



Penrith Town Council

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

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

DATE: 12 November 2024

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of **PENRITH TOWN COUNCIL** will be held on **18 November 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 18 NOVEMBER 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: 07 October and 04 November 2024
- ii. Communities Committee: 14 October 2024
- iii. Finance Committee: 11 November 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 23 September 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 item 15, staffing matters 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. Grants

Note the grants awarded and to consider a virement request of £5,000 from the Signature Events Grant Fund budget to the Grants Budget.

10. Finance Committee

Ratify items a) to e) following approved recommendations from the Council's Finance Committee from their meeting held on Monday 11 November 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.

a. Budgetary Control Statement

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

b. Policy Review

Ratify the following reviewed policies:

- i. Social Media
- ii. Data Management
- iii. Publication Scheme
- iv. Financial Regulations

c. Westmorland and Furness Council Surplus Assets

Ratify the recommendation of the Finance Committee to formally write to Westmorland and Furness Council expressing the Council's potential interest in acquiring some or all of the surplus assets listed in Penrith; and that the Council would like to be kept informed of the status of the assets as Westmorland and Furness Council implements its own Property Disposal Policy.

d. Support for Community Projects

Ratify the recommendations of the Finance Committee to:

- i. Approve a financial contribution of £15,000 to the Carleton Park Recreation Group to enable the Multi Use Games Area project at Carleton Park to proceed to tender and this be met from the Town Projects budget.
- ii. Approve a financial contribution of £8,000 to the Pategill Tenants and Residents Association to enable the children's play area refurbishment project to proceed to tender and this be met from the Town Projects budget.
- iii. Approve a virement of £23,000 from the General Reserve to the Town Projects budget.
- iv. Approve the establishment of an Earmarked Reserve of £67,000 for the term of this Council for the improvement of and creation of Play areas or Multi Use Games Areas in Penrith North, West, South and East Ward, including £7,000 for Pategill Ward.

e. Local Government Services Pay Agreement 2024-25

Note that the National Association of Local Councils (NALC) has informed member Councils of the new rates of pay applicable from 01 April 2024. With effect from the 01 April 2024 an increase of £1,290 (pro rata for part-time employees) will be paid as a permanent addition on all NJC pay points 2 to 43 inclusive, and an increase of 2.5% will be applied to all pay points above pay point 43. The new rates of pay and backdated increases will be paid to Council staff at the end of November. The 2024-25 approved budget provides fully for the new rates of pay.

11. May Day Event 2025

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

12. Place Action Group Terms of Reference

Consider a revision to the Penrith Place Action Group Terms of Reference.

13. Consultation

Consider a response to the Governments consultation for enabling remote attendance and proxy voting at local authority meetings.

14. Next Meeting

Note the next meeting of the Full Council is scheduled for **Monday 27 January 2025** at 6.00pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

PART II Private Section

15. Staffing Matters

Receive an oral update.

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

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DRAFT Minutes of the Ordinary Meeting of Penrith Town Council held on Monday 23 September 2024, at 6.00pm at Unit 2, Church House, Friargate, Penrith CA11 7XR.

FULL COUNCIL MEMBERSHIP

Cllr. Bowen	Pategill Ward	Cllr. Knaggs	East Ward
Cllr. Burgin	South Ward	Cllr. Lawson	Carleton Ward
Cllr. Davies	West 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		

Acting Town Clerk
Community Services Officer

**Draft MINUTES FOR THE
ORDINARY MEETING OF FULL COUNCIL
23 SEPTEMBER 2024**

PTC24/39 Apologies for Absence

Apologies for absence were received from Cllrs Donald and Kenyon.

PTC24/40 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: 29 July and 02 September 2024
- ii. Finance Committee: 16 September 2024

b. Confirmation of Full Council Minutes

Members were asked to authorise the Chair to sign, as a correct record, the minutes of the Full Council meeting held on Monday 15 July 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 Full Council meeting held on Monday 15 July 2024.

PTC24/41 Declaration of Interest and Requests for Dispensations

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

There were no declarations of interest and requests for dispensations.

PTC24/42 Public Participation

a) Public Representations

Members received no representations from members of the public.

b) Reports from Westmorland and Furness Councillors

There were no reports received from Westmorland and Furness Councillors.

PTC24/43 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:

A verbal report relating to staffing matters be considered as agenda item 19.

PTC24/44 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 attended the Penrith BID AGM, the 4Eden AGM, two arts and culture stakeholder group meetings, a meeting with the Penrith Air Training Corp and the 1st anniversary of Talkin' Tables.

Councillor Davies joined the meeting at 18.15.

PTC24/45 Reports from Members

Members received and noted the following oral reports from Councillors:

Cllr Snell reported that she is attending a meeting of Healthwatch Cumbria this coming week, which is focusing on women's health. She has attended the PERN Picnic at Castle Park and is talking with colleagues about a Penrith West Community Residents Association.

Cllr Holden reported that the Carleton Park Recreation Group is continuing to raise funds for the proposed Multi Use Games Area.

Cllr D. Jayson reported when undertaking a ward walk on the new streets, he was made aware of speeding vehicles and that he is liaising with the Westmorland and Furness Councillor for that area about the issue of speeding and the position regards 20mph speed limits.

Cllr Smith reported that he attended the Talkin' Tables event and has enrolled on an aspiring manager's course that he hopes will improve his role as a town councillor going forward.

Cllr B Jayson reported that she is talking with colleagues about a Penrith West Community Residents Association.

Cllr Bowen reported that she attended the first meeting of the Penrith Place Action Group.

Cllr Jackson reported that he is liaising on a scheme for new railings on Beacon Edge.

Cllr Knaggs reported that he is now an official director of Penrith BID and that he attended the recent AGM.

Cllr Shepherd reported that he had attended a meeting of the Penrith BID.

PTC24/46 Resolutions Report

Members noted the report.

PTC24/47 Review of Local Election Boundaries in Westmorland and Furness

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

RESOLVED THAT:

- i. The Council waits to respond to the second stage of public consultation on the electoral and boundary arrangements for Westmorland and Furness Council once the Local Government Boundary Commission for England presents its proposals in March 2025, and
- ii. The Council initially submits a request to the Local Government Boundary Commission for England to use clearer terminology in any future consultation material.

PTC24/48 Environment Task and Finish Group

Members received and considered the Environment Task and Finish Group draft final Environment Strategy and Plan.

RESOLVED THAT:

- i. The Environment Plan be approved.
- ii. The terms of reference for a new Climate and Environment Strategy Task and Finish Group be approved.
- iii. Cllrs Davies, Jackson, Snell, D. Jayson, Smith, Knaggs be represented on the Climate and Environment Strategy Task and Finish Group.
- iv. Cllr Lawson be represented as Chair on the Climate and Environment Strategy Task and Finish Group.

PTC24/49 Westmorland and Furness Council Local Plan Consultation – Response to 'Early Conversation'

Members received and considered the draft response prepared to Westmorland and Furness Councils Local Plan Consultation from the initial comments made by Councillors.

RESOLVED THAT:

- i. The response to Westmorland and Furness Councils Local Plan Consultation be approved with some agreed additions to the wording and submitted to Westmorland and Furness Council, and

PTC24/49 Westmorland and Furness Council Local Plan Consultation – Response to ‘Early Conversation’, continued

- ii. The Council sets out to Westmorland and Furness Council that its stated aims for having a revised local plan are insufficient without a supporting strategic regeneration plan for Penrith.

PTC24/50 May Day 2025

Members noted the report.

PTC24/51 Grants

Members noted the grants awarded during the current financial year.

PTC24/52 Matters from Finance Committee

Members considered the approved recommendations from the Council’s Finance Committee from their meeting held on Monday 16 September 2024. The Committee Chair had requested that these matters be brought to the Full Council for ratification:

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

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

RESOLVED THAT:

The budgetary control statement to 31 August 2024 be ratified.

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)

RESOLVED THAT:

The corporate risk assessments be ratified.

PTC24/52 Matters from Finance Committee, continued

c) Internal Audit 2024-25

Ratify the scope of Internal Audit for 2024-25

RESOLVED THAT:

The scope of Internal Audit for 2024-25 be ratified.

d) Policy Review

Ratify the following reviewed policies:

- i. Procurement Policy.

RESOLVED THAT:

The Procurement Policy be ratified.

- ii. Risk Management Policy.

RESOLVED THAT:

The Risk Management Policy be ratified.

e) External Audit

Members received and considered the external auditors report noting that the Council's external auditors, Moore, had 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.

