



Penrith Town Council

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

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

DATE: 17 September 2024

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of **PENRITH TOWN COUNCIL** will be held on **23 September 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.co.uk

FULL COUNCIL MEMBERSHIP

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

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

MONDAY 23 SEPTEMBER 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: 29 July and 02 September 2024
- ii. Finance Committee: 16 September 2024

b) Confirmation of Full Council Minutes

Authorise the Chair to sign, as a correct record, the minutes of the meeting of the Town Council held on Monday 15 July 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, answer questions and give evidence at a meeting that they are entitled to attend in respect of the business on the agenda. The public must make a request in writing to the Acting Town Clerk **PRIOR** to the meeting, when possible. A member of the public can speak for up to three minutes. A question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.

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

Determine whether any items should be considered 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.

6. Report from the Council Chair

Note the duties undertaken by or on behalf of the Council Chair.

7. Reports from Members

Receive and note oral reports from Councillors regarding meetings that they have attended as representatives of the Town Council and an opportunity for members to bring matters of interest to the attention of the council for information or future discussion.

8. Resolutions Report

Receive and note the written report.

9. Review of Local Election Boundaries in Westmorland and Furness

To consider the Local Government Boundary Commission for England's consultation on the electoral and boundary arrangements for Westmorland and Furness Council and to determine a response.

10. Environmental Task and Finish Group

To receive the Environment Task and Finish Group final Environment Plan and to consider the terms of reference for a new Climate and Environment Strategy Task and Finish Group.

11. Westmorland and Furness Council Local Plan Consultation – Response to ‘Early Conversation’

To consider the draft response prepared from the initial comments made by Councillors and agree a final response to the questions.

12. May Day Event 2025

Note the written update on the progress to date for organisation of the May Day event.

13. Grants

Note the grants awarded.

14. Finance Committee

Ratify items a to d following as approved recommendations from the Council’s Finance Committee from their meeting held on Monday 16 September 2024. Members are asked to note that these matters have been considered and approved by the members of the Council’s Finance Committee, and the Committee Chair, has requested the matters be brought to Full Council for ratification and to consider item e.

a. Budgetary Control Statement

Ratify the budgetary control statement for the period 31 August 2024.

b. Risk Assessments

Ratify the corporate risk assessments for:

- i. Allotments
- ii. Bandstand
- iii. Bus Shelters
- iv. Business Continuity
- v. Fairhill Playing Field
- vi. Finance
- vii. Fire
- viii. Governance
- ix. IT & Website
- x. Lone Working
- xi. Musgrave Monument
- xii. Office
- xiii. Remembrance Day Parade and Service
- xiv. Seats
- xv. Thacka Beck Field
- xvi. War Memorial (St Andrews)

Finance Committee, continued

c. Internal Audit 2024-25

Ratify the scope of Internal Audit for 2024-25.

d. Policy Review

Ratify the following reviewed policies:

- i. Procurement Policy
- ii. Risk Management Policy

e. External Audit

- i. Receive and approve the external auditors report noting that the Council's external auditors, Moore UK, has signed off the accounts ending 31 March 2024 with no qualifications stating that the information in Sections 1 and 2 of the Annual Governance and Accountability return is in accordance with the proper practices and that no other matters have come to their attention giving cause for concern.
- ii. Note that the external auditor has stated other matters not affecting their opinion which they draw to the attention of the Council is that on review, the level of general reserves are higher than the generally accepted level for smaller authorities and it has been recommended by the Finance Committee that Full Council approves the organisation of a Councillor Budget Workshop to consider schemes of work which may be funded from the General Reserve.
- iii. Note to comply with The Accounts and Audit Regulations 2015 the Council will publish on its website, prior to the 30 September 2024, Sections 1 and 2 of the 2023/24 Annual Return (the Annual Governance Statement and the Summary Accounts), together with the Audit Certificate Section 3.

15. Code of Conduct

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

16. Code of Conduct

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

17. Standing Orders

Consider the reviewed Standing Orders and proposed amendments.

18. Next Meeting

Note the next meeting of the Full Council is scheduled for Monday 18 November 2024 at 6.00pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

PART II Private Section

There are no further items in this part of the Agenda.

FOR THE ATTENTION OF ALL MEMBERS OF THE TOWN COUNCIL

Access to Information

Copies of the agenda are available for members of the public to inspect prior to the meeting. Agenda and Part I reports are available on the Town Council website:
<https://www.penrithtowncouncil.gov.uk/>

Background Papers

Requests for the background papers to the Part I reports, excluding those papers that contain exempt information, can be made between the hours of 9.00 am and 3.00 pm, Monday to Wednesday via office@penrithtowncouncil.gov.uk

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Penrith Town Council

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

DRAFT Minutes of the Ordinary Meeting of Penrith Town Council held on Monday 15 July 2024, at 6.00pm at Unit 2, Church House, Friargate, Penrith CA11 7XR.

FULL COUNCIL MEMBERSHIP

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

Deputy Town Clerk
Economic Development Officer
Community Services Officer

**Draft MINUTES FOR THE
ORDINARY MEETING OF FULL COUNCIL
15 July 2024**

PTC24/21 Apologies for Absence

There were no apologies for absence.

PTC24/22 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: 3 June and 1 July 2024
- ii. Communities Committee: 10 June 2024
- iii. Finance Committee: 24 June 2024

b. Confirmation of Full Council Minutes

Members were asked to authorise the Chair to sign, as a correct record, the minutes of the Annual Town Council meeting held on Monday 20 May 2024 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 Annual Town Council meeting held on Monday 20 May 2024.

**PTC24/23 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. The following declarations were made:

- i. Councillor Holden declared a registrable interest in item 14 on the agenda as she was the ward member for Carleton and had worked closely with the Chair of the Carleton Park Group.
- ii. Councillor Lawson declared a registrable interest in item 14 on the agenda as he was the ward member for Carleton and had met with the Chair of the Carleton Park Group.
- iii. Cllr Shepherd declared a registrable interest in item 9. Penrith Business Improvement District as he was a director on the BID board representing a third-party organisation. He declared that he would speak but not vote.

PTC24/24 Public Participation

a) Public Representations

Members received no representations from members of the public.

b) Reports from Westmorland and Furness Councillors

Members received the following reports:

Cllr Bell informed the meeting that Westmorland and Furness Council were committed to working closely with parishes and residents and that a number of consultations were currently underway on Adult Social Care, Leisure and Public Space Protection Orders as well as early conversations for the revision of the Local Plan.

PTC24/25 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.

RESOLVED THAT:

No items should be considered without the presence of the press and public.

PTC24/26 Motion on Notice – May Day Event

Councillor Shepherd introduced his motion on Notice.

'There has been a May Day event with a Fun Fair in Penrith for 40 years. We are now all aware that the Penrith Lions Club, who have organised the event have confirmed that they are no longer in a position to lead such an event. I believe that the people of Penrith expect that the event continues.

I would envisage Penrith Town Council working with other organisations in Penrith including the Arts and Culture Stakeholder Group to make this a great event.

The May Day event is a key event in the towns calendar. It is a community focused event with a rich history. The event brings together local charities, community groups and performers to deliver a programme of entertainment for local people and tourists alike.

The Town Council supported the Penrith Lions Club with the delivery of the 2024 event and this will have allowed the Council to develop an understanding of the event planning and requirements.

It is anticipated that the May Day event in its current format costs in the region of £15,000 to organise per annum.

Should the Town Council take on the lead role for organising May Day then the event will be continued to be enjoyed by all those who attend it. Any future event does not need to replicate the Lions May Day event as it is now.

In consideration of this motion the recommendations set out below require the Council to give thought to the delivery, resource and financial implications. It is essential that all these aspects are continually monitored to ensure the Council is placed to lead the event going forward’.

Moved by Councillor Shepherd
Seconded by Councillor Kenyon

That the Council resolves:

- i. To be the lead body for the Penrith May Day Event.
- ii. That the Penrith Arts and Culture Stakeholder Group are involved in bringing together a programme of entertainment.
- iii. That Councillors are given the opportunity to be involved in the planning and delivery of the event.
- iv. To give delegated authority for officers to prepare the Event Plan apply for licences, consents and all statutory permissions to facilitate the event, engage with stakeholders and apply for grant funding.
- v. To approve for any expenditure incurred for the 2025 event during the current financial year to be met from the Arts and Culture budget and if this is exceeded to be met from the Council’s Contingency Budget.
- vi. To include in the Proposed Budget process an annual budget of £15,000 from 01 April 2025.
- vii. To bring to Finance Committee and Full Council a staffing and resource implications report to a future meeting.
- viii. To provide regular event update reports to Full Council including an annual post event report.

Amendment by Councillor Jackson that the motion include the following:

- ix. Ancillary to the Town Council taking on May Day, delegation be given to officers to explore the possibility of organising further events in the future through liaison with the community and organisers of current and previous events and report back to the appropriate Committee and Council.

The mover and seconder of the original motion agreed that this could be subsumed into the original motion.

RESOLVED THAT:

- i. The Council be the lead body for the Penrith May Day Event.
- ii. The Penrith Arts and Culture Stakeholder Group be involved in bringing together a programme of entertainment.

- iii. Councillors be given the opportunity to be involved in the planning and delivery of the event.
- iv. Delegated authority be given to officers to prepare the Event Plan, apply for licences, consents and all statutory permissions to facilitate the event, engage with stakeholders and apply for grant funding.
- v. Expenditure incurred for the 2025 event during the current financial year be met from the Arts and Culture budget and if this is exceeded to be met from the Council's Contingency Budget.
- vi. £15,000 be included in the 2025/26 Proposed Budget process.
- vii. Officers bring a staffing and resource implications report to a future meeting of the Finance Committee and Full Council.
- viii. Officers provide to Full Council regular event update reports as well as an annual post event report
- ix. Ancillary to the Town Council taking on May Day, delegation be given to officers to explore the possibility of organising further events in the future through liaison with the community and organisers of current and previous events.

PTC24/27 Penrith Place Action Group

Members considered the Penrith Place Action Group and Penrith Town Regeneration Project Group report.

RESOLVED THAT:

- i. The terms of reference for the Penrith Place Action Group be approved.
- ii. Councillors Bowen and Kenyon represent the Council on the Penrith Place Action Group for the current municipal year.
- iii. The terms of reference for the Penrith Town Regeneration Project Group be approved.
- iv. The effectiveness of the new structures be reviewed in twelve months' time.

PTC24/28 Marketing and Branding

Members considered the branding proposal for joint Penrith marketing initiatives.

RESOLVED THAT:

- v. The branding proposal, final design version 01 July 2024 for joint marketing initiatives in Penrith be approved.
- vi. The Council's Solicitor develops guidelines for stakeholders who wish to use the brand.

