members are asked to note that officers have awarded the following grant:

- i. **2<sup>nd</sup> Penrith Scout Group:**  
£2,090 towards the supply and installation of a new oil storage tank.

There remains an uncommitted balance of £1,147.06 in the Grants Budget.

### **Signature Events Grant Budget**

Prior to this meeting there has been two grants awarded from the Signature Events Grant budget, totalling £9,965.00. Members are asked to ratify the decision of officers to award the following grant:

- i. **Penrith Lions Club** - £5,000 May Day Carnival 2024

Should the grant application be ratified there will remain an uncommitted balance of £5,035.00 in the Signature Event Grants budget.

## **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.

## **Appendices**

None

## **Background Papers**

- Grants scheme
- Grant Applications



# **FULL COUNCIL**

**Date: 29 January 2024**

## **Public Report**

**Item no: 13**

**Matter: Notification of complaints made under the Members Code of Conduct**

**Author: Solicitor**

**Supporting Member:** Council Chair

### **Purpose of Report:**

To notify Council of the notifications which have been received from the Monitoring Officer at Westmorland and Furness Council relating to certain complaints which have been made.

### **Recommendation:**

Council is recommended to:

- i. Consider the notifications which have been received from the Monitoring Officer at Westmorland and Furness Council relating to complaints made under the Members' code of conduct;
- ii. Consider whether further formal training on the code of conduct should be provided to or arranged for members.

### **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.

The Council has a duty under the Localism Act, 2011, to promote and maintain high standards of conduct by members and co-opted members of the Council.

The Town Council is required to adopt a code relating to the conduct of its members under the Localism Act. The principal authority, Westmorland and Furness Council, must have arrangements in place to investigate allegations of any breach of the code and under which any decisions on allegations should be made. A failure to comply with the code can only be dealt with in accordance with the arrangements which have been established by the principal authority, Westmorland and Furness Council. A Parish Council may adopt its principal authority's code of conduct.

The Town Council has adopted the code of conduct which has been approved by its principal authority.

## 1. Report Details

- 1.1 The Council has received three notifications from Westmorland and Furness Council of determinations made on complaints alleging breaches by a Town Councillor of the code of conduct. The three notifications relate to a former Town Councillor who resigned from the Council after the date of the receipt of the notifications. The complaints were considered by the Deputy Monitoring Officer in consultation with the Chair of the Standards and Governance Committee and the independent person.
- 1.2 Standing order 14 of the Town Council's standing orders relates to code of conduct complaints. Under standing order 14d upon receipt of a notification by the Council that a councillor or non-councillor with voting rights has breached the code of conduct the Council shall consider what, if any, action to take against that person. The complaints relate to a member who had voting rights. The notifications to which this report relate are referred to the Council in pursuance of standing orders and having regard to the Council's own duty to promote and maintain high standards of conduct.
- 1.3 The code of conduct was found to apply to the circumstances of two of the complaints. The code was found not to apply to one of the complaints. None of the complaints was adjudged to require a formal investigation. No further action was required to be taken on 2 of the complaints. Advice had been given by the principal Council on the separation of a member's roles as a councillor and as a campaigner which advice had been accepted. Training was recommended to be provided by the Town Council on code of conduct matters in the assessment of one of the complaints. It was stated by the subject member that such training had not been provided by the Council to him in a format which was accessible. As the subject member has now resigned no action can be taken to comply with this recommendation.
- 1.4 Training on the code of conduct formed part of the induction which was available for all Town Councillors, including the subject member, on 11<sup>th</sup> May 2023. All Members have received a hard copy of the Code of Conduct in their Councillors induction pack. The Town Council has circulated and does circulate to all Members the Cumbria Association of Local Councils (CALC) programme of training courses. CALC provides regular training on the code of conduct and, generally, this is conducted remotely via teams. The training provides an overview of the code and an explanation of the Nolan Principles and of the register of interests. This training is available for members on a programme of dates. Arrangements can be made for Councillors to attend at the Council offices to take part in any online training should this be required by any member due to any accessibility issue.
- 1.9 The Council may wish to consider whether further or refresher training on the code of conduct should be provided for all members. The training could be specifically arranged for Council members if this is considered to be more appropriate.

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

### **a) Risk**

A failure to uphold and maintain the Code of Conduct and the high standards of behaviour required of Town Councillors.

### **b) Consequence**

A diminution in standards of behaviour, an undermining of the Code of Conduct and its processes and reputational damage to the Council.

### **c) Controls Required**

An appropriate consideration of the notifications and of any actions required including the provision of training.

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

There are none arising directly from this report.