Members noted 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 that the Finance Committee recommended to Council that a Councillor Budget Workshop be arranged as part of the 2025/26 budget process to identify schemes of work which may be funded from the General Reserve.

Members noted that 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.

RESOLVED THAT:

- i. The external auditors report be approved for the accounts ending 31 March 2024.
- ii. A budget workshop be arranged as part of the 2025/26 budget process to identify schemes of work which may be funded from the General Reserve.
- iii. Officers be thanked for their work to secure a positive external audit with no qualifications.

PTC24/53 Code of Conduct

Members received and considered a notification of a complaint made under the Members Code and Conduct from the Monitoring Officer at Westmorland and Furness Council.

RESOLVED THAT:

- i. The complaint made under the Members Code of Conduct was considered and noted.
- ii. Members noted that Cllr. Knaggs who is subject of the complaint has made no representations either prior to or at the meeting.
- iii. Members noted the decision of the Deputy Monitoring Officer that no further action should be taken on the complaint.

PTC24/54 Code of Conduct

Members received and considered a notification of a complaint made under the Members Code and Conduct from the Monitoring Officer at Westmorland and Furness Council.

RESOLVED THAT:

- i. The complaint made under the Members Code of Conduct was considered and noted.
- ii. Members noted that Cllr. Snell who is subject of the complaint has made no representations either prior to or at the meeting.
- iii. Members noted the decision of the Deputy Monitoring Officer that no further action should be taken on the complaint.

PTC24/55 Standing Orders

Members considered the reviewed Standing Orders.

RESOLVED THAT:

The amendments to the Standing Orders be approved.

PTC24/56 Next Meeting

Members noted the next meeting of Council was scheduled for Monday 18 November 2024 at 6.00pm, Unit 2, Church House, Friargate, Penrith.

PART II – PRIVATE SECTION

The following was exempt information as it related to the financial or business affairs of any particular person (including the authority holding that information) and personal and sensitive information relating to individual members of staff.

PTC24/57 Staffing Matter

Members received a verbal report on a staffing matter.

CHAIR:

DATE:

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

Access to Information

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

Background Papers

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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.	
Full Council, 23 September 2024		
PTC24/47	Submit feedback to Boundary Commission to use clearer terminology	
PTC24/48	Convene new Climate and Environment Strategy Task and Finish Group	
PTC24/49	Submit Local Plan Consultation response to Westmorland and Furness Council	
PTC24/52d	Publish revised Procurement and Risk Management Policy on Council website	
PTC24/52e	Publish External Audit Report with Section 1 and 2 of the AGAR on the Council website	
PTC24/55	Publish revised Standing Orders on the Council website	

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REPORT TO FULL COUNCIL

Date: 18 November 2024

Public Report

Item no: 09

Matter: Grants

Author: Acting Town Clerk

Supporting Member: Council Chair

Purpose of Report:

Note the grants awarded since the commencement of the 2024/25 financial year and to consider a virement request to the Grant Scheme budget.

Recommendations:

- i. Note the grants awarded since the last meeting of Council.
- ii. Approve a virement of £5,000 from the Signature Events Fund budget to the Grants Budget.

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.

Grants (Grant Scheme)

- d. Grant applications are considered providing sufficient funds remain in the budget i.e., the budget will be allocated on a "first come, first served" basis.
- e. Officers are responsible for receiving, reviewing, and awarding all grants.
- f. Officers have authority for expenditure and decide on applications without approval of a committee or Full Council assuming that there is no conflict of interest.
- g. On receipt of an application, it is scrutinised by Officers using the criteria within this Scheme and records are maintained.

- h. All the Council work is within the GDPR 2018 framework and respects the confidentiality of individuals, personal data, and sensitive personal data.

Signature Event Grants

- i. 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.
- j. The Council has resolved to support Eden Arts' Winter Drovng with a grant of £5,000 and Penrith BID's Penrith Christmas Sparkle with a grant of £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.
- k. The Penrith Lions Club had been awarded support for the term of this Council but have confirmed that they are no longer leading the organisation of the May Day Carnival and as such their approved grant has been withdrawn.

2. 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 an approved virement of £5,000 from the Signature Event Grants budget to the Grants budget at Council 15 July 2024.

Grants Budget - £25,000

During the current 2024-25 financial year the Council have supported nine funding applications from the Grants budget, totalling £23,154. Since the last meeting of Council one grant has been awarded. Euphoric Circus has been awarded a grant of £2,500 towards the costs of a programme of activity sessions for young people delivered in Penrith.

There remains an uncommitted balance of £1,846 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
Euphoric Circus	£2,500	Programme of activity sessions for young people delivered in Penrith
	£23,154	

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 for this financial year which is not going to be spent against an event.

This report recommends that Members consider and approve a virement of £5,000 from the Signature Events Grant budget to the Grant Scheme budget due to the grant scheme budget being almost fully committed and on the expectation of further applications.

3. 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.

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: 18 November 2024

Public Report

Matter: Budgetary Control Statement 2024-25, Expenditure to 31 October 2024

Item no: 08

Author: Responsible Finance Officer

Supporting Member: Cllr. Shepherd, Chair of Finance Committee

Purpose of Report:

Ratify the budgetary control statement for the seven month period to 31 October 2024.

Recommendations:

Ratify the budgetary control statement for the seven month period to 31 October 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 October 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 £313,386 exceeds the profiled budget of £302,387 by £10,999.

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

B.2 Planning Committee

Though there is at present an underspend of £3,744, this should reduce in the forthcoming months.

B.3 Communities Committee

Net spend of £58,131 is shown against the budget of £64,166, an underspending of £6,035.

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

B.4 Finance Committee

Net expenditure of £235,209 is shown against the budget of £261,920, an underspending of £26,711.

This underspend is expected to continue to reduce as the year progresses.

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

- The individual variances result in an underspending of £38,240 against the profiled total expenditure budget of £336,586. As there is £10,999 more income, there is a net variation of £49,239 on the profiled amount transferrable to the General Reserve.

B.6 Reserves

- The General Reserve is profiled to decrease by £34,199 in the period, it has actually increased by £15,040 to £522,271.
- The Devolution Reserve opened the year with a balance of £174,405, the amount of £14,622 transferrable into the Devolution Reserve is £4,522 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 October 2024. The following points may be noted:

- Investments with two organisations total £793,353, with the majority being held in the CCLA Public Sector Deposit Fund.
- The VAT Debtor of £1,990 represents October's transactions and have been reclaimed from HMRC.
- Prepayments of £9,745 include adjustments for insurance, office rent, IT support agreements, and licences and subscriptions.
- The Cash at Bank balance of £180,335 is held at HSBC.
- Accruals of £20,280 comprise of goods and services received by 31 October, but unpaid at that date.
- The Receipts in Advance figure represents income for the period 1 November 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 October 2024 was around £38,000 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 is being taken 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 seven Months Ended 31 October 2024.

Appendix B – Balance Sheet as at 31 October 2024.

Background Papers

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



Penrith Town Council

BUDGETARY CONTROL STATEMENT: SEVEN MONTHS ENDED 31 OCTOBER 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	284,512	284,512	0
7,642	7,642	CTRS Grant	4,458	4,458	0
		Other Income:			
36,126	23,000	Investment Income	13,417	24,416	10,999
512,063	518,377	TOTAL INCOME	302,387	313,386	10,999
		EXPENDITURE			
		PLANNING COMMITTEE:			
324	15,000	Planning Consultancy	8,750	5,006	3,744
324	15,000	Planning Committee Total	8,750	5,006	3,744
		COMMUNITIES COMMITTEE:			
3,000	15,000	Climate Change	8,750	1,459	7,291
20,259	30,000	Town Projects	17,500	13,323	4,177
4,327	10,000	Arts & Culture Development	5,833	4,135	1,698
		Grants:			
12,853	25,000	Grants	14,583	20,654	(6,071)
14,965	15,000	Signature Grants	8,750	10,000	(1,250)
27,818	40,000		23,333	30,654	(7,321)
8,551	15,000	Corporate Communications	8,750	8,560	190
63,955	110,000	Communities Committee Total	64,166	58,131	6,035