PTC24/29 Penrith Business Improvement District

Members considered a request from Penrith Business Improvement District (BID) to nominate one Councillor to the BID Board.

RESOLVED THAT:

Cllr Knaggs represent the Council on the BID Board.

PTC24/30 Report from the Council Chair

Members noted the duties undertaken by the Town Mayor. Councillor Lawson reported that since the last meeting of Council he had met with the Carleton Park Group, took part in a promotional video for Meals on Wheels which the Town Council had given a grant towards reviving in Penrith and who were still recruiting volunteer drivers.

PTC24/31 Reports from Members

Members received and noted the following oral reports from Councillors:

Cllr Bowen reported that she had deputised for the Mayor and Deputy mayor by attending proms in the Playground at North Lakes School which had been very enjoyable. She also reported that in her work with Pategill Tenants and Residents Association to update the Play area, they had received a grant from the Town Council and the Freda Scott Memorial Trust.

Cllr Rudhall reported that he had attended a meeting of Scaws Residents and Tenants Association.

Cllr Kenyon reported that he had noted a change in parking at the train station and suggested it was causing some concerns to residents.

Cllr Snell reported that as the Council's representative on PERN she had attended the launch event for the art display in Gallery 4 following workshops around the arts that the Town Council had provided funding for.

Cllr Donald reported that as the Council's representative on Recovery College, and with his involvement in Here and Now, he had attended an event run by Westmorland and Furness Council in Penrith Library on exclusion where he had promoted the Penrith Town Council Grant Scheme.

Cllr Holden reported that she had attended a site meeting in June with representatives of the Carleton Park Group to look at wildlife planting and general maintenance. Maintenance issues have been raised with officers at Westmorland and Furness Council.

Cllr Shepherd reported that he had deputised for the mayor and Deputy Mayor to read the D-Day 80 proclamation at the Bandstand on 6 June 2024.

Cllr Knaggs reported that he had attended a meeting of Scaws Tenants and Residents Association who were pleased to hear about the SID and bus stop.

Cllr Jackson reported that he had met with a group of individuals regarding the regeneration and reuse of old buildings.

Cllr Jayson reported that he had met with representatives of the Friends of Penrith Cemetery regarding the proposed footpath.

Cllr Smith reported that he had deputised for the Mayor at the lighting of the gas beacon at the D-Day 80 event on 6th June. The event had been well attended by the community and he hoped we could mark other notable days in some way with a community event. Cllr Smith also reported that he had attended the Kendal Mayor's civic service which had been greatly appreciated as well as the Community Power Workshop run by CALC which had been interesting.

PTC24/32 Resolutions Report

Members noted the report.

PTC24/33 Grants Report

Members noted the grants awarded during the current finance year and considered a virement request of £5,000 from the Signature Events Grants budget to the Grants budget.

RESOLVED THAT:

A virement of £5,000 from the Signature Events Grants budget to the Grants budget be approved.

PTC24/34 Devolution

Members considered a written request from the Carleton Park Development Group that the Council requests the asset transfer of Carleton Park from Westmorland and Furness Council.

RESOLVED THAT:

- i. Full Council supports the principal of the asset transfer of Carleton Park and writes to Westmorland and Furness Council asking that they consider the asset transfer of Carleton Park to the Town Council.
- ii. A further report be brought to Full Council on Westmorland and Furness Council's initial response.
- iii. Should Westmorland and Furness support the principle of the asset transfer the Terms of any transfer including a full business case and financial implications be prepared and brought to Finance and Full Council prior to any further decisions being made.
- iv. Delegated authority be given to the Council's Acting Town Clerk, Solicitor, Responsible Finance Officer and Cllr Jackson lead Member for Devolution to engage in discussions with Westmorland and Furness Council on this matter and the wider subject of devolution.

PTC24/35 Matters from Communities Committee

Members were asked to ratify the reviewed Communications Policy noting that this matter had been considered and approved by members of the Communities Committee from their meeting held on Monday 10 June 2024. The Committee Chair had requested that this matter be brought to Full Council for ratification.

RESOLVED THAT:

The Communications Policy be ratified.

PTC24/36 Matters from Finance Committee

Members considered the approved recommendations from the Council's Finance Committee from their meeting held on Monday 24 June 2024. The Committee Chair had requested that these matters be brought to the Full Council for ratification:

a) Budgetary Control Statement 2024/25: 31 May 2024

Ratify the budgetary control statement for the two-month period to 31 May 2024.

RESOLVED THAT:

The budgetary control statement to 31 May 2024 be ratified.

b) Policy Review

Ratify the following reviewed policies:

- i. Financial Regulations.

RESOLVED THAT:

The Financial Regulations be ratified.

- ii. Complaints and Compliments Policy and Procedure.

RESOLVED THAT:

The Complaints and Compliments Policy and Procedure be ratified.

PTC24/37 Election of Board Director to the CALC Board

Members considered a request from Cumbria Association of Local Council's (CALC) to nominate one Councillor to the CALC Board election process.

RESOLVED THAT:

- i. Cllr Snell be nominated to the CALC Board election process;
- ii. The Nomination Form be completed by Cllr Snell and the Acting Town Clerk and submitted to CALC no later than noon on Thursday 01 August 2024.

PTC24/38 Next Meeting

Members noted the next meeting of Council was scheduled for Monday 23 September 2024 at 6.00pm, Unit 2, Church House, Friargate, Penrith.

PART II – PRIVATE SECTION
There are no items in this part of the agenda.

CHAIR:

DATE:

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

Access to Information

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Background Papers

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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
Items carried over from the previous year		
PTC23/42	St Andrews War Memorial, Plinth Project	
PTC23/57e	Account Signatories updated at HSBC	
PTC23/60	Quotations for Design of Interpretation and Wayfinding scheme	
PTC23/62	Liaison with Highways England re: A66 Thacka	
PTC23/86	Biodiversity Statement, Policy and Action Plan (referred to Climate Strategy)	
Full Council, 15 July 2024		
PTC24/26	May Day organise as lead body event for Monday 05 May 2025	
PTC24/28	Develop branding guidelines for new Penrith Brand	
PTC24/29	Cllr Knaggs complete all enrolment paperwork as Director of Penrith BID	
PTC24/33	£5,000 virement from Signature Grants Budget to Grants Budget	
PTC24/34	Write to Westmorland and Furness Council to consider the transfer of Carleton Park	
PTC24/37	Submit CALC Board nomination for Councillor Snell.	

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REPORT TO FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 09

Matter: Review of local election boundaries in Westmorland and Furness

Author: Acting Town Clerk

Supporting Member: Cllr. Lawson, Chair of Council

Purpose of Report:

To consider the Local Government Boundary Commission for England's consultation on the electoral and boundary arrangements for Westmorland and Furness Council.

Recommendations:

To submit a response to the Local Government Boundary Commission for England's consultation on the electoral and boundary arrangements for Westmorland and Furness Council.

Law and Legal Implications

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

1. Report Details

- 1.1 The Local Government Boundary Commission for England has launched a public consultation to help shape new council wards for Westmorland and Furness Council. The consultation is a review of the number of councillors, wards and ward names for Westmorland and Furness Council. The review was initially requested by Westmorland and Furness Council.
- 1.2 The Local Government Boundary Commission for England wants to hear people's views on where they live, to help make sure that the new wards reflect the size and shape of local communities.
- 1.3 An electoral review is being carried out to make sure that each local councillor represents about the same number of electors, and that the wards they represent reflect community identities.
- 1.4 Following an earlier consultation with Westmorland and Furness Council, the Commission concluded that Westmorland and Furness needs 65 councillors to be able to operate effectively. This is the same number as it has now.

1.5 The timetable for the review is:

Date	Process
20 August 2024	LGBCE decide how many councillors there should be.
27 August - -4 November 2024	Initial public consultation.
4 March – 12 May 2025	Consultation on LGBCE proposals.
TBD	Parliament asked to approve recommendations.
2027	New arrangements apply to local elections.

1.6 There will be a further round of consultation once the Commission has drawn up their proposals. This second stage of the public consultation starts on 4/3/25.

1.7 The Town Council can provide their views via the Commission website at: www.lgbce.org.uk/all-reviews/westmorland-and-furness . This report asks Members to consider whether the Town Council wishes to make a corporate response to the consultation.

1.8 Members are advised to note that the LGBCE:

- i. cannot create or abolish parishes as part of this electoral review.
- ii. cannot amend the external boundaries of any parishes as part of this electoral review.
- iii. if they draw a ward boundary through a parish, they have to create a parish ward.
- iv. Will write to every parish council at the start of every consultation stage.

2. Options Analysis including risk assessment

a) Risk

Not participating in a consultation which may affect the local area.

b) Consequence

Council's views not considered.

c) Controls Required

Participate in the consultation.

3. Financial and Resource Implications

There are no financial implications associated with this report.

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

There are no appendices.

Background Papers

[Westmorland and Furness | LGBCE](#)

[Consultation launched on review of local election boundaries in Westmorland and Furness | Westmorland and Furness Council](#)

FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 10

Matter: Environmental Task and Finish Group

Author: Acting Town Clerk

Supporting Member: Cllrs Lawson, Knaggs, Snell, D. Jayson

Purpose of Report:

To receive and approve the Environment Task and Finish Group final Environment Plan.

Recommendation:

- i. Receive and approve the Environment Task and Finish Group's final Environment Plan.
- ii. Approve the terms of reference for a new Climate and Environment Strategy Task and Finish Group; and
- iii. Receive nominations for up to six members to be represented on the Climate and Environment Strategy Task and Finish Group.

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

- 1.1 The Council resolved to establish an Environment Task and Finish Group, Council, 17 July 2023, Minute PTC23/30 at which the Terms of Reference for the group were approved.
- 1.2 The Environment Task and Finish Group was established as the Council are aware of significant environmental issues related to industry and traffic in and around Penrith that are of concern to residents. The establishment of the task and finish group presented an opportunity to investigate, discuss and consider options and measures to reduce and mitigate against environmental matters of concern.
- 1.3 The task and finish group has been meeting over a period of time and has focused its work on key themes including air pollution, air quality, light pollution, waste and recycling and rivers and watercourses.
- 1.4 Council considered a draft Environment Strategy and Plan brought by the Task and Finish Group, 20 May 2024 and resolved a period of one month's consultation for Councillors and the wider community to submit their comments on the draft plan, and that a final report be brought to Council (Minute PTC24/19).
- 1.5 The consultation was undertaken in June 2024 and a total of 100 responses were received by the Council. The consultation responses were considered by

the Task and Finish Group and informed the groups work, to produce a revised draft Environment Plan. The draft Environment Plan is attached as Appendix A. This report recommends that the Council receives and approves the plan.