## **4. Equalities Implications**

All parties should be treated fairly and properly in relation to the Code of Conduct.

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

There are none arising directly from this report.

## **6. Legal Implications**

The relevant provisions of the Localism Act are referred to in the body of the report.

The code of conduct is a statutory requirement and regulates councillor behaviour and applies standards of behaviour in public life. The code applies when a councillor is acting in that capacity or gives the impression so acting.

## **Appendices**

None.

## **Background Papers**

The notifications received from the Deputy Monitoring Officer.

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# **FULL COUNCIL**

**Date: 29 January 2024**

## **Public Report**

**Item no: 14**

**Matter: Notification of a complaint made under the Members Code of Conduct**

**Author: Solicitor**

**Supporting Member:** Council Chair

### **Purpose of Report:**

To Enable the Council to consider the notification which it has received from the Monitoring Officer at Westmorland and Furness Council.

### **Recommendation:**

Council is recommended to:

- i. Consider the notification which has been received from the Monitoring Officer at Westmorland and Furness Council relating to the complaint made under the Members' code of conduct;
- ii. consider any representations which may be made by the member who is the subject of the complaint and notification;
- iii. note the decision of the Deputy Monitoring officer that no further action should be taken on the complaint.

### **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.

The Town Council is required to adopt a code relating to the conduct of its members under the Localism Act. The principal authority, Westmorland and Furness Council, must have arrangements in place to investigate allegations of any breach of the code and under which any decisions on allegations should be made. A failure to comply with the code can only be dealt with in accordance with the arrangements which have been established by the principal authority, Westmorland and Furness Council. A Parish Council may adopt its principal authority's code of conduct.

The Town Council has adopted the code of conduct which has been approved by its principal authority.

## 1. Report Details

- 1.1 The Council has received a notification from Westmorland and Furness Council on a determination made on a complaint of a breach by a town councillor of the code of conduct. The notification relates to Councillor D Jayson. The complaint has been considered by the Deputy Monitoring Officer in consultation with the Chair of the Standards and Governance Committee and the independent person.
- 1.2 The complaint from a member of the public related to the distribution of Liberal Democrat party newsletters in the Penrith North ward. The newsletters contained the councillor's town council email address. It was alleged that this was a breach of the code of conduct as he was using his position improperly to the advantage of himself or another (paragraph 6 of the code) and misusing local authority resources and facilities or using such resources for political purposes (paragraph 7 of the code).
- 1.3 In response to the complaint Councillor D Jayson queried and requested further information on firstly to what or to whose advantage had the distribution of the newsletters been undertaken and secondly on what council resources had been used in the production and distribution of the newsletters.
- 1.4 The code of conduct was found to apply to the circumstances of the complaint, on a balance of probabilities, by the Deputy Monitoring Officer. It was adjudged that there was no evidence that the newsletters complained of were produced using Council resources and that, given the circumstances, it was acceptable for the newsletters to include the Councillor's Council email address as a contact address. If proven, the matter complained of could not amount to a breach of the code of conduct and, therefore, it was found that no further action should be taken.
- 1.5 The Chair of the Standards and Governance Committee and the Independent Person, the consultees, concurred with the Deputy Monitoring Officer's decision.
- 1.6 It is recommended that the Town Council should consider the notification which it has received and consider any representations Councillor D Jayson may make and note the decision which has been made by the Deputy Monitoring Officer.
- 1.7 Councillor D Jayson has been provided with a draft of this report and may wish to comment up on the findings and decision of the Deputy Monitoring Officer and should be invited to do so should he attend the meeting. Any written submission which Councillor D Jayson makes in response to the matter which is the subject of the report will be provided to members.

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

### **a) Risk**

A failure to uphold and maintain the Code of Conduct and the high standards of behaviour required of Town Councillors.

### **b) Consequence**

A diminution in standards of behaviour, an undermining of the Code of Conduct and its processes and reputational damage to the Council.

### **c) Controls Required**

An appropriate consideration of the notifications and of any actions required including the provision of training.

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

There are none arising directly from this report.

## **4. Equalities Implications**

All parties should be treated fairly and properly in relation to the Code of Conduct.

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

There are none arising directly from this report.

## **6. Legal Implications**

The relevant provisions of the Localism Act are referred to in the body of the report.

The code of conduct is a statutory requirement and regulates councillor behaviour and applies standards of behaviour in public life. The code applies when a councillor is acting in that capacity or gives the impression so acting.

The Council has a duty to promote and maintain high standards of conduct by its members.

## **Appendices**

None.

## **Background Papers**

Notification from the Deputy Monitoring Officer of 8<sup>th</sup> January, 2024.