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	147,509	131,858	15,651
24,583	24,760	National Insurance	14,443	12,948	1,495
52,474	54,365	LG Pension Scheme	31,713	31,559	154
567	500	Recruitment Expenses	292	0	292
735	600	Staff Training	350	0	350
0	200	Conferences	117	0	117
64	500	Staff Expenses	292	0	292
329,156	333,798		194,716	176,365	18,351
		Accommodation:			
7,500	7,500	Rent	4,375	4,546	(171)
3,009	4,500	Heat, Light & Water	2,625	986	1,639
2,232	2,520	Service Charges	1,470	1,147	323
1,415	1,730	Room Hire & Meetings	1,009	1,127	(118)
390	380	Insurances	222	228	(6)
14,546	16,630		9,701	8,034	1,667
		Civic Functions:			
20	400	Civic Functions	233	416	(183)
700	700	Mayoral Expenses	408	0	408
300	300	Deputy Mayor's Expenses	175	0	175
486	200	Civic Regalia	117	0	117
1,506	1,600		933	416	517
		Cost of Democracy:			
30	100	Annual Meeting	100	65	35
0	0	Elections	0	0	0
536	1,000	Members' Training	583	347	236
0	100	Members' Expenses	58	0	58
102	200	Notice/Honours Board	117	0	117
668	1,400		858	412	446
22,375	22,000	IT	12,833	9,895	2,938
		Devolved Services:			
2,577	1,200	Allotments	513	(195)	708
1,290	100	War Memorial	58	76	(18)
2,968	2,000	Benches	1,167	215	952
1,161	3,500	Bus Shelters	2,042	251	1,791
884	1,750	Bandstand	1,021	1,809	(788)
434	800	Musgrave Monument	467	70	397
8,425	6,000	Fairhill Park	3,500	3,499	1
1,914	3,700	Thacka Beck Field	2,158	1,586	572
178	300	Signage, etc	175	21	154
8,902	10,000	Community Caretaker	5,833	5,080	753
17,611	16,994	Contribution to/(from) Devolution Reserve	10,100	14,622	(4,522)
46,344	46,344		27,034	27,034	0
		Other Overheads:			
3,169	3,700	Printing, Postage & Stationery	2,158	2,000	158
1,781	1,450	Audit Fees	846	1,041	(195)
3,418	4,680	Insurance	2,730	2,319	411
285	180	Bank Charges & Interest	105	59	46
4,310	4,100	Accountancy Fees	2,392	3,504	(1,112)
2,116	6,150	Legal & Professional Fees	3,588	1,243	2,345
1,488	1,400	Licences	817	1,016	(199)
3,171	3,500	Subscriptions	2,042	1,794	248
106	2,000	Repairs & Renewals	1,167	77	1,090
19,844	27,160		15,845	13,053	2,792
434,439	448,932	Finance Committee Total	261,920	235,209	26,711

Actual 2023-24	Approved Budget 2024-25	Heading	Budget to Date	Actual to Date	Favourable/ (Adverse) Variance
£ 0	£ 3,000	Contingency	£ 1,750	£ 0	£ 1,750
5,000	5,000	Transfer to/(from) Election Reserve	0	0	0
503,718	581,932	TOTAL EXPENDITURE	336,586	298,346	38,240
8,345	(63,555)	INCREASE/(DECR) IN GENERAL RESERVE	(34,199)	15,040	49,239
		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	(34,199)	15,040	49,239
507,231	415,975	Balance carried forward	445,331	522,271	76,940
		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	10,100	14,622	4,522
174,405	192,282	Balance carried forward	185,388	189,027	3,639
		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	665,719	746,298	80,579



Penrith Town Council

BALANCE SHEET AS AT 31OCTOBER 2024

	£	£
Investments		
Penrith Building Society	88,353	
CCLA Public Sector Deposit Account	<u>705,000</u>	
		793,353
Current Assets		
Debtors	4,139	
Debtor - VAT	1,990	
Prepayments	9,745	
HSBC Bank Account	<u>180,335</u>	
	196,209	
Current Liabilities		
Creditors	0	
Accruals	20,280	
Payroll Control	11,735	
Receipts in Advance	<u>211,249</u>	
	243,264	
Net Current Assets		(47,055)
		<u>746,298</u>
Represented by:		
Reserves		
General Reserve		522,271
Devolution Reserve		189,027
Election Reserve		35,000
		<u>746,298</u>

REPORT TO FULL COUNCIL

Date: 18 November 2024

Public Report

Item no: 10b

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. Social Media
- ii. Data Management
- iii. Publication Scheme
- iv. Financial Regulations

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 Social Media, Data Management, Publication Scheme and Financial Regulations.

Social Media

The Council has three social media policies which are Councillor Social Media, Staff Social Media and Press and Public Social media. The three Social Media policies were approved by Full Council, 23 January 2023, Minute PTC22/103 following an extensive review involving officers and Councillors. They were again reviewed and last approved at Full Council, 20 November 2023, Minute PTC23/90b where there were no changes made. The policies are to be reviewed annually and there are no recommended amendments to the existing policies.

Data Management Policies

The Council has several different data management policies which include:

- Information Protection Policy
- Information Security Incident Policy
- Removable Media Policy
- Passwords Policy

- Data Protection Policy
- Record Management and Retention Policy
- Privacy Policy

These policies underwent a thorough review in the autumn 2023 including a number of amendments that were approved by Full Council 20 November 2023, Minute PTC23/90b. The policies are subject to an annual review and it is not considered that there are any recommended amendments to the existing policies.

Publication Scheme

The Council's Publication Scheme is a guide to the information the Council publishes. It outlines how the information is accessible, in what form and whether a cost applies to obtain the information. The Freedom of Information Act requires that all public authorities produce a Publication Scheme. The Council's Publication Scheme is subject to an annual review and is attached as Appendix A to this report. There is a minor addition relating to charges.

Financial Regulations

The Council's Financial Regulations were reviewed in June 2024 as part of the annual review of the regulations. NALC have since informed councils of an updated version and that the 2024 regulations should be treated as a new document rather than a revision of the previous version as the new document is significantly revised and updated. The regulations approved in June reflect the old model. There are sections of the Financial Regulations that are bespoke to the Town Council which reflect the Councils' operations.

The Council's Procurement Policy is added to the Financial Regulations as an appendix (e) which has been amended to include the tender process that NALC removed from the model Financial Regulations.

For ease of reference Green marked text is either new or reordered Penrith Town Council text, any areas crossed through means duplication or no longer required as a newer paragraph covers the matter.

It is recommended that the Council adopts the new model Financial Regulations as attached at Appendix B.

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.

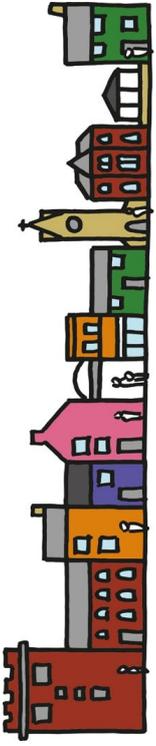
Appendices

Appendix A – Publication Scheme

Appendix B – Financial Regulations

Background Papers

[Penrith Council's Policies, Procedures, Protocols Directory \(penrithtowncouncil.gov.uk\)](http://penrithtowncouncil.gov.uk)



Penrith Town Council

PUBLICATION SCHEME

2024

PUBLICATION SCHEME INFORMATION THAT WE MAKE ROUTINELY AVAILABLE

As well as responding to requests for information, we are required to publish information proactively. The Freedom of Information Act requires every public authority to have a publication scheme, approved by the Information Commissioner's Office, and to publish information covered by the scheme.

The scheme means that we must make certain classes of information routinely available, such as policies and procedures, minutes of meetings, annual reports and financial information.

Visit our website: www.penrithtowncouncil.gov.uk to view all the information

Email us office@penrithtowncouncil.gov.uk and we will email you the information you request.

Call us on 01768 899 773 and we will send you a copy of the information by post.

Visit the Council Office at Unit 1, 19-24 Friargate and we will print a copy off for you.