- 1.6 The draft Environment Plan has been scaled into an achievable action plan, on a similar basis to the earlier approved Climate Strategy, and it is recommend that the proposed actions included within the Environment Plan are incorporated into the Climate Strategy action plan at its next annual review, which is scheduled for January 2025.
- 1.7 The Environmental Task and Finish Group on presentation of this report will have completed its work and will thus cease. This being the same as the Climate Strategy Task and Finish Group which similarly completed its work upon the approval of the Climate Strategy. Those Members that have been involved with both Task and Finish Groups have stated that they would consider it important to retain one task and finish group to monitor the Climate Strategy Action Plan and the Environment Plan and discuss the annual review and make recommendations to Full Council. As such it is recommended that Council approves the formation of a Climate and Environment Strategy Task and Finish Group and that the draft Terms of Reference as set out in Appendix B are considered and approved.
- 1.8 Should Members support the recommendation to form a Climate and Environment Strategy Task and Finish Group it would be appropriate to seek nominations at this meeting for Members to be part of the group. The draft terms of reference proposes up to six elected Members.
- 1.9 The task and finish group through the course of its work has gathered background information which may be used as reference material and as part of its review of the Environment Plan and Climate Strategy if required.

2. Options Analysis including Risk Assessment

a) Risk

The Plan is not delivered.

b) Consequence

Council implementation of the plan does not meet its intended aims and objectives.

c) Controls Required

Agree the draft Environment Plan and incorporate its delivery into the Climate Strategy Action Plan.

3. Financial and Resource Implications

There are none arising directly from this report.

4. Equalities Implications

There are none arising directly from this report.

5. Climate Change and Environmental Implications

The Environmental Plan aims to improve the local environment for residents and will support the council's Climate Strategy aims and objectives.

6. Legal Implications

There are no legal implications.

The draft terms of reference for the proposed Climate and Environment Strategy Task and Finish Group outline that the group cannot make decisions and only provide advice and recommendations to Full Council.

Appendices

Appendix A – Environment Task and Finish Group – Draft Environment Plan.

Appendix B – Climate and Environment Strategy Plan Task and Finish Group – draft Terms of Reference

Background Papers

Council reports 17 July 2023 and 20 May 2024

Council report Climate Strategy, 25 March 2024

Environment Task and Finish Group papers.

Environment Plan - Improving Our Environment

The vision is to create a healthier, cleaner, more sustainable environment in Penrith by reducing pollution through an achievable set of actions.

The plan will address air pollution, light pollution, the pollution of rivers and watercourses and waste and recycling.

A Plan to Combat Air Pollution

To reduce air pollution in Penrith, we will implement 5 key strategies:

1. Raise public awareness and increase community engagement
2. Promote the use of public transport and walking and cycling routes
3. Improve and enhance green spaces
4. Minimise the burning of fossil fuels
5. Lobby for and support regulation and legislation

The Penrith Town Council will implement the following actions to minimise air pollution.

Raise Public Awareness by:

- Providing information about air quality, pollution prevention, and health impacts on actions that residents can take to help improve the quality of the environment.
- Organising community clean-up events to remove litter and debris from public spaces.
- Providing accurate information on electric and hybrid vehicles.

Promote the use of public transport, walking and cycling routes by:

- Working with partners to support the development of an efficient and accessible public transportation network to reduce the reliance on personal vehicles.
- Promoting cycling lanes, pedestrian paths, and other infrastructure to encourage walking and cycling as alternative modes of transportation.

Improve and enhance green spaces by:

- Advocating for the planting of trees and the creation of green spaces in the town.
- Actively seeking to have devolved responsibility from Westmorland & Furness Council for more parks and green spaces to ensure appropriate maintenance and development

Minimise the burning of fossil fuels by encouraging the community to:

- Conserve Energy by using energy-efficient appliances and light bulbs, turn off lights, devices and electronics when not needed.
- Work with partners to develop EV fast charging infrastructure.

Lobby for and support regulation and legislation

The Council will seek to influence, lobby and campaign to achieve actions to help improve air quality.

A Plan to Combat Light Pollution

Reducing light pollution in the town requires a combination of community efforts, policy changes, and individual actions. The Penrith Town Council will implement the following actions to minimise light pollution in our town.

- Providing information on measures that reduce outdoor lighting pollution to ensure minimisation of impact on the night sky.
- Engaging with local government to prioritise the reduction of light pollution in town planning and development projects.
- Supporting efforts to preserve areas with minimal light pollution.
- Working with other agencies to ensure the planting of trees and other vegetation to act as natural light barriers.
- Raising awareness by providing information on the impacts of light pollution and the benefits of reducing it.
- Encouraging the use of timers or motion sensors for outdoor lighting so that lights are only on when needed.

A Plan for Waste & Recycling

Improving council waste management involves strategic planning, community engagement, infrastructure development, and policy implementation. The Penrith Town Council will implement the following actions.

- Providing information on recycling, composting, and the importance of reducing waste. (Reduce, reuse, recycle leaflet)
- Engaging with Westmorland and Furness Council when the waste and recycling services are being reviewed.
- Encouraging composting at the household level
- Implementing green procurement policies that prioritise products with minimal packaging and recyclable materials.
- Investigating options for the additional provision of recycling facilities.

A Plan for Rivers and Water Courses

In taking the actions outlined below, individuals and communities can play a key role in preserving and protecting local rivers and watercourses from the harmful effects of pollution. The Penrith Town Council will implement the following actions to minimise water pollution in our town.

- Providing information on the causes and impact of pollutants on water quality.
- Providing educational materials/events for schools and community spaces to promote responsible water practices.
- Reporting any observed pollution incidents to local environmental authorities.
- Working with other agencies, local councils and educational institutions on the development of local policies to protect water quality.

Climate and Environment Strategy Task and Finish Group

Draft - Terms of Reference

Background

In May 2019 Penrith Town Council declared a Climate and Ecological Emergency and resolved to make a difference by choosing a carbon neutral future. The Council developed its first strategy which was based on the vision that by 2030 Penrith will be carbon neutral.

In March 2024 Penrith Town Council approved its new Climate Strategy accompanied with its first-year action plan. The overriding aim of the Council's strategy remains to achieve carbon neutrality for Penrith by 2030 via the delivery of its agreed strategic objectives.

In 2023 the Council brought together a task and finish group to address the significant environmental issues related to industry and traffic in and around Penrith that are of concern to residents. The group presented its Environment Plan to Council in September 2024.

Both Task and Finish Groups outlined that they wished to remain invested in the delivery and review of the Climate Strategy and Environment Plan, and this group brings together those two work streams into one plan and review process.

This Group's main purpose will be to monitor and review the Climate and Environment Strategy actions and annual action plan, making recommendations to Full Council or the Council's established committees.

Power

Local Government Act 1972, Section 101

Membership

a) The Group will comprise:

- Town Clerk
- Services and Contracts and Manager
- Community Services Officer
- Up to six elected Councillors

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

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

d) Possible invitees (not exhaustive)

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

- Representatives from the Penrith BIDs (Industrial / Town)
- Representatives from local industry, business and the NHS.

Purpose and Activities

- To monitor and review the Climate and Environment Strategy and annual action plan.
Consider and propose new actions under the agreed Strategic Themes
- Consider budgetary implications for the delivery of actions and discuss and identify possible sources of external funding.
- Make recommendations to Full Council or the Council's established committees.

Convenor

Meetings will be convened by the Group Chair and supported by the relevant officer.

Chair

The Group will be chaired by the Council Chair or other nominated Councillor at the first meeting. A vice chair will be approved at the first meeting of the Group and will act in the Chair's absence.

Public Participation

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

Agenda, Minutes and Meeting Papers

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

Reporting

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

Meetings

- a) The Chair of the Group will convene meetings as and when required.

- b) The Group Chair shall have discretion to hold meetings by virtual conferencing instead of in person.
- c) A meeting shall be scheduled to be held in January to commence the annual review of the Climate and Environment Strategy Annual Action Plan.

Proxies to meetings

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

Quorum requirements

3 Council members

Priority Weighting

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

The Council has the General Power of Competence.

This Groups purpose aligns with the Council Plan as follows:

Climate Change

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

Approximate timescale: 2-3 meetings per annum.

FULL COUNCIL

Date: 23 September 2024

Public Report

Matter: Westmorland and Furness Council Local Plan Consultation - Response to 'Early Conversation'

Item no: 11

Author: Deputy Town Clerk

Supporting Member: Councillor S Jackson, Chair of Planning Committee

Purpose of Report:

To consider and agree the draft response to Westmorland and Furness Council's Local Plan Consultation – Early Conversation

Recommendations:

- i. To agree a draft response to the questions to be submitted by 30 September 2024.

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

- 1.1 Westmorland and Furness Council are undertaking an 'early conversation' to gather views on a range of topics which will inform the development of the revised Local Plan.
- 1.2 The attached appendix details points made by the Planning Committee and other Councillors and forms the basis of the responses that need to be submitted on line.

2. Options Analysis including risk assessment

a) Risk

That the views of Penrith Town Council are not taken into consideration

b) Consequence

The Local Plan is drawn up without having had any input.

c) Controls Required

That a response is submitted.

3. Financial and Resource Implications

None

4. Equalities Implications

None

5. Climate Change and Environmental Implications

None

Appendices

1. Draft response to early conversation questions

Background Documents:

Westmorland and Furness Council 'Our Place, Our Future, Join the Conversation'

Full Council

Agenda Item

Potential Responses to the Local Plan Early Conversation

Question 1 – Thinking about our places / where you live

A. What do you like about it?

B. What do you think needs to change?

C. What do you think needs to be protected?

All the areas within the Westmorland and Furness are very different, even within a very short distance, it is what makes our area interesting and attractive. It is important that these differences are recognised and maintained and the form and style of our villages and towns is celebrated. We should be protecting our open green spaces within Penrith but we should also be protecting our agricultural land whether it is used to grow crop or raise stock. Even poorer quality agricultural land is important for the latter.

Question 2 – How can the plan support high quality design in new development?

New development should reflect the existing buildings, form, layout and density. New developments tend to look the same wherever they are built with generally poor road layout, insufficient off road parking and insufficient bungalows. Within Penrith the historic roofline is of varying heights which would be good to reflect. Any new plan should reference that development should consider the local area closely to provide for a variety of house types and styles.

Question 3 – How can the plan reduce our carbon emissions

All new developments, whether residential or commercial, should incorporate sustainable features. Policies should also be developed to allow sustainable features that do not impact heavily on listed buildings to be allowed such as heritage style uPVC windows and doors. It is important that any new developments are strongly connected with good walking and cycling routes and that where possible public transport can service the areas.