Class1 - Who we are and what we do Organisational information, structures, locations and contacts. Current information only.		
Information to be published	How the information can be obtained	Cost
Who's who on the Council and its Committees	Website Email Hard copy – contact Clerk	Free Free 10p/sheet
Contact details for Town Clerk Council members:	Website Email Hard copy – contact Clerk	Free Free 10p/sheet
Location of main Council office and accessibility details	Website Email Hard copy – contact Clerk	Free Free 10p/sheet
Staffing structure	Website Email Hard copy – contact Clerk	Free Free 10p/sheet

Class 2 – What we spend and how we spend it		
Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit		
Information to be published	How the information can be obtained	Cost
Annual return form and report by auditor	Website Email Hard copy – contact Clerk	Free Free 10p/sheet
Finalised budget & Precept	Email Website Hard copy – contact Clerk	Free Free 10p/sheet
Standing Orders and Financial Regulations	Website Email Hard copy – contact Clerk	Free 10p/sheet
Grants given and received	Email Website Hard copy – contact Clerk	Free Free 10p/sheet
List of current contracts awarded and value of contract	Email Website Hard copy – contact Clerk	Free Free 10p/sheet
Members’ allowances and expenses	Hard copy – contact Clerk	10p/sheet

Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)		
Information to be published	How the information can be obtained	Cost
Council Priorities/Business Plan	Website Email Hard copy – contact Clerk	Free Free 10p/sheet
Annual Report to Town Meeting	Website Email Hard copy – contact Clerk	Free Free 10p/sheet
Quality Status	Website Email Hard copy – contact Clerk	Free Free 10p/sheet

Class 4 – How we make decisions Decision making processes and records of decisions. Current and previous council year as a minimum		
Information to be published	How the information can be obtained	Cost
Timetable of meetings	Website Email Hard copy – contact Clerk	Free Free 10p/sheet
Agenda of meetings	Website Email Noticeboard Hard copy – contact Clerk	Free Free Free 10p/sheet
Minutes of meetings excluding information that is properly regarded as private to the meeting.	Website Email Hard copy – contact Clerk	Free Free 10p/sheet
Reports presented to council meetings - excluding information that is properly regarded as private to the meeting.	Website Email Hard copy – contact Clerk	Free Free 10p/sheet
Responses to consultation papers	Email Hard copy – contact Clerk	Free 10p/sheet
Responses to planning applications	Website – planning committee minutes Hard copy – contact Clerk	Free Free 10p/sheet

Class 5 – Our policies and procedures Current written protocols, policies and procedures for delivering our services and responsibilities		
Information to be published	How the information can be obtained	Cost
<p>Policies and procedures for the conduct of council business:</p> <ul style="list-style-type: none"> • Standing Orders & Financial Regulations • Committee and sub-committee terms of reference • Code of Conduct • Delegated authority in respect of officers • Policy statements 	<p>Email Website Hard copy – contact Clerk</p>	<p>Free Free 10p/sheet</p>
<p>Policies and procedures for the provision of services and the employment of staff:</p> <ul style="list-style-type: none"> • Internal instructions to staff and policies relating to the delivery of services • Equality and diversity policy • Health and safety policy • Recruitment policies (including current vacancies) • Policies and procedures for handling requests for information • Complaints procedures (including those covering requests for information and operating the publication scheme) 	<p>Email Website Hard copy – contact Clerk</p>	<p>Free Free 10p/sheet</p>
<p>Information security policy & Data protection policies</p>	<p>Email Website Hard copy – contact Clerk</p>	<p>Free Free 10p/sheet</p>
<p>Records management policies (records retention, destruction and archive)</p>	<p>Email Website Hard copy – contact Clerk</p>	<p>Free Free 10p/sheet</p>

Class 6 – Lists and Registers Currently maintained lists and registers only		
Information to be published	How the information can be obtained	Cost
Assets Register	Inspection only – contact Clerk	
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	Inspection only – contact Clerk	
Register of members' interests	Email Website Westmorland and Furness Council website Hard copy – contact Clerk	Free Free Free 10p/sheet
Register of gifts and hospitality	Inspection only – contact Clerk	

Class 7 – The services we offer Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses
Current information only

Information to be published	How the information can be obtained	Cost
Allotments	Email Website Hard copy – contact Clerk	Free Free 10p/sheet
Parks, playing fields and recreational facilities	Email Website Hard copy – contact Clerk	Free Free 10p/sheet
Seating, litter bins, clocks, memorials and lighting	Email Website Hard copy – contact Clerk	Free Free 10p/sheet
Bus shelters	Email Website Hard copy – contact Clerk	Free Free 10p/sheet
Agency agreements	Email Website Hard copy – contact Clerk	Free Free 10p/sheet

SCHEDULE OF CHARGES

Unless a statutory fee applies, most information will be provided free of charge. For instance, information available on the council's website can be downloaded free of charge.

However, on some occasions it is necessary to charge a fee:

- Photocopying @ 10p per sheet (black & white) - Actual cost
- Postage -Actual cost of Royal Mail 2nd class

If there is a charge for disbursement e.g. photocopying or postage in order to provide information, we will inform applicants as soon as possible to see if they wish to proceed; however such charges will usually be waived if they amount to less than £10.00.

The Council will not comply with a request where it will exceed the appropriate limit set out by The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

ADOPTED: 2015
REVIEWED: 2024

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Penrith Town Council

Financial Regulations

2024-2025

1. General

1.1 These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. Financial regulations are one of the Council's three governing policy documents providing procedural guidance for Councillors and officers. Financial regulations must be observed in conjunction with the Council's Standing Orders and any individual financial regulations relating to contracts.

1.2 Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of Councillor into disrepute.

1.3 Wilful breach of these regulations by an employee may result in disciplinary proceedings.

1.4 In these Financial Regulations:

- 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
- "Approve" refers to an online action, allowing an electronic transaction to take place.
- "Authorise" refers to a decision by the Council, or a committee or an officer, to allow something to happen.
- 'Proper practices' means those set out in The Practitioners' Guide
- Practitioners' Guide refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
- 'Must' and bold text refer to a statutory obligation the Council cannot change.
- 'Shall' refers to a non-statutory instruction by the Council to its members and staff.

1.5 The Responsible Financial Officer (RFO) holds a statutory office, appointed by the Council who:

- Acts under the policy direction of the Council.
- Administers the Council's financial affairs in accordance with all Acts, Regulations, and proper practices.
- Determines on behalf of the Council its accounting records and control systems.
- Ensures the accounting control systems are observed.
- Ensures the accounting records are kept up to date.
- Seeks economy, efficiency, and effectiveness in the use of Council resources.

- Produces financial management information as required by the Council.

1.6 The Council must not delegate any decision regarding:

- **Setting the final budget or the precept (Council tax requirement).**
- **The outcome of a review of the effectiveness of its internal controls.**
- **Approving accounting statements.**
- **Approving an annual governance statement.**
- **Borrowing.**
- **Declaring eligibility for the General Power of Competence.**
- **Addressing recommendations from the internal or external auditors**

1.7 In addition, the Council shall:

- Determine and regularly review the bank mandate for all Council bank accounts.
- Authorise any grant or single commitment in excess of £5,000.

2. Risk management and internal control

2.1 The Council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.

The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.

2.2 The Services and Contracts Manager with the RFO shall prepare, for approval by [the Council], a risk management policy covering all activities of the Council. This policy and consequential risk management arrangements shall be reviewed by the Council at least annually.

2.3 When considering any new activity, the Clerk, and/or the Services and Contracts Manager with the RFO shall prepare a draft risk assessment including risk management proposals for consideration by the Council.

2.4 At least once a year, the Council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.

2.5 The Council's accounting control systems must include measures **The accounting control systems determined by the RFO must include measures to:**

- a. **Ensure that risk is appropriately managed.**
- b. **Ensure the prompt, accurate recording of financial transactions.**
- c. **Prevent and detect inaccuracy or fraud.**
- d. **Allow the reconstitution of any lost records.**
- e. **Identifying the duties of officers dealing with transactions.**
- f. **Ensure division of responsibilities.**

These financial regulations demonstrate how the Council meets these responsibilities and requirements.

2.6 At least once in each quarter, and at each financial year end, a member other than the Council Chair shall be appointed to verify bank reconciliations for all accounts produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this. This activity, including any exceptions, shall be reported to, and noted by the Finance Committee and ratified by Full Council. The approval of the reconciliations shall be recorded in the minutes of the meeting.

2.7 Regular back-up copies shall be made of the records on any Council computer and stored either online or in a separate location from the computer. The Council shall put measures in place to ensure that the ability to access any Council computer is not lost if an employee leaves or is incapacitated for any reason.

~~At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings. Councillors are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.~~

2.8 The RFO assisted by the external accountants:

- Acts under the policy direction of the Council.
- Administers the Council's financial affairs in accordance with all acts, regulations, and proper practices.
- Determines on behalf of the Council its accounting records and accounting control systems.
- Ensures the accounting control systems are observed.
- Maintains the accounting records of the Council up to date in accordance with proper practices.
- Assists the Council to secure economy, efficiency, and effectiveness in the use of its resources.

- Produces financial management information as required by the Council.

3. Accounts and audit

- 3.1 The Responsible Financial Officer (RFO) holds a statutory office and is appointed by the Council. All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

The Council employs external accountants who are responsible for processing payroll and making all payments for the Council, together with hosting the Council's accounting software. These Regulations shall apply equally to the accountants.