Question 4 -How can the plan conserve and enhance our nature and wildlife

New developments should include public green space and native tree and shrub landscaping to allow for biodiversity. Developments should include swift boxes, hedgehog holes and where possible the protection of as many existing trees and dry stone walls as possible as the latter also provide shelter and a habitat.

Question 5 – How easy is it for you to regularly enjoy natural space?

Subjective – no response

Question 6 – How can the plan address flood risk?

It is important to avoid flood plains and land which is currently used as a soakaway area and which prevents flooding elsewhere. All hard standing etc should be porous to prevent water run off

Question 7 – Where should new houses be built?

It is understood that the amount of new housing required by a new government has still to be confirmed and, that when distributed throughout the Council area, will mean that Penrith is likely to get a larger allocation of housing. Housing should initially be built on brown field sites, where this isn't possible housing developments should adjoining and/or sit in a good relationship with the existing built area to be more sustainable.

Small scale new developments should also be allowed in smaller villages to allow them to retain young people who wish to remain in the area in which they have grown up and have a family support network. At the present time we have a growth in Air BnBs within Penrith which depletes housing stock for families further. It would be good to include policies to limit new builds to principal residence only.

Question 8 – What Type of New Homes Do we Need?

It is important to remember that Penrith (and probably other areas) have a super aging population and that housing stock must reflect this. We also have a low wage economy with many employed in tourism, agriculture or part time. When we carried out the housing needs survey for Penrith, the overwhelming requirement was for bungalows and smaller (2 and 3 bed) affordable rented properties to cater for the older members of society and those just starting out on the housing ladder. There was not a requirement through the survey for flats and apartments. It should be easier for existing commercial properties to be converted to residential provided they are in the right area, for example there are some areas of Penrith where we could support the conversion of the upper stories to residential or where there could be mixed residential and retail such as Castlegate.

Question 9 – What Should be Done to Create and Keep Wealth Here?

It is important that Penrith is not forgotten and that new commercial development is provided to encourage business to relocate or locate in Penrith. In 2017, Eden District Council agreed a Local Development Order to implement a Food Enterprise Zone after a successful bid to DEFRA. The food sector, particularly where it is linked to accommodation and hospitality, as well as the manufacturing of products, was identified as one area of the Eden economy that had significant strengths and it also forecast growth potential. As a major agricultural and food producing area with a number of independent producers this is perhaps something that could be pursued. It is important to encourage specialist companies to provide apprenticeships for those young people who want to pursue this route.

Question 10 – Where should new employment development be built?

Although some employment opportunities could make the most of empty units within the town centre, most should be adjacent to existing employment areas. There should be NO employment development at Stoneybeck roundabout which is an inappropriate site for such development. Transport links to these areas should be established and include good walking and cycling routes.

Question 11 – What would make you visit our town centres more often?

This is very subjective and will differ for every person answering. The town centre is changing and is no longer just a retail area but a place people come to shop, meet and socialise. Penrith can be split into several sectors (Middlegate, Castlegate, , King Street, Sandgate and the Cultural Quarter [Devonshire St, Gt and Little Dockray, Market Sq and St Andrews]) all with different characteristics. Some areas are perfect for mixed uses ie retail ground floor and residential above whilst others aren't. The town centre should be attractive with greening and be pedestrian friendly with wider pavements which in turn means slower traffic. There should be effort made to encourage empty properties to be filled or at least made easier for change of use.

Question 12 – How easy is it for you to move around and get to where you want to go?

This is subjective. At the present time the town bus does not cover all of the estates meaning people, particularly the elderly, are disenfranchised. Consideration should be given to create a transport hub close to the train station to include busses.

Question 13 – What infrastructure improvements do you think the area needs?

It is very important with all the new development taking place that the infrastructure is in place to support a growing population. Education placements within Penrith should be increased both in the primary and secondary sector, the road system need to be looked at given that Penrith was a medieval town built in a defensive street pattern which still exists today. Any development should include the provision of footpaths and cycleways to make it easier to get about. All new developments should include communal green open space in the centre with seating and, where possible, a decent safe children’s play area with more than just a few balance beams. Not all new developments need community facilities however the developer should provide S106 funding or the Council should adopt CIL across the whole area to allow contributions to help with the upkeep of existing facilities.

It is important to talk and work with the NHS regarding the provision of healthcare to serve a growing population although it is understood that this may be difficult due to the national shortage of doctors and dentists.

Question 14 – How can we make our places healthier

By creating places with, and preserving our existing, green spaces, the provision of walking and cycling routes, ensuring that areas for heavy industry are in a suitable location to reduce the effects on the environment and local residents and by developing areas for leisure and recreation including play areas and outside gyms.

Question 15 – How well do facilities and services in your place meet your needs

Subjective question. Within Penrith there are ample opportunities for walking and cycling although routes could be better marked and safer. It would be good to work through the recommendations of the LCWIP to bring some forward. Shortly we will have real problems with education, especially secondary as one school is selective and the other is full. It simply isn’t good enough to send children to Appleby to school from Penrith, this could be especially difficult during winter months. Currently appointments at a doctors are very difficult and we have no NHS or dentist places in Penrith with some saying they are having to travel to Hexham for an appointment. As the population ages we will have real issues with health care.

Question 16 – How easy is it to meet and spend time with other people?

Not appropriate

Question 17 – Do you see yourself living and working in Westmorland and Furness in 20 years time? If not what would encourage you to stay?

Not appropriate

Question 18 – How can we help young people and families to stay here and encourage those who want to live and work in the area to move here?

Provide truly affordable housing of all tenures for young people and young families to remain near their family unit for support. Encourage the provision of higher paid jobs that some young people want whilst remembering that some wish to remain in agriculture and support tourism and services.

Question 19 – Would you like to be involved in planning the future of your local area and how can we make our consultation processes easier for you to get involved.

It is imperative that town and parish councils are involved as soon as possible throughout the process to discuss issues and work in partnership to develop a plan that works for all. This will be a challenge in such a large area and it may be that smaller meetings are held in each 'area' to help move this forward.

REPORT TO FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 12

Matter: May Day Event 2025

Author: Acting Town Clerk

Supporting Member: Cllr. Lawson, Chair of Council

Purpose of Report:

Receive an update on the organisation of the May Day 2025 event.

Recommendations:

Note the progress to date for the organisation of the May Day 2025 event.

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

- 1.1 The Council resolved, 15 July 2024 to be the lead body for the Penrith May Day event (Minute PTC24/36). This report provides an update on the progress made to date on the organisation for the 2025 event which will be held on Monday 05 May 2025. Members can expect to receive a progress update at each meeting of Full Council.
- 1.2 The current position in accordance with the minutes of Council on the 15 July is:

Councillors be given the opportunity to be involved in the planning and delivery of the event.

Councillors have been invited to provide their thoughts on the 2025 event.

The Penrith Arts and Culture Stakeholder Group be involved in bringing together a programme of entertainment.

The group has met on two occasions and has agreed to bring together a programme of entertainment for the day which they are now developing.

Delegated authority be given to officers to prepare the Event Plan, apply for licences, consents and all statutory permissions to facilitate the event.

Work has commenced on the preparation of the Event Plan documentation. Guidance and advice is being sought from the Council's insurers.

A request has been made to Westmorland and Furness Council that a Safety Advisory Group be established for the 2025 event.

Expenditure incurred for the 2025 event during the current financial year be met from the Arts and Culture budget and if this is exceeded to be met from the Council's Contingency Budget.

There has been no expenditure to date.

£15,000 be included in the 2025/26 Proposed Budget process.

A £15,000 budget will be included in the proposed budget for 2025/26 which will be brought to Council in January 2025.

Officers bring a staffing and resource implications report to a future meeting of the Finance Committee and Full Council.

No requirement at present time.

Other matters of interest

Contact has been made with Taylors Funfair and a meeting is to be scheduled in the autumn.

The Penrith Lions Club has confirmed that they are willing to assist with event stewarding on the day.

2. Financial and Resource Implications

There has been no expenditure to date for the 2025 May Day event.

3. Equalities Implications

There are no equalities implications associated with this report.

4. Climate Change and Environmental Implications

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

Appendices

None

Background Papers

Motion to Full Council, 15 July 2024 and Minutes.

REPORT TO FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 13

Matter: Grants

Author: Acting Town Clerk

Supporting Member: Council Chair

Purpose of Report:

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

Recommendations:

Note the grants awarded since the last meeting of Council.

Law and Legal Implications

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

1. Report Details

- a. The Council 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.
- b. The Grant Scheme Policy was reviewed at Full Council, 25 March 2024, where some minor amendments were made to the scheme guidance and application form which provide greater clarity to applicants in some areas. The amendments and the policy were approved, Minute PTC23/123ei.
- c. 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.
- d. The Council has an approved budget to support the provision of grants during the 2024-25 financial year which includes a Grants budget of £25,000 and a Signature Events Grant Budget of £15,000, following the approved virement at Council 15 July 2024.

Grants (Grant Scheme)

- e. 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.
- f. Officers are responsible for receiving, reviewing, and awarding all grants.
- g. 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.

- h. 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.
- i. All the Council work is within the GDPR 2018 framework and respects the confidentiality of individuals, personal data, and sensitive personal data.
- j. Since the last meeting of Council one grant has been awarded. Penrith Cricket Club has been awarded a grant of £1,000 towards the costs of the refurbishment of the male and female toilets in the clubhouse and the installation of a new disabled access ramp.

Signature Event Grants

- k. 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.
- l. The Council has resolved to support the Eden Arts, Winter Droving £5,000 and Penrith BID Christmas Sparkle £5,000 over the remaining term of this Council. The annual award of grant being subject to receipt of the previous year's post event monitoring report, confirmation that the event will be delivered annually and upon receipt of an Event Plan, Event Budget Risk Assessment, Public Liability Insurance and associated policy documents.
- m. The Penrith Lions Club have confirmed that they will no longer be leading the organisation of the May Day Carnival and as such their approved grant has been withdrawn.

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 £25,000 and a Signature Events Grant budget of £15,000 for the 2024-25 financial year following the approved virement at Council 15 July 2024.

Grants Budget - £25,000

During the current 2024-25 financial year the Council have supported eight funding applications from the Grants budget, totalling £20,654. There remains an uncommitted balance of £4,346 in the Grants Budget. Grants awarded are:

Organisation	Grant (£)	Project
Meals on Wheels	£2,500	Start a new service into Penrith
Penrith Rugby Club	£3,000*	Installation of Solar Panels
Penrith BID	£3,099	Town Centre Greening Project
Eden Dodgeball Club	£575	New Under 15 years Dodgeball Group
Bluejam Arts	£3,480	Family painting sessions, 1yr Project
Wetheriggs Utd FC	£2,000	Clubhouse Furniture
Carleton Park Group	£5,000	Multi Use Games Area at Carleton Park
Penrith Cricket Club	£1,000	Refurbished toilets and disabled ramp
	£20,654	

* Up to £3,000 subject to position on VAT

Signature Events Grant Budget - £15,000

The Council has resolved to support the following Signature Event Grants over the remaining term of this Council.