- 3.2 **The accounting records determined by the RFO must be sufficient to explain the Council's transactions and to disclose its financial position with reasonably accuracy at any time. In particular, they must contain:**

- **Day-to-day entries of all sums of money received and expended by the Council and the matters to which they relate.**
- **A record of the assets and liabilities of the Council.**

- 3.3 The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return. The accounting control systems determined by the RFO shall include:

- Procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible.
- Procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records.
- Identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions (separation of duties).

The accounting records shall, in particular, contain:

- Entries from day to day of all sums of money received and expended by the Council and the details relating to those transactions.
- A record of the assets and liabilities of the Council.
- Wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant, or subsidy

3.4 The RFO shall complete and certify the annual Accounting Statements of the Council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the Council, within the timescales required by the Accounts and Audit Regulations.

3.5 The Council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.

3.6 Any officer or member of the Council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit and shall, as directed by the Council, supply the RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary.

~~The accounting records determined by the RFO shall be sufficient to show and explain the Council's transactions and to enable RFO to prepare all required financial information in accordance with the Accounts and Audit Regulations and proper practice.~~

3.7 The internal auditor shall be appointed by the Council and shall conduct their work to evaluate the effectiveness of the Council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.

3.8 The Council shall ensure that the internal auditor:

- Is competent and independent of the financial operations of the Council.
- Reports to Council in writing, or in person, on a regular basis with a minimum of one written report during each financial year.
- Can demonstrate competence, objectivity, and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships.
- Has no involvement in the management or control of the Council.

3.9 Internal or external auditors may not under any circumstances:

- Perform any operational duties for the Council.
- Initiate or approve accounting transactions.
- Provide financial, legal, or other advice including in relation to any future transactions.
- Direct the activities of any Council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

3.10 For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.

3.11 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

3.12 The RFO shall, without undue delay, bring to the attention of all Councillors any correspondence or report from internal or external auditors. Where the internal auditor identifies any issue or irregularity which cannot be explained satisfactorily, he/she shall have direct access to the Chair of the Council to raise and discuss the matter.

4. Budget and precept

4.1 **Before setting a precept, the Council shall calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**

4.2 Budgets for salaries and wages, including employer contributions shall be reviewed by the Council at least annually in November for the following financial year and the final version shall be evidenced by a hard copy schedule signed the Chair of the Council. The RFO will inform committees of any salary implications before they consider their draft their budgets.

4.3 No later than December each year, the RFO shall prepare a draft budget with detailed estimates of all receipts and payments/income and expenditure for the following financial year along with a forecast for the following four financial years, taking account of the lifespan of assets and cost implications of repair or replacement.

4.4 Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward (by placing them in an earmarked reserve) with the formal approval of the Town Clerk. Transfers to and from earmarked reserves shall be approved by Council in accordance with its Reserves Policy.

4.5 Each Committee shall review its medium-term financial forecast of income and expenditure. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the Council not later than the end of November each year, including any proposals for revising the forecast.

4.6 The draft budget with any committee proposals and three-year forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the Finance Committee and a recommendation made to Full Council. The Council shall consider annual budget proposals in the context of the Council's medium-term

financial forecast, including recommendations for the use of reserves and sources of funding, and update the forecast accordingly.

- 4.7 Having considered the proposed budget and three-year forecast, the Council shall determine its Council tax budget requirement by setting a budget. The Council shall set a precept for this amount no later than the end of January for the ensuing financial year.
- 4.8 **Any member with Council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must and must disclose at the start of the meeting that Section 106 applies to them.**
- 4.9 The RFO shall issue the precept to the billing authority no later than the end of February and supply each member with a copy of the agreed annual budget.
- 4.10 The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned. As part of the budget process, the Council shall approve a Reserves Policy which sets out the purpose and financial limits for each of its financial reserves.
- 4.11 Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the Council.
- 4.12 In setting the budget, the Council shall have regard to the opinion of the RFO concerning the robustness of estimates and the adequacy of reserves.
- 4.13 ~~The RFO shall issue the precept to the billing authority and shall supply each Councillor with a copy of the approved annual budget via the relevant agenda. The approved annual budget shall form the basis of financial control for the ensuing year, subject to any amendments authorised by Council.~~

5. Procurement

- 5.1 **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.
- 5.2 The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3 Every contract shall comply with these the Council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4 **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation ("the**

Legislation”), must be followed in respect of the tendering, award, and notification of that contract.

- 5.5 Where the estimated value is below the Government threshold, the Council shall (with the exception of items listed in paragraph 6.12) obtain prices as follows:
- 5.6 For contracts estimated to exceed £15,001 including VAT, the Clerk shall seek formal tenders from at least three suppliers agreed by the Council OR advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with the Councils Procurement Policy.
- 5.7 **For contracts estimated to be over £30,000 including VAT, the Council must comply with any requirements of the Legislation regarding the advertising of contract opportunities and the publication of notices about the award of contracts.**
- 5.8 For contracts greater than £3,000 excluding VAT officers shall seek at least 3 fixed-price quotes.
- 5.9 Where the value is between £500 and £3,000 excluding VAT, officers shall try to obtain 3 estimates or quotes which might include evidence of online prices, or recent prices from regular suppliers.
- 5.10 For smaller purchases, officers shall seek to achieve value for money.
- 5.11 **Contracts must not be split into smaller lots to avoid compliance with these rules.**
- 5.12 The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
- Specialist services, such as legal professionals acting in disputes.
 - Repairs to, or parts for, existing machinery or equipment.
 - Works, goods, or services that constitute an extension of an existing contract.
 - Goods or services that are only available from one supplier or are sold at a fixed price.
- 5.13 When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the Council or relevant committee. Avoidance of competition is not a valid reason.
- 5.14 The Council shall not be obliged to accept the lowest or any tender, quote, or estimate.
- 5.15 Individual purchases within an agreed budget for that type of expenditure are appended at A: Scheme of Delegation - Responsibility for Spending & Signatories.
- 5.16 No individual member, or informal group of members may issue an official order unless instructed to do so in advance by a resolution of the Council or make any contract on behalf of the Council.

5.17 No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the Council or a duly delegated committee acting within its Terms of Reference except in an emergency. Any report or proposal to a Committee or Council that would result in expenditure exceeding the appropriate budget shall not be considered until it has been reviewed by the RFO and their comments considered in making the decision on the proposal.

5.18 In cases of serious risk to the delivery of Council services or to public safety on Council premises, the Clerk may authorise expenditure of up to £25,000 excluding VAT on repair, replacement, or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Town Clerk may authorise revenue expenditure on behalf of the Council which, in the Clerk's judgement, is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the authority, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with. For the purposes of this paragraph, the circumstances invoked to justify extreme urgency must not in any event be attributable to the Council. The Clerk shall report such action to the Chair as soon as possible and to the Council as soon as practicable thereafter. The Town Clerk shall record such expenditure within the payments schedule and, where there is no budgetary provision for the expenditure, report the expenditure and its purpose in writing to the Council as soon as practicable thereafter.

5.19 No expenditure shall be authorised, no contract entered into, or tender accepted in relation to any major project, unless the Council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

5.20 An official order or letter shall be issued for all work, goods, and services above £1000 excluding VAT unless a formal contract is to be prepared, or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.

5.21 During the budget year, the RFO, having considered fully the implications, a supplementary estimate may be allocated from any unspent and available budgets which may be transferred to other budget headings ('virement'); however, no virement shall be permitted from salaries budgets. All proposed budget virements exceeding £25,000 to or from reserves will be reported to Finance Committee for approval and ratified by Full Council.

5.22 The RFO shall regularly provide the Council and Committees with a statement of expenditure and income for the financial year to date against each head of the budget, comparing actual expenditure to the appropriate date against the expected proportion of the budget. Statements are to be prepared at least quarterly and shall show explanations of material variances from budget.

6. Banking and payments

- 6.1 The Council's banking arrangements, including the bank mandate, shall be made by the RFO, and approved by the Council. Banking arrangements may not be delegated to a committee. The arrangements shall be regularly reviewed for security and efficiency.
- 6.2 The Council will make safe and efficient arrangements for the making of its payments. The RFO and Services and Contracts Manager, Town Clerk and Deputy Town Clerk shall have delegated authority to process payments in respect of all authorised items of expenditure as and when, and on a timely basis, to ensure that all invoices are paid in accordance with terms as far as is practicable.
- 6.3 All invoices for payment shall be examined, verified, and certified for arithmetical accuracy by the relevant budget holder in accordance with the Scheme of Delegation of Financial Responsibility to Spending Officers, or the RFO as appropriate, and to confirm that the work, goods or services to which each invoice relates has been received.
- 6.4 Personal payments (including salaries, wages, expenses, and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.
- 6.5 The RFO and Services and Contracts Manager and/or Town Clerk shall:
- Have delegated authority to process all payments via the external accountants in respect of all authorised items of expenditure as and when, and on a timely basis, to ensure that all invoices are paid in accordance with terms as far as is practicable.
 - In exceptional circumstances where payment is required by cheque, these shall be signed by the RFO, Services and Contracts Manager and/or Town Clerk and in the absence of one, by the Deputy Town Clerk or a pre-approved designated Councillor.
 - Any transfer of monies between bank accounts shall be made by any combination of two officers of the Council -the RFO, Services and Contracts Manager, the Town Clerk, the Deputy Town Clerk and in the absence of one, by a designated Councillor pre-approved by the Full Council.
- 6.6 The RFO or Services and Contracts Manager shall post invoices to the appropriate expenditure heading in the general ledger following approved by the RFO or Town Clerk. The RFO shall present a schedule of payments requiring verification, forming part of the agenda for the meeting, together with the relevant invoices, to the or Finance Committee. The committee shall review the schedule for compliance. The approved schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments is published on the Councils website.

6.7 Up to four officers of the Council and four Members of the Council will be approved account signatories with any combination of 2 people authorised to sign.

7. Electronic payments

7.1 Where internet banking arrangements are made with any bank, the external accountant shall be appointed as the Service Administrator.

7.2 The RFO and Services and Contracts Manager can view only online Council bank accounts.

7.3 No employee or Councillor shall disclose any PIN or password, relevant to the Council or its banking, to anyone not authorised in writing by the Council or a duly delegated committee.

7.4 The Service Administrator shall set up all items due for payment online. A list of authorised payments authored by the Services and Contracts Manager and verified by the RFO, together with copies of the relevant invoices, shall be sent by email to the Service Administrator.

7.5 In the prolonged absence of the Service Administrator, the external accountants will arrange business continuity to ensure payments paid on time.

7.6 Two members of the Finance Committee will verify payment details against the invoices before the Finance Committee and sign to confirm the verification process has taken place.

7.7 A full list of all payments made in a month shall be provided to the next Finance Committee meeting and appended to the minutes.

7.8 With the approval of the Finance Committee in each case, regular payments (such as rent, Non-Domestic Rates, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed/approved online by two authorised signatories. The approval of the use of each variable direct debit shall be reviewed by the Finance Committee at least every two years.

7.9 Payment may be made by BACS or CHAPS by resolution of [the Council] provided that each payment is approved by [two authorised bank signatories], evidence is retained, and any payments are reported to [the Council] at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Council as required.

7.10 Regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed by two authorised signatories' evidence of this is retained and any payments are reported to Council when made. The approval of the use of a banker's standing order shall be reviewed by the Finance Committee at least every two years.

7.11 Account details for suppliers may only be changed upon written notification by the supplier verified by the Clerk and the RFO. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every two years.

7.12 Members and officers shall ensure that any computer used for the Council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

8. Cheque payments

- 8.1 Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two members.
- 8.2 A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.
- 8.3 To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.
- 8.4 Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a Council or committee meeting. Any signatures obtained away from Council meetings shall be reported to the Finance Committee at the next convenient meeting.

9. Payment cards

- 9.1 Any Debit Card issued for use will be specifically restricted to the Clerk, the RFO, Services and Contracts Manager and Deputy Town Clerk and will also be restricted to an agreed single transaction maximum value.
- 9.2 A pre-paid debit card may be issued to employees with varying limits. These limits will be set by [the Council]. Transactions and purchases made will be reported to [the Council] and authority for topping-up shall be at the discretion of [the Council].
- 9.3 Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the Clerk and the Services and Contracts Manager and any balance shall be paid in full each month.
- 9.4 Personal credit or debit cards of members or staff shall not be used except for expenses of up to £250 including VAT, incurred in accordance with Council policy.
- 9.5 The use of payment cards is appended to this policy at A.

10. Petty Cash

- 10.1 The Council will not maintain any form of cash float.

11. Payment of salaries and allowances

- 11.1 **As an employer, the Council must make arrangements to comply with the statutory requirements of PAYE legislation.**
- 11.2 **Councillors' allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**

- 11.3 Salary rates shall be agreed by the Council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the Council or Finance Committee. All salaries shall be calculated in accordance with payroll records and the rules of PAYE and National Insurance currently operating.
- 11.4 Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts provided that each payment is reported to the next available Council meeting.
- 11.5 Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.
- 11.6 Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a confidential record, with the total of such payments each calendar month reported in the cashbook. This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- By any Councillor who can demonstrate a need to know.
 - By the internal auditor.
 - By the external auditor or
 - By any person authorised under the Local Audit and Accountability Act 2014 or any superseding legislation.
- 11.7 The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have been paid.
- 11.8 The Council's external accountants shall, on instructions from the Town Clerk, calculate, record, and pay all salaries and related costs for Council officers. The accountants shall deal with all relevant correspondence and complete all required forms relating to the Council's payroll and pensions. Payroll reports will be reviewed by the Finance Committee to ensure that the correct payments have been made.
- 11.9 Any termination payments shall be supported by a report to the Council, setting out a clear business case. Termination payments shall only be authorised by the full Council.
- 11.10 Before employing interim staff, the Council must consider a full business case.

12. Loans and investments

- 12.1 Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the Full**

Council and recorded in the minutes. All borrowing shall be in the name of the Council, after obtaining any necessary approval.

- 12.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) shall be subject to approval by the Full Council. In each case a report in writing shall be provided to Council in respect of value for money for the proposed transaction.
- 12.3 The Council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices, and guidance. Any Strategy and Policy shall be reviewed by the Council at least annually during the annual budget process.
- 12.4 All loans and investments shall be negotiated and recorded in the name of the Council and shall be for a set period in accordance with Council policy. Investment decisions made for cash flow purposes shall be determined by the Finance Committee following advice from the RFO, and subsequently reported to Full Council. Authorised signatories for the management of investment accounts shall be determined in the same manner as those for the Council's bank accounts.
- 12.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 12.6 Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.
- 13. Income**
- 13.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 13.2 The Council will review all fees and charges at least annually. Fees and charges to be made for work done, services rendered, or goods supplied shall be reviewed and agreed annually by Full Council, following a report by the Services and Contracts Manager. Charges shall be notified to the RFO and the RFO shall be responsible for the collection of accounts due to the Council.
- 13.3 Any sums found to be irrecoverable, and any bad debts shall be reported to the Council by the RFO and shall be written off in the year. The Council's approval shall be shown in the accounting records.
- 13.4 All sums received on behalf of the Council shall be deposited intact with the Council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.
- 13.5 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 13.6 The RFO shall ensure that VAT is correctly recorded in the Council's accounting software promptly and complete any claim for the refund of

VAT that is required. Such repayment claims, due in accordance with VAT Act 1994 section 33, shall be made at least quarterly, including the financial year end.

13.7 Particulars of all charges to be made for work done, services rendered, or goods supplied shall be agreed annually by the Council, notified to the RFO, who shall be responsible for the collection of all accounts due to the Council.

13.8 The Council shall not accept the receipt of sums of cash more than **£250**, nor smaller amounts which have been disaggregated to avoid this limit.

~~Where any significant sums of cash are regularly received by the Council, the RFO shall determine the steps and reasonable measures to determine the procedures that are adopted when the cash is counted in the first instance, that there is a reconciliation to some form of control, and that appropriate care is taken in the security and safety of individuals banking such cash.~~

14. Payments under contracts for building or other construction works

14.1 ~~Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.~~

14.2 Any variation of addition to or omission from a contract must be authorised by the Clerk or Services and Contracts Manager to the contractor in writing, with the Council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

14.3 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to the retention of any percentage withheld as may be agreed in the particular contract).

15. Stores and equipment

15.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment appropriate to their section.