Organisation	Grant (£)	Project
Eden Arts	£5,000	Winter Droving
Penrith BID	£5,000	Christmas Sparkle
	£10,000	

There remains an uncommitted balance of £5,000 in the Signature Events 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

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REPORT TO FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 14a

Matter: Budgetary Control Statement 2024/25, Expenditure to 31 August 24

Author: Responsible Finance Officer

Supporting Member: Cllr. Shepherd, Chair of Finance Committee

Purpose of Report:

To ratify the budgetary control statement for the five-month period to 31 August 2024.

Recommendations:

Ratify the Budgetary Control Statement 2023-25, Expenditure to 31 August 2024.

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. 2024-25 Outturn Statement: Income and Expenditure Account (Appendix A)

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

- The actual outturn figures for the preceding financial year 2023-24, for reference only.
- The full year's Approved Budget for 2024-25, which was ratified by Council on 29 January 2024.
- Actual outturn income and expenditure to 31 August 2024, based on the matching principle, which means taking account of all income and expenditure which relates to the period, irrespective of when it is received/paid.
- The variance between the actual outturn income and expenditure and the profiled latest budget for the period. Variances are expressed as favourable (positive) where there was an underspending or increased income, and as adverse (negative and bracketed) where there was an overspending or reduced income.

- The position and transactions on the Council's reserves: its General, Devolution and Election Reserves.

B. Commentary

The statement shows underspendings on a number of budget headings, and the consequent increase in the level of the general reserve. The following comments concentrate on unusual or unexpected variances.

B.1 Income

Overall income of £223,957 exceeds the profiled budget of £215,990 by £7,967.

- 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 so far this year.

B.3 Communities Committee

Net spend of £40,847 is shown against the budget of £45,834, an underspending of £4,987.

This underspend should reduce later in the year due to anticipated increases in expenditure for items such as branding and marketing and planning.

B.4 Finance Committee

Net expenditure of £166,061 is shown against the budget of £187,113, an underspending of £21,052.

This underspend is expected to reduce as the year progresses.

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

- The individual variances result in an underspending of £33,331 against the profiled total expenditure budget of £240,447. As there is £7,967 more income, there is a net variation of £41,298 on the profiled amount transferrable to the General Reserve.

B.6 Reserves

- The General Reserve is profiled to decrease by £24,457 in the period, it has actually increased by £16,841 to £524,072.
- The Devolution Reserve opened the year with a balance of £174,405, the amount of £111,308 transferrable into the Devolution Reserve is £3,965 higher than profile.
- The Election Reserve opened the year with a balance of £35,000, 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 August 2024. The following points may be noted:

- Investments with two organisations total £968,353, with the majority being held in the CCLA Public Sector Deposit Fund.
- The VAT Debtor of £441 represents August's transactions and has been reclaimed from HMRC.
- Prepayments of £11,208 include adjustments for insurance, office rent, IT support agreements, and licences and subscriptions.
- The Cash at Bank balance of £89,055 is held at HSBC.
- Accruals of £24,298 comprise of goods and services received by 31 August, but unpaid at that date.
- The Receipts in Advance figure represents income for the period 1 September 2024 to 31 March 2025 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 August 2024 was around £33,000 below the Latest Budget for the period. This underspend is contributing to the fact that our level of general reserve is greater than 12 months of expenditure which is considered to be excessive. Appropriate action will need to be considered to reduce the level of the General Reserve.

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 Five Months Ended 31 August 2024.

Appendix B – Balance Sheet as at 31 August 2024.

Background Papers

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



Penrith Town Council

BUDGETARY CONTROL STATEMENT: FIVE MONTHS ENDED 31 AUGUST 2024

Actual 2023-24	Approved Budget 2024-25	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£	£		£	£	£
		INCOME			
		Precept:			
468,295	487,735	Council Tax	203,223	203,223	0
7,642	7,642	CTRS Grant	3,184	3,184	0
		Other Income:			
36,126	23,000	Investment Income	9,583	17,550	7,967
512,063	518,377	TOTAL INCOME	215,990	223,957	7,967
		EXPENDITURE			
		PLANNING COMMITTEE:			
324	15,000	Planning Consultancy	6,250	208	6,042
324	15,000	Planning Committee Total	6,250	208	6,042
		COMMUNITIES COMMITTEE:			
3,000	15,000	Climate Change	6,250	1,434	4,816
20,259	30,000	Town Projects	12,500	8,323	4,177
4,327	10,000	Arts & Culture Development	4,167	4,135	32
		Grants:			
12,853	25,000	Grants	10,417	19,654	(9,237)
14,965	15,000	Signature Grants	6,250	0	6,250
27,818	40,000		16,667	19,654	(2,987)
8,551	15,000	Corporate Communications	6,250	7,301	(1,051)
63,955	110,000	Communities Committee Total	45,834	40,847	4,987

Actual 2023-24	Approved Budget 2024-25	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£	£		£	£	£
		FINANCE COMMITTEE:			
		Staffing:			
250,733	252,873	Salaries	105,364	92,990	12,374
24,583	24,760	National Insurance	10,317	9,090	1,227
52,474	54,365	LG Pension Scheme	22,652	22,645	7
567	500	Recruitment Expenses	208	0	208
735	600	Staff Training	250	0	250
0	200	Conferences	83	0	83
64	500	Staff Expenses	208	0	208
329,156	333,798		139,082	124,725	14,357
		Accommodation:			
7,500	7,500	Rent	3,125	3,125	0
3,009	4,500	Heat, Light & Water	1,875	644	1,231
2,232	2,520	Service Charges	1,050	846	204
1,415	1,730	Room Hire & Meetings	721	892	(171)
390	380	Insurances	158	163	(5)
14,546	16,630		6,929	5,670	1,259
		Civic Functions:			
20	400	Civic Functions	167	392	(225)
700	700	Mayoral Expenses	292	0	292
300	300	Deputy Mayor's Expenses	125	0	125
486	200	Civic Regalia	83	0	83
1,506	1,600		667	392	275
		Cost of Democracy:			
30	100	Annual Meeting	100	65	35
0	0	Elections	0	0	0
536	1,000	Members' Training	417	314	103
0	100	Members' Expenses	42	0	42
102	200	Notice/Honours Board	83	0	83
668	1,400		642	379	263
22,375	22,000	IT	9,167	6,843	2,324
		Devolved Services:			
2,577	1,200	Allotments	238	(474)	712
1,290	100	War Memorial	42	76	(34)
2,968	2,000	Benches	833	0	833
1,161	3,500	Bus Shelters	1,458	53	1,405
884	1,750	Bandstand	729	1,745	(1,016)
434	800	Musgrave Monument	333	70	263
8,425	6,000	Fairhill Park	2,500	2,070	430
1,914	3,700	Thacka Beck Field	1,542	877	665
178	300	Signage, etc	125	21	104
8,902	10,000	Community Caretaker	4,167	3,564	603
17,611	16,994	Contribution to/(from) Devolution Reserve	7,343	11,308	(3,965)
46,344	46,344		19,310	19,310	0
		Other Overheads:			
3,169	3,700	Printing, Postage & Stationery	1,542	1,414	128
1,781	1,450	Audit Fees	604	740	(136)
3,418	4,680	Insurance	1,950	1,642	308
285	180	Bank Charges & Interest	75	43	32
4,310	4,100	Accountancy Fees	1,708	2,215	(507)
2,116	6,150	Legal & Professional Fees	2,563	640	1,923
1,488	1,400	Licences	583	722	(139)
3,171	3,500	Subscriptions	1,458	1,273	185
106	2,000	Repairs & Renewals	833	53	780
19,844	27,160		11,316	8,742	2,574
434,439	448,932	Finance Committee Total	187,113	166,061	21,052

Actual 2023-24	Approved Budget 2024-25	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£ 0	£ 3,000	Contingency	£ 1,250	£ 0	£ 1,250
5,000	5,000	Transfer to/(from) Election Reserve	0	0	0
503,718	581,932	TOTAL EXPENDITURE	240,447	207,116	33,331
8,345	(63,555)	INCREASE/(DECR) IN GENERAL RESERVE	(24,457)	16,841	41,298
		RESERVES:			
		General Reserve:			
498,886	479,530	Balance brought forward 1 April 2024	479,530	507,231	27,701
8,345	(63,555)	Increase/(decrease) in year	(24,457)	16,841	41,298
507,231	415,975	Balance carried forward	455,073	524,072	68,999
		Devolution Reserve:			
156,794	175,288	Balance brought forward 1 April 2024	175,288	174,405	(883)
17,611	16,994	Contribution from/(to) 2024-25 Budget	7,343	11,308	3,965
174,405	192,282	Balance carried forward	182,631	185,713	3,082
		Election Reserve:			
30,000	30,000	Balance brought forward 1 April 2024	35,000	35,000	0
5,000	5,000	Contribution from/(to) 2024-25 Budget	0	0	0
35,000	35,000	Balance carried forward	35,000	35,000	0
716,636	643,257	TOTAL RESERVES	672,704	744,785	72,081



Penrith Town Council

BALANCE SHEET AS AT 31 AUGUST 2024

	£	£
Investments		
Penrith Building Society	88,353	
CCLA Public Sector Deposit Account	<u>880,000</u>	
		968,353
Current Assets		
Debtors	4,651	
Debtor - VAT	441	
Prepayments	11,208	
HSBC Bank Account	<u>89,055</u>	
	105,355	
Current Liabilities		
Creditors	0	
Accruals	24,298	
Payroll Control	10,813	
Receipts in Advance	<u>293,812</u>	
	328,923	
Net Current Assets		(223,568)
		<u>744,785</u>
Represented by:		
Reserves		
General Reserve		524,072
Devolution Reserve		185,713
Election Reserve		35,000
		<u>744,785</u>

REPORT TO FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 14b

Matter: Corporate Risk Assessments

Author: Acting Town Clerk

Supporting Member: Cllr. Shepherd, Chair of Finance Committee

Purpose of Report:

Ratify the Corporate Risk Assessments.

Recommendations:

Ratify the Corporate Risk Assessments.

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.

As an employer and duty holder the Town Council are legally obliged under the Management of Health and Safety at Work Regulations 1999 to carry out a risk assessment of the significant risks in the workplace. The Council has a duty to comply with the Health and Safety at Work Act 1974.

1. Report Details

- 1.1 Risk Assessment is a systematic general examination of working conditions, workplace activities and environmental factors that will enable the Town Council to identify all potential inherent risks. The Town Council, based on a recorded assessment, will take all practical and necessary steps to reduce or eliminate the risks, insofar as is practicably possible.
- 1.2 The risk assessment documents have been produced to enable the Council to assess the risks that it faces and satisfy that it is taking adequate steps to consider and minimise these risks.
- 1.3 The risks are assessed annually unless there are material changes to the law or circumstances that require an immediate review. The Council's Services and Contracts Manager monitors and records progress against the actions throughout the year and also undertakes regular asset monitoring inspections to identify any arising risks, hazards or defects.
- 1.4 The risk assessments are designed to give Councillor's confidence that the management of risk is pragmatic and proactive. The management of risk is also included in relevant committee reports.
- 1.5 The Corporate Risk Assessments are set out in accordance with the Health and Safety Executive published template format. Risk Assessments are prepared for the following and copies of each are provided separately:

- Allotments
- Bandstand
- Bus Shelter
- Business Continuity
- Fairhill
- Finance
- Fire
- Governance
- IT & Website
- Lone Working
- Musgrave Monument
- Office
- Remembrance Day Parade and Service
- Seats
- Thacka Beck Field
- War Memorial (St Andrews)

1.6 The table in Appendix A sets out the key actions arising from each individual risk assessment, for the forthcoming 12-month period.

2. Options Analysis including risk assessment

a) Risk

Not knowing the risk facing the Council.

b) Consequence

Not being aware of with health and safety matters, risks facing the council, legal liabilities and meeting the requirements of audit.

c) Controls Required

Approve corporate risk assessments.

3. Financial and Resource Implications

There are no financial implications associated with this report.

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

Appendix A – Risk Assessment Actions September 2024 – September 2025

Background Documents:

None

Appendix A - Risk Assessment Actions September 2024 – September 2025

Risk Assessment	Action Required
Allotments	Cut Folly Lane hedge fronting on to the highway. Monitor use of vehicles using W&F land at the top of Brackenber Allotment.
Bandstand	Ensure electric cupboards are locked at all times. Prepare method statement and risk assessment prior to the erection of the Xmas Tree. Undertake inspections of Xmas tree following adverse weather (snow, high winds) Obtain method statement and risk assessment and completion certificate for installation of Xmas Lights. Monitor that the Street Trader and public house is operating within their defined area and agreed terms.
Bus Shelter	Any gutter cleaning requires liaison with contractor to ensure safe system of work, including risk assessment and method statement.
Business Continuity	Scheduled meetings as required with Lamont Pridmore. (Accountants)
Fairhill	Commission Annual Play Area Inspection Report in November 2024. Quarterly checks of play area for defects. Inspect football goals for their integrity any hazards.
Finance	Finalise bank account signatories at the HSBC
Fire	Portable Appliance Testing - next due in July 2025 Service the Fire Extinguishers - next due April 2025. Weekly recorded fire check of the office. Monitor condition of the fabric of the office and any appliances.
Governance	Fireproof cabinet is locked at night to protect key files
IT & Website	Undertake Staff DSE Assessments upon request. Staff training to ensure business continuity. Monitor website for content, accuracy, accessibility.
Lone Working	Identify First Aid Training for staff.
Musgrave Monument	Annual service of clock mechanism – next due in October/Nov 2024 Ensure main access door is always locked at all times. Annual maintenance inspection of the ladder and latchway system - next due Feb 2025. Obtain method statement and risk assessment and completion certificate for installation of Xmas Lights.
Office	Undertake Staff DSE Assessments upon request. Portable Appliance Testing - next due July 2025 (including any own equipment used in the office) Service the Fire Extinguishers - next due April 2025. Weekly recorded fire check of the office. Collate COSHH sheets for cleaning products.
Remembrance Day Parade and Service	Liaison with Cumbria Police for traffic management for parade.

Risk Assessment	Action Required
Seats	Monitor – dangerous seats to be removed.
Thacka Beck Field	<p>Monitor all boundary fencing.</p> <p>Continue meetings with contractor to identify any hazards arising from the Grounds contract.</p> <p>Monitor condition of new path and instruct repairs as required.</p> <p>Tree Hazard survey to be commissioned in Autumn 2024.</p> <p>Raise any tree condition concerns with relevant landowner. (Risk of trees falling from neighbouring land)</p>
War Memorial (St Andrews)	Inspection of asset ahead of Armistice Service.

REPORT TO FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 14c

Matter: Internal Audit 2024-25

Author: Responsible Finance Officer

Supporting Member: Cllr. Shepherd, Chair of Finance Committee

Purpose of Report:

Ratify the scope of Internal Audit coverage for 2024-25.

Recommendations:

Ratify the scope of Internal Audit coverage for 2024-25.

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 Accounts and Audit Regulations 2015 require the Council to undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance.

Under the same Regulations, the Council must conduct an annual review of the effectiveness of its system of internal control. The independent internal audit opinion is a key element of that review.

1. Report Details

- 1.1 Following a satisfactory review of the Council's internal audit arrangements for 2023-24, Mrs Jean Airey was re-appointed as its auditor for the current financial year (Annual Meeting of Penrith Town Council, 20 May 2024, Min PTC24/14eii).
- 1.2 The attached outline plan describes the scope of Mrs Airey's planned coverage for the year; she has revised her detailed plan to reflect current updated best practice.
- 1.3 As in previous years, Mrs Airey intends to carry out the work in two stages. The first of these is scheduled for February/March 2025 to fit in with the Council's review of its internal control environment late in 2024-25, which enables it to consider whether internal controls have operated effectively throughout the financial year. The timing of the second, financial audit, stage would be in April 2025, to enable her to review the year-end accounts.

2. Options Analysis including risk assessment

a) Risk

The Council does not have a robust internal audit regime.

b) Consequence

Irregularities are not detected leading to loss or waste of resources; criticism from external audit; reputational damage.

c) Controls Required

Appointment of an independent and competent internal auditor, who works to an appropriate internal audit plan.

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

Outline Audit Plan 2024-25

Background Documents:

Accounts and Audit Regulations 2015

Correspondence with Internal Auditor

Outline Internal Audit Plan 2024-25

AGAR REFERENCE	COMPLIANCE CHECKS	YES/NO	RECOMMENDATIONS FOR ACTION.
<p>A. Appropriate accounting records have been properly kept throughout the year. Periodic bank account reconciliations were carried out during the year</p>	<p>Checks are made of core accounting records i.e. in house cashbook or commercial accounting package for accuracy and monthly summaries to appropriate budget headings. Bank reconciliations are prepared on receipt of bank statements; presented to Council or Committee. A signature of a member on the respective bank statement verifies the accuracy of the information.</p>		
<p>B. This authority complied with its Financial Regulations. Payments were supported by invoices; all expenditure was approved and VAT appropriately accounted for.</p>	<p>Verify that Financial Regulations (FR), Standing Orders and all relevant policy and procedure documents are regularly reviewed and reflect current legislation. Confirm tender processes are in place and adhere to FR. Confirm VAT balances back to core accounts. Payments/refund requests are made to HMRC within the timescale. Confirm that there is a clear audit trail – invoices to Schedule of Payments- Council approval - Bank statements.</p>		
<p>C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.</p>	<p>Check review of Risk Assessments, Health and Safety Policies etc. Verify adequate statutory and other insurance cover. Check safety inspections and relevant documentation. Documented evidence of Internal Control and review of the Internal Audit.</p>		

<p>D. The precept requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored and reserves were appropriate.</p>	<p>Confirm the minutes of the Council documents the precept for the current year and subsequent financial year in detail. A minute exists for the receipt of the precept. There is timely submission to the District Authority. The precept figure has been determined after submission of an RFO report with recommendations. Verify the presentation to the Council of regular budget comparison reports, and variations are addressed. Earmarked reserves are clearly identified. An investment strategy exists for cash reserves in excess of £100k</p>		
<p>E Expected income was fully received based on correct prices, properly recorded and promptly banked; Vat has been accounted for as relevant.</p>	<p>Ensure that appropriate controls and documentation exists to provide an audit trail and ensure security of all income, particularly cash i.e. segregation of handling from source to banking. Regular review of pricing structure for all undertakings. Comprehensive documentation – Hire of facilities, Allotments. Leases. All income collected within timescale.</p>		
<p>F. Petty Cash, Debit Cards, Cash expenses approved and Vat accounted for.</p>	<p>Confirm receipts for all expenses. Check authority for Debit/Credit card payments and all such are paid in full. Vat allocated to budget headings and correctly recorded in VAT Returns.</p>		

<p>G. Salaries to employees and allowance to members were paid in accordance with the Council's approvals, and PAYE, N.I. and Pension requirements were properly applied.</p>	<p>Ensure staff contracts of employment have been issued. Verify staff record file noting sickness absences, holidays etc. Verify appropriate deductions have been made – PAYE/N.I./Pension. All relevant sums paid to HMRC/Pensions with in the statutory time scales.</p>		
<p>H. Asset and investments registers were complete and accurate and properly maintained. Include loans to and from the Council.</p>	<p>Verify regular review of Asset Register and correct documentation of acquisitions and disposals. Confirm all assets are adequately covered by insurance. Check insurance renewal dates, loyalty agreements, value of assets and appropriate statutory cover. Check investments for "Fixed Asset" inclusion in AGAR(9) Borrowing and lending to be checked.</p>		
<p>J. Accounting statements prepared during the year were prepared on the correct accounting basis (Receipts and Payment or Income and Expenditure), agreed with the core accounts, supported by an adequate audit trail from the underlying records. Where appropriate debtors and creditors were properly recorded.</p>	<p>Verify the accuracy of the year-end bank reconciliation detail. Confirm the correct roll forward balance figure from the previous year has been carried forward to the new financial year. Review debtors/creditors and appropriate adjustment if income and expenditure accounts.</p>		

<p>K. If the Council certified itself as exempt from a limited assurance review in the prior year, it met the exemption criteria and correctly declared itself exempt.</p>	<p>Exempt authorities only. Verify a Council minute exists to ensure declaration of exemption. Check publication of correct documentation on the website.</p>		
<p>L. The author publishes information, on a free to access website, up to date at the time of the internal audit in accordance any relevant transparency code requirements</p>	<p>For authorities less than £25k verify compliance with all Transparency Code requirements.</p>		
<p>M. The authority, during the previous year, correctly provided for the period for the exercise of public rights as required by the Accounts and Audit Regulations.</p>	<p>Examine Notice of Public Rights. Ensure compliance with "30 days" Verify notice is/has been published on the website.</p>		
<p>N. The authority complied with the publication requirements for the prior year AGAR.</p>	<p>Verify publication of the Conclusion of Audit with External Auditors certification. Examine minutes to verify the conclusion has been notified to Council.</p>		
<p>O. Trust funds (including charitable) – The Council met its responsibility as a trustee.</p>	<p>Should the Council be a Charitable Trustee or operate any trust, check compliance with all requirements.</p>		

REPORT TO FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 14d

Matter: Policy Review

Author: Acting Town Clerk

Supporting Member: Cllr. Shepherd, Chair of Finance Committee

Purpose of Report:

Ratify the reviewed policies.