15.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

15.3 Stocks shall be kept at the minimum levels consistent with operational requirements.

15.4 The Services and Contracts Manager shall be responsible for periodic checks of stocks and stores at least annually.

16. Assets, properties, and estates

- 16.1 The Council's solicitor shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council.
- 16.2 The Council's solicitor and RFO shall ensure **that an appropriate and accurate Register of Assets and Investments is kept up to date** of all properties held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 16.3 The continued existence of tangible assets shown in the Register shall be verified at least annually, in conjunction with a health and safety inspection of assets.
- 16.4** No real property (interests in land) shall be purchased or acquired without the authority of the full Council. In each case a Report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate **where required by law**).
- 16.5 No tangible moveable property shall be purchased or otherwise acquired, sold, leased, or otherwise disposed of, without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £25,000.

17. Insurance

- 16.1 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the Council's review of risk management. The Town Clerk/Services & Contracts Manager/RFO shall ensure that all assets for which they are responsible are protected against loss or damaged, maintained appropriately and subject to periodic safety inspections.
- 16.2 The Clerk and officers shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 16.3 The RFO shall be notified of any loss, liability, damage, or event likely to lead to a claim, and shall report these to the Council at the next available meeting. The RFO/Services and Contracts Manager shall negotiate all claims on the Council's insurers in consultation with the Clerk.
- 16.4 All appropriate members and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the Council, following advice from the RFO.

17 Suspension and revision of Financial Regulations

- 17.1 The Council shall review these Financial Regulations annually and following any change of clerk or RFO. The Clerk and RFO shall monitor changes in legislation or proper practices and advise the Council of any need to amend these Financial Regulations. It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these Financial Regulations.
- 17.2 The Council may, by resolution duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the Council to act unlawfully. The Council may, by formal proposal of a resolution, duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all Councillors.
- 17.3 The Council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions, or other exceptional circumstances.

APPENDICES: ~~2023-2024~~ Policies of financial governance

- A: Scheme of Delegation – Authority to spend and signatories
- B. Debit and Credit Card Policy
- C. Reserves Policy
- D. Investments Policy
- E Procurement Policy

ADOPTED: 2015

REVIEWED: ANNUALLY

AMENDED: 2024



Penrith Town Council

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APPENDIX A

Scheme of Delegation of Financial Responsibility for Spending & Signatories

This Council delegates spending responsibilities to certain officers, and with certain limits. This list has recently been reviewed and is as follows:

Officer	Limit
Town Clerk Account signatory	Any expenditure that is within the budgets approved by Full Council
Responsible Finance Officer Account signatory	Any expenditure that is within the budgets approved by Full Council
Services & Contracts Manager Account signatory	Any expenditure that is within the budgets approved by Full Council
Solicitor	Any expenditure that is within the budgets approved by Full Council
Deputy Town Clerk Account signatory	Any expenditure that is within the budgets approved by Full Council
Community Services Officer	Any expenditure that is within the budgets approved by Full Council
Economic Development Officer	Any expenditure that is within the budgets approved by Full Council
Sustainability Officer	Any expenditure that is within the budgets approved by Full Council

Where an authorisation would result in an individual budget being overspent then the necessary virement should be approved and actioned before authorisation takes place by the RFO and Town Clerk.

1. It is an expressed requirement of this Protocol that all Officers abide by the following:
 - a) Standing Orders
 - b) Financial Regulations.
 - c) Procurement Strategy particularly in respect of the threshold figures for seeking quotations.
 - d) Any expenditure must be authorised from an approved budget.
 - e) Any leasing of equipment can only be entered into with the specific approval of the Responsible Financial Officer or the Town Clerk.

2. Any breach of any aspect of this Protocol will lead to action under the Disciplinary Procedure.

ADOPTED:2015

REVIEW FREQUENCY: ANNUALLY

AMENDED AND APPROVED:2024

DRAFT



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APPENDIX B

Debit And Credit Card Policy

Wherever possible an order should be made and paid for with an invoice. However, it is recognised that this may not always be the most efficient option in relation to low value spend and so, the use of debit and cards is permitted but must only be used to acquire goods and services for approved Council business.

This policy is intended to provide detailed guidance and assistance in obtaining and using Penrith Town Council debit and credit cards and describes the responsibilities and restrictions which cardholders must accept before being provided with any such card.

Any attempt by the cardholder to make changes to the Council's terms and conditions of the card or the associated bank account will be treated as a disciplinary offence.

1. Obtaining Cards

- a) All cards are issued for the sole purpose of facilitating the conducting of Council business that cannot be paid for by invoice.
- b) Debit and credit cards must only be used by the authorised signatory named on the card and must not be used by any other person.

2. Use of Cards

- a) Cards can be used for on-line and point of sale transactions in accordance with this policy document, within the pre-defined limits of the accounts.
- b) A receipt must be obtained and provided, together with an expense sheet, to the Town Clerk.
- c) The cardholder must ensure that the correct amount is received at the point of receipt and register any discrepancies with the bank/store immediately, or the following working day if out of normal business hours.
- d) If any purchase contains any charges for VAT, a proper VAT receipt or invoice should be obtained.

- e) Transactions and supporting documents (such as receipts) must be kept for a period of six years plus the current financial year by the relevant department for audit and HMRC purposes.
- f) Payments made via debit card are limited to the cleared funds available in the pre-paid account.

3. Reconciliation and Inspection

- a) All debit card transactions will appear on the bank account's bank statement, the receipts/invoices obtained must be reconciled to the statement, monthly as a minimum.
- b) All credit card transactions will appear on the credit card account statement, the receipts/invoices obtained must be reconciled to the statement, on a monthly basis as a minimum.
- c) All receipts and the reconciliation schedule must be checked and authorised by the RFO, Services and Contracts Manager, and Town Clerk. A segregation of duties by a minimum of two persons must be maintained at all times.

4. Restrictions

- a) Debit and credit cards must not be used for any non-Council business or personal expenses.
- b) Only secure sites should be used to make purchases via the internet with a web address beginning HTTPS.
- c) The only person authorised to use the card is the cardholder. Card details are NOT to be retained by an online website.
- d) The cardholder shall not make any attempt to change the terms and conditions on which the card is held.
- e) The cardholder must not share any account details or passwords in respect of transactions with anyone else.

5. Security

- a) The card will only ever be used by the person named on the card.
- b) It is the personal responsibility of the card holder to ensure the card is kept secure at all times and cannot be accessed by any other persons. Reasonable steps should be taken to ensure the card details cannot be viewed or overheard by any other persons.
- c) Passwords or other details relating to the debit card or cardholder must not be written down.
- d) Debit cards details must not be stored where others may have access to them.
- e) It is recommended for security reasons that wherever possible transactions are processed by the cardholder being physically present at the point of sale.
- f) The card's Security PIN number must be kept secure and not disclosed to anyone else, under any circumstances.

- g) The bank must be notified immediately if the card is lost or stolen, or fraudulent use is suspected.
- h) The cardholder will surrender their card to the Town Clerk when the cardholder leaves the employment of the Council, or if circumstances change so that a card is no longer required. The card should then be destroyed by the Town Clerk and the provider notified.
- i) Staff will be held personally liable for any transactions processed through the card until the time when the card is physically surrendered.
- j) If the cardholder misuses the card or fraudulently uses the card or knowingly permits any other person to use the card, this will result in disciplinary action being taken against the cardholder.

ADOPTED:2023

REVIEWED: ANNUALLY

AMENDED AND APPROVED :2024

DRAFT



Penrith Town Council

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

APPENDIX C

Reserves Policy

PURPOSE

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

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

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

1. GENERAL RESERVE

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

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

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

annually, taking account of the impact on council taxpayers and the availability of earmarked reserves.

2. EARMARKED RESERVES

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

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

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

3. ESTABLISHMENT AND USE OF RESERVES

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

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

ADOPTED:2015

REVIEW FREQUENCY: ANNUALLY

AMENDED AND APPROVED:2024

CURRENT RESERVES

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

DATE OF APPROVAL: 24 January 2024



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APPENDIX D

INVESTMENT STRATEGY

PURPOSE

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

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

INVESTMENT OBJECTIVES

The Council invests monies for treasury management purposes.

Its priorities in investing surplus funds are:

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

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

TYPES OF INVESTMENT

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

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

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

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

RISK ASSESSMENT

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

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

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

APPROVED COUNTERPARTIES

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

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

TREASURY MANAGEMENT RESPONSIBILITIES

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

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

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

ACTIVITIES FOR NEXT 12 MONTHS

The Town Council plans to maintain its investments in the Penrith Building Society. As it receives its full annual precept income early in the financial year, it will have surplus funds for most of the year and these will be invested in the CCLA Public Sector Deposit Fund until needed. As the Council does not have a long history of managing its cash flow actively, it will adopt a cautious approach to investing surplus monies to ensure that its bank account balance is always sufficient to meet short-term requirements.

REVIEW

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

ADOPTED:2015

REVIEWED: ANNUALLY

AMENDED: January 2024



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APPENDIX E

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 £30,000 (including 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 Council's 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 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 (including 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 £30,000	<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>
£30,001 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 used. A purchase order referring to the contract will also be used 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 used. A covering purchase order referring to the contract will also be used 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
<p>GPA procurement threshold and above</p>	<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>
<p>Single Source Justification</p>	<p>A Single Source justification may be necessary where competition is deemed impractical. In such circumstances the purchase should be reported to and authorised by the Finance Committee and / or Full Council.</p>



TENDER PROCESS

- a. Any invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- b. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post unless an electronic tendering process has been agreed by the Council.
- c. Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of Council.
- d. Where an electronic tendering process is used, the Council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- e. Where appropriate, tenderers shall be required to obtain a performance bond to protect the Council against a failure to deliver the contract.
- f. All sealed tenders shall be opened at the same time on the prescribed date by the two officers of the Council from the Town Clerk, RFO Services and Contracts Manager and Deputy Town Clerk in the presence of at least one Councillor.
- g. If less than three tenders are received for contracts above £15,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- h. Any invitation to tender issued under this regulation shall be subject to Standing Order 18 and shall refer to the terms of the Bribery Act 2010.
- i. When it is proposed to enter into a contract of £30,000 or less in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in regulation 11.1.
- j. When it is to enter into a contract of less than £30,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) officers shall strive to obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £15,000 and above £500. Otherwise, Regulation 4.3 above shall apply.
- k. All evaluations will be completed fairly, and equitably to all bidders, and it should be subject to any conflict-of-interest policy the Council to ensure impartiality of decision making.
- l. The Council shall not be obliged to accept the lowest or any tender, quote, or estimate.
- m. Where the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, no person shall be permitted to submit a later tender, estimate, or quote who was present when the original decision-making process was being undertaken.

n. The Council shall publish details of any awarded contract valued over £5,000 on its website.

APPROVED: 2018

REVIEW FREQUENCY: Annually

AMENDED: October 2024

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REPORT TO FULL COUNCIL

Date: 18 November 2024

Public Report

Item no: 10c

Matter: Westmorland and Furness Council Assets Surplus to the Council's needs. In Penrith

Author: Acting Town Clerk

Supporting Member: Council Chair

Purpose of Report:

To receive a report on Westmorland and Furness Council's list of assets surplus to the Council's needs in Penrith and to ratify the recommendations of the Finance Committee.

Recommendations:

To ratify the recommendation of the Finance Committee to formally write to Westmorland and Furness Council expressing the Council's potential interest in acquiring some or all of the surplus assets listed in Penrith; and that the Council would like to be kept informed of the status of the assets as Westmorland and Furness Council implements its Property Disposal 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 Westmorland and Furness Council considered a report on Capital Assets, at its meeting of Council on the 26 September 2024. The report included a section relating to assets that are surplus to current service needs which included a list of assets in Penrith. Included as Appendix A to this report is the text taken from the Westmorland and Furness Report with regards to 'Assets Surplus to Current Service Needs' and the list of assets that have been declared as surplus in Penrith.
- 1.2 This report is intended to bring to the attention of the Town Council that Westmorland and Furness Council are commencing this process.

2. Options Analysis including risk assessment.

a) Risk

Not being aware of the Westmorland and Furness Council assets considered surplus to current service needs in Penrith and the Property Disposal Property methodology.

b) Consequence

Potential for Penrith Town Council not to participate in the process in the future.

c) Controls Required

To consider the Surplus Assets list and make recommendations to Council whether it wishes to engage with Westmorland and Furness Council on some, all or none of the surplus assets in Penrith at this stage.

3. Financial and Resource Implications

There are no financial implications associated with this current report.

4. Equalities Implications

There are no equalities implications associated with this report.

5. Climate Change and Environmental Implications

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

Appendices

Appendix A – Westmorland and Furness Council Assets Surplus to Current Service Needs.

Background Documents:

[Agenda for Council on Thursday, 26th September, 2024, 1.30 pm | Westmorland and Furness Council \(moderngov.co.uk\)](#)

Westmorland and Furness Council 26 September 2024**Report Title: Capital and Assets Update Report****Paragraphs from the report: 3.16 to 3.23****Assets Surplus to Current Service Needs**

3.16 The assets belonging to Westmorland & Furness Council have been brought forward into the Balance Sheet in their legacy classifications. There are assets identified as surplus in the opening Balance Sheet at 1 April 2023, and an internal review has identified other assets whose purpose and future use requires consideration.

3.17 The assets are listed (below) and it is proposed that these are declared surplus and will then be considered in accordance with the Capital Strategy to determine their classification, and in accordance with the Strategic Asset Management Strategy (SAMS) to determine potential future use/options. The SAMS identifies the Property Disposal Policy, adopted in September 2023, as the process to follow to consider the future of assets identified as surplus.

3.18 The assets (listed below) are at different stages in the process within the Disposal policy. The majority are at the start point of the process. The declaration of being surplus to existing service needs by Westmorland & Furness gives effect to the disposal process being formally mobilised.

3.19 Consideration of the asset classification is informed by the use/purpose that the asset is held for, and that aligns to stage 2 of the Property Disposal Policy.

3.20 Alternative use of the asset is an important stage in the disposal policy and is particularly relevant given the creation of the new unitary council and opportunities that this may create. This is dependent upon the condition and suitability of assets.

3.21 There are several stages prior to sale of an asset that is required to be followed ensuring that all opportunities both for the Council and wider partners and community are explored before an asset is potentially sold.

3.22 The Property Disposal Policy follows the sequence below:

1. Asset declared surplus to service needs.
2. Asset offered for use by other services.
3. Asset assessed for retention for income generation.
4. Asset screened for transfer to partner organisations.
5. Asset screened for Community Asset Transfer - outcome could be:
 - a. Asset available for Community Asset Transfer (CAT)
 - b. Asset to be sold on open market
 - c. Asset to be demolished

3.23 *This report* recommends that the Property Disposal Policy is applied to the assets identified for review. Where assets reach stage 5.b., the Director of Resources & Section 151 Officer has delegated authority subject to consultation with the Leader, Cabinet Member for Highways, Assets and ICT, and the Cabinet Member for Finance to authorise sales of surplus Council land and premises and the Estates & Investment Manager has delegated authority to determine the method of sale, having regard to the individual circumstances.

List of Assets in Penrith:

- 4/4a Corney Square, Penrith CA11 7PX, Penrith, Surplus Building, 286m²
- Economic Development land adjacent Skirsgill Highways Depot CA10 2BQ, Penrith, Surplus Land, 1.6ha
- Former Greengarth Care home site, Tynefield Drive CA11 8HZ, Penrith, Surplus Land, 0.41ha
- Kilgours Field CA11 8JH Penrith, Surplus Land, 0.09ha
- Land Adjacent Football Stadium, Frenchfield CA11 8UU, Penrith, Surplus Land, 1.34ha
- Mansion House CA11 7YG Penrith Surplus Building, 0.38h
- McAdam Way Land CA11 9HE Penrith Surplus Land 0.13ha
- Newton Road open space CA11 9EE Penrith Surplus Land 0.12ha
- Penrith Cemetery Chapel CA11 7RZ, Penrith, Surplus Building, 107m²
- Plimsoll Close Car Park CA11 9EY, Penrith, Surplus Land, 0.02ha
- Skirsgill Grazing Plot CA10 2BQ, Penrith, Surplus Land, 1.096ha
- Land at Eamont Bridge CA10 2BH, Penrith, Surplus Land, 1.93ha

REPORT TO FULL COUNCIL

Date: 18 November 2024

Public Report

Item no: 10d

Matter: Support for Community Projects

Author: Acting Town Clerk

Supporting Member: Cllr. Shepherd, Chair of Finance Committee

Purpose of Report:

To ratify the recommendation of the Finance Committee to provide financial support to two community led projects in Penrith, a budget virement and the creation of an earmarked reserve.

Recommendations:

To ratify:

- i. A financial contribution of £15,000 to the Carleton Park Recreation Group to enable the Multi Use Games Area project at Carleton Park to proceed to tender and this be met from the Town Projects budget.
- ii. A financial contribution of £8,000 to the Pategill Tenants and Residents Association to enable the children's play area refurbishment project to proceed to tender and this be met from the Town Projects budget.
- iii