Recommendations:

Ratify the following reviewed policies and recommended amendments:

- i. Procurement Policy
- ii. Risk Management Policy

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

1.1 The Council has a timetable for the review of its policies. This report includes the review of the Council's Procurement, Risk Management, Bandstand Hire, Gifts and Hospitality and Disclosure and Barring Services Policy.

Procurement Policy

(Appendix A)

The Council last approved its Procurement Policy at Full Council, 25 September 2023, Minute PTC23/57di. The policy is reviewed annually. The recommended changes to this policy are the inclusion of the words '(net of VAT)', under National Rules and relating to the advertisement of contracts on the Contracts Finder Portal as a requirement of The Public Contracts Regulations 2015. The paragraph now reads:

'All contracts opportunities and contract awards of £25,000 (net of VAT) in value and above in accordance with The Public Contracts Regulations 2015 must be advertised openly on the Contracts Finder portal.'

In addition, there has been some minor wording changes to the Single Source Justification procedure, and confirmation that all purchases must have an approved budget line prior to any procurement taking place.

The Council last approved its Risk Management Policy at Full Council, 25 September 2023, Minute PTC23/57diii. The policy is reviewed annually. There are no recommended changes or amendments to this policy.

2. Options Analysis including risk assessment

a) Risk

Policies are not up to date, correct and relevant.

b) Consequence

Council implementation of policy may not be in keeping with legislation and best practice.

c) Controls Required

Approve revised policies.

3. Financial and Resource Implications

There are no financial implications associated with this report.

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

Appendix A – Procurement Policy

Appendix B – Risk Management Policy

Background Papers

None



Penrith Town Council

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

PROCUREMENT POLICY

BACKGROUND

CURRENT GOVERNMENT PROCUREMENT AGREEMENT (GPA) THRESHOLDS

These thresholds, which were previously set by the EU, are now determined by the UK Government and are valid from 01 January 2024. They apply to high value procurements which will rarely, if ever, be made by the Town Council. When applying the new thresholds, the Council must ensure that contract value estimates include an allowance for VAT. This will include instances where VAT is initially payable but later recoverable:

Public Works contracts £ 5,372,609

Public Service & Supply contracts £ 214,904

The Council is also obliged to follow some basic principles.

For supplies and services over these thresholds, a tender notice must be placed on the Find a Tender Service (FTS) website (previously advertised in the Official Journal of the European Union (OJEU)) to give all relevant providers an opportunity to tender.

Tenders must be invited in accordance with one of the prescribed procedures either Open, Restricted, Competitive with Negotiation, Competitive Dialogue, Innovation Partnership or Light Touch Regime. Each of these procedures imposes minimum time scales covering the tender activities to ensure that reasonable time is given to interested parties to respond to advertisements and prepare submissions.

NATIONAL RULES

Whilst there is no prescription on local authorities to tender out specific services all councils have a duty under best value legislation as laid down by Part 1 of the Local Government Act 1999 to fundamentally review their services and make arrangements to ensure continuous improvement, having regard to economy, efficiency and effectiveness.

All contracts opportunities and contract awards of £25,000 (net of VAT) in value and above in accordance with The Public Contracts Regulations 2015 must be advertised openly on the Contracts Finder portal.

LOCAL RULES

- 1.** The Council will strive to attain best value for all goods, materials and services which it purchases.
- 2.** "Best Value" will be defined as a balance of price, quality of product and supplier services.
- 3.** The Council will operate a transparent procurement process in accordance with its Financial Regulations and Standing Orders for Contracts.
- 4.** The Council will purchase locally wherever possible and where best value can be satisfied. The Council will primarily make purchases within the parish of Penrith and from the local surrounding area.
- 5.** In evaluating "best value", the past record of the supplier will be taken into account.
- 6.** The Council will purchase Fair Trade and recycled and sustainable goods where possible.
- 7.** The Council will purchase re-cycled goods or less environmentally damaging materials where they meet the required functional standard and will have regard to protect and sustain the environment.
- 8.** Procurement activities will comply with the Council's Financial Regulations and the Procurement Regulations 2015 and reflect the practices as recorded in the NALC Procurement Toolkit.
- 9.** Tender opportunities will be promoted on the Councils website to encourage tenders from local community and voluntary organisations and the local SME sector.
- 10.** The Council will show favour to organisations that pay the Living Wage as set by the Living Wage Foundation.

THRESHOLDS & PROCEDURES

Procedures as recorded in the Financial Regulations apply. Procurements should not be disaggregated solely to avoid the need to meet a more rigorous procedure.

Purchases should not be made unless there is an approved budget line.

Estimated contract value (net of VAT)	Contract requirements
Up to £15,000	<p>A purchase can be made from the source that offers the best value for money to the Council. This should be demonstrated by the obtaining of 3 written quotes, where this is possible.</p> <p>Contracts shall be by written instruction.</p>
£15,001 to £25,000	<p>Shall be advertised on the website of the Council (and/or other public advertisement as determined by the relevant Committee) unless, in consultation with the Responsible Financial Officer, it is agreed to approach suppliers on an ad hoc basis inviting expressions of interest (in which case 3 written quotes shall be sought).</p>
£25,001 to £50,000	<p>Procurement opportunities over £25,000 in value shall be openly advertised on the Council's website and shall also be advertised on Contract Finder within 24 hours of that advert appearing together with unrestricted and full direct internet access to relevant contract documents.</p> <p>A formal written contract approved by a solicitor must be utilised. A purchase order referring to the contract will also be utilised where required. Following award of the contract, relevant details must be published on Contract Finder.</p>
£50,001 to GPA procurement threshold	<p>Shall be advertised on the website of the Authority and on Contract Finder (within 24 hours of any other adverts appearing; and /or other public advertisement as determined by the authorised officer) together with unrestricted and full direct access to relevant contract documents.</p> <p>Pre-Qualification Questionnaires (PQQ's) can be used in procurements above the lower GPA threshold for supplies and services for tender opportunities for works contracts. A formal written contract prepared/approved by the Council's Solicitor must be utilised. A covering purchase order referring to the contract will also be utilised where required.</p> <p>Following award of the contract, relevant details must be published on Contract Finder.</p>

Estimated contract value (net of VAT)	Contract requirements
GPA procurement threshold and above	<p>Shall be advertised on the Find a Tender Service, and on the Council's website and on Contract Finder as soon as practicable after the FTS notice.</p> <p>Pre-Qualification Questionnaires (PQQ's) can be used in procurements above the lower GPA threshold for supplies and services for tender opportunities for supplies, services and works.</p> <p>The Council's Solicitor shall advise on the most appropriate procurement procedure to be used for the relevant supplies. Services and/or works to be procured. The two most common procedures are:</p> <p>Open Procedure - anyone can submit a tender</p> <p>Restricted Procedure - following receipt of expressions of interest a pre-qualification questionnaire (PQQ) is used to shortlist candidates who are then invited to submit a tender.</p>
Single Source Justification	<p>A Single Source justification may be necessary where competition is deemed impractical. In such circumstances the purchase should be authorised by the Town Clerk and reported to and authorised by the Finance Committee and / or Full Council.</p>

APPROVED: 25 September 2023

Reviewed annually.



Penrith Town Council

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

RISK MANAGEMENT POLICY

Introduction

Risk Management is an essential feature of the Town Council's corporate governance arrangements. Risk Management applies to all areas of the Council's work and this Policy outlines the overarching approach to Risk Management. This Policy is supported by other approved policies, protocols and procedures.

Definition

Risk Management is the way that the Council responds to uncertainty in both the internal and external environment. Having a policy for risk management allows the Council to:

- a) Identify risks in the context of corporate objectives.
- b) Assess risks to determine and develop actions and controls to manage risks.
- c) Communicate with all stakeholders its process for identifying and managing risk.

Policy statement

Penrith Town Council recognises that it has a responsibility to manage risks, both internal and external, and is therefore committed to the implementation of a risk management policy to protect the Council.

The Town Council recognises that Risk management is an essential part of effective corporate governance, and that the Council has a statutory duty to have in place arrangements for managing risk as stated in the Account and Audit Regulations.

Assessing risk

The Accounts and Audit Regulations 2015 require smaller authorities, each financial year, to conduct a review of the effectiveness of the system of internal control and prepare an annual governance statement in accordance with proper practices in relation to accounts. Risk management is part of the review and when completing The Annual Governance Statement for the external auditor, the Council is confirming the following assertion:

"Assertion 5: Risk Management

We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required."

To warrant a positive response to this assertion, the Council needs to have the following arrangements in place:

- a) Identifying and assessing risks. The Council needs to identify, assess and record risks associated with actions and decisions it has taken or considered taking during the year that could have financial or reputational consequences.
- b) Addressing risks. Having identified, assessed and recorded the risks, the Council needs to address them by ensuring that appropriate measures are in place to mitigate and manage risk which will include the use of internal controls and insurance cover.

Risk assessment

Risk Assessment forms a key element as to how the Council assesses risk. The Council on an annual basis will review the following corporate risk assessments:

- Business Continuity
- Finance
- Fire
- Governance
- Information Technology and Website
- Lone Working
- Services and Assets

Furthermore, the Council reviews annually several of its key policies and procedures to identify and manage risk. These include:

- The annual review of the corporate health and safety policy.
- The annual review of corporate risk assessments.
- The annual review of the procurement policy.
- The annual review of the internal control policy.
- The annual review of the corporate financial regulations.

The Council maintains a documented Governance and Finance Schedule that it monitors and manages across the year.

Reviewing our risk

The risk assessment template used to prepare the corporate risk assessments is the Health and Safety Executive corporate template.

Risk Assessments are a continual process and whilst they are reviewed annually, they are live documents which form an essential part of service delivery.

Reporting of risks

The risk assessments and supporting policies are reviewed annually by the Finance Committee.

Persons responsible for the delivery and monitoring of this policy

Risk management is embedded in the everyday culture of the Council. The roles and responsibilities are set out below and are designed to ensure that risk is managed effectively:

Elected Members

Risk management is a key part of the Members role, where they lead on the monitoring, approval, review of the Risk Management Policy, Risk Assessments and associated policies.

Town Clerk

Is responsible for the oversight and management of the Council employees and the implementation of agreed policies. The Town Clerk will communicate with and provide advice to Elected Members on matters relating to Risk Management.

Services and Contracts Manager

Is responsible for Health and Safety Policy and the preparation and ongoing monitoring of the corporate risk assessments. This includes the inspection and monitoring of assets, the health and safety responsibilities for third party contractors and addressing the actions arising from the risk assessments.

Responsible Finance Officer

Is responsible for Section 151 of the Local Government Act 1972, the RFO manages the financial affairs of the Council, including reviewing the system of internal control and ensuring that the Council is adequately insured.

Employees

All employees have a duty responsibility to achieve a healthy and safe workplace, and to take reasonable care of themselves and others. Employees are required to report risk factors to managers and elected members as appropriate.

Internal Audit

Provides an important scrutiny role by carrying out audits to provide independent assurance to the Council that the necessary management systems are in place and that business risks are being managed effectively.

External Services

The Council has a range of external providers including external accountancy, IT and website support who manage, monitor and advise on risks as required. The Council will submit its accounts annually to the appointed external auditor.

Adopted: September 2019

Reviewed: Annually

Section 3 - External Auditor Report and Certificate 2023/24

In respect of

Penrith Town Council

1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>.

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2024; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors

2 External auditor limited assurance opinion 2023/24

On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with the Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

Other matters not affecting our opinion which we draw to the attention of the authority:

On review, the council's general reserves are higher than the generally accepted level for smaller authorities. General reserves are the level of reserves after adjusting for any earmarked or ringfenced funds. The council informed us that the build-up of reserves is because of an annual underspend against the budget. Per Paragraph 5.33 of JPAG Practitioners' Guide, better practice suggests that general reserves should cover at least 3 months of expenditure and anything greater than 12 months of expenditure is considered excessive. The council has assured that plans are in place to reduce the level of reserves.

3 External auditor certificate 2023/24

We certify/~~do not certify~~* that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2024.

*We do not certify completion because:

External Auditor Name

 MOORE

External Auditor Signature



Date

19/08/2024

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Section 1 – Annual Governance Statement 2023/24

We acknowledge as the members of:

Penrith Town Council

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2024, that:

	Agreed			'Yes' means that this authority:
	Yes	No*		
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓			prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓			made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓			has only done what it has the legal power to do and has complied with Proper Practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓			during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓			considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓			arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓			responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓			disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A	has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.
			✓	

***Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.**

This Annual Governance Statement was approved at a meeting of the authority on:

20/05/2024

and recorded as minute reference:

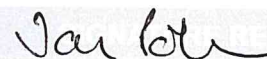
PTC24/146i

Signed by the Chair and Clerk of the meeting where approval was given:

Chair



Clerk



www.penrithtowncouncil.gov.uk

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Section 2 – Accounting Statements 2023/24 for

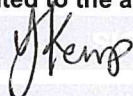
EN Penrith Town Council

	Year ending		Notes and guidance
	31 March 2023 £	31 March 2024 £	
1. Balances brought forward	627,945	685,679	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.
2. (+) Precept or Rates and Levies	455,209	468,295	Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.
3. (+) Total other receipts	22,165	45,103	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.
4. (-) Staff costs	260,395	327,790	Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.
5. (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).
6. (-) All other payments	159,245	154,651	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	685,679	716,636	Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).
8. Total value of cash and short term investments	697,223	722,493	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.
9. Total fixed assets plus long term investments and assets	181,919	172,004	The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.
10. Total borrowings	0	0	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).

For Local Councils Only	Yes	No	N/A	
11a. Disclosure note re Trust funds (including charitable)		✓		The Council, as a body corporate, acts as sole trustee and is responsible for managing Trust funds or assets.
11b. Disclosure note re Trust funds (including charitable)			✓	The figures in the accounting statements above exclude any Trust transactions.

I certify that for the year ended 31 March 2024 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval



SIGNATURE REQUIRED

Date

15/04/2024

I confirm that these Accounting Statements were approved by this authority on this date:

20/05/2024

as recorded in minute reference:

PTC24/14 Finance

Signed by Chair of the meeting where the Accounting Statements were approved



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REPORT TO FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 15

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.

Recommendations:

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 Knaggs. 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 an alleged failure to declare an interest in a planning application and to seek the views of others on that application. The alleged failure to declare an interest derived from the Councillor's attendance at a community liaison meeting hosted by a company in February 2024. Two planning applications submitted by that company were considered by the Town Council in May 2024. Councillor Knaggs was a member of the Planning Committee which considered the applications. The Planning Committee raised no objection to the applications.
- 1.3 The code of conduct was found to apply by the Deputy Monitoring Officer at the time of the events complained of. The fact that Councillor Knaggs may have attended a community liaison meeting did not mean that he had an interest in the two planning applications. Councillor Knaggs had no recorded disclosable pecuniary interest in either matter and none was alleged. He had no personal interest in either matter. It was adjudged that it was not in the public interest to investigate the matter further in the circumstances. No further action would be taken.
- 1.4 The Chair of the Standards and Governance Committee and the Independent Person, the consultees, concurred with the Deputy Monitoring Officer's decision.
- 1.5 It is recommended that the Town Council should consider the notification which it has received and consider any representations Councillor D Knaggs may make and note the decision which has been made by the Deputy Monitoring Officer.
- 1.6 Councillor D Knaggs has been provided with a draft of this report and may wish to comment upon 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 Knaggs 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 of 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 31st July 2024.

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FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 16

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 H Snell. 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 an alleged failure to declare an interest in a planning application and to seek the views of others on that application. The alleged failure to declare an interest derived from the Councillor's attendance at a community liaison meeting hosted by a company in February, 2024. Two planning applications submitted by that company were considered by the Town Council in May, 2024. Councillor Snell was a member of the Planning Committee which considered the applications. The Planning Committee raised no objection to the applications.
- 1.4 The code of conduct was found to apply by the Deputy Monitoring Officer at the time of the events complained of. The fact that Councillor Snell may have attended a community liaison meeting did not mean that she had an interest in the two planning applications. Councillor Snell had no recorded disclosable pecuniary interest in either matter and none was alleged. She had no personal interest in either matter. It was adjudged that it was not in the public interest to investigate the matter further in the circumstances. No further action would be taken. The complaint did not amount to a breach of the code of conduct.
- 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 H Snell may make and note the decision which has been made by the Deputy Monitoring Officer.
- 1.7 Councillor H Snell has been provided with a draft of this report and may wish to comment upon 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 H Snell 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 of 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 31st July, 2024.

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REPORT TO FULL COUNCIL

Date: 23 September 2024

Public Report

Item no: 17

Matter: Standing Orders

Author: Solicitor

Supporting Member: Cllr. Lawson, Chair of Council

Purpose of Report:

Consider proposed amendments to the Standing Orders.

Recommendations:

Approved the proposed amendments to the Standing Orders.

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

1.1 The Council has a timetable for the review of its policies. The Solicitor has reviewed the Standing Orders in the course of his work and made some proposed amendments. The Standing Orders including the proposed amendments are included in Appendix A to this report.

1.2 The proposed amendments are to:

Standing Order 14 relating to Code of Conduct Complaints

Standing Order 23 relating to the Sealing of Deeds

Standing Order 24 Communicating with Unitary Councillors

2. Options Analysis including risk assessment

a) Risk

Standing Orders are not up to date, correct and relevant.

b) Consequence

Council implementation of policy may not be in keeping with legislation and best practice.

c) Controls Required

Approve revised Standing Orders.

3. Financial and Resource Implications

There are no financial implications associated with this report.

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

Appendix A – Standing Orders 14, 23, 24 proposed amendments

Background Papers

None

Appendix A - Standing Orders

14. Code of Conduct Complaints

- a ~~Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.~~ Upon the receipt of a notification that the Monitoring Officer has received a complaint that a Town Councillor is alleged to be in breach of the Code of Conduct the Proper Officer shall respond to and deal with the notification as appropriate and in accordance with these standing orders.
- b Where the notification ~~in standing order 14(a)~~ relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c The ~~Council~~ Proper Officer may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- d Upon the receipt of a notification from the Monitoring Officer of a determination on any complaint under the Code of Conduct the Proper Officer shall report the fact to Council and if the determination is that ~~Upon notification by the District or Unitary Council that~~ a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.
- e The ~~Council~~ Proper Officer shall have the authority to:
- i. seek documentary and other evidence from the person or body with statutory responsibility for the investigation of the matter;
 - ii. seek and share information relevant to the complaint;
 - iii. Liaise with the Monitoring Officer throughout the procedure to ensure appropriate governance;
 - iv. Maintain accurate and confidential records.
 - v. Make recommendations to the Council based upon the investigations and agree appropriate resolutions to progress the matter.
 - vi. ~~There are no specific sanctions for breach of the code, so the Council can only exercise its powers under general law. The Council can make recommendations which may include:~~
 - ~~Publicise the breach~~
 - ~~Censure or reprimand the member~~
 - ~~Remove the member from committees (but not from the Council)~~
 - ~~Restrict the member's access to Council premises~~~~{Note: there is no power to suspend or disqualify a member, to require a member to undertake training or to require a member to apologise.}~~

The Council shall consider any recommendation of the Monitoring officer on any action which should be taken and may

- Publicise the breach
- Censure or reprimand the member
- Remove the member from committees but not from Council
- Restrict the member's access to Council premises
- Request that a member undertakes training and arrange for such training to take place
- Request that a member apologise to some person.

(The Council can only exercise whatever powers it may have under general law. There is no power to suspend or disqualify a member or require a member to undertake training or to apologise. However, the Council can require specific training to be undertaken by a member in order to serve on a committee where such training is relevant to such service.)

23. Execution and Sealing of **Legal** Deeds

See also standing orders 15(b)(xii) and (xvii).

- The legal** A deed shall not be executed on behalf of the Council unless authorised by a resolution.
- Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.
- The common seal of the Council will be kept in a safe place in the custody of the Town Clerk. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.
- ~~The common seal will be affixed to those documents which in the opinion of the Council's solicitor should be sealed. The affixing of the common seal will be attested by the Town Clerk or solicitor.~~
- An entry of every sealing of a document shall be made and consecutively numbered in an electronic register to be provided for the purpose and shall be signed by the person who has attested the seal.

24. Communicating with **District and County & Unitary** councillors

- An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the **District and County Council OR** Unitary Council representing the area of the Council.
- Unless the Council determines otherwise, a copy of each letter sent to the **District and County Council OR** Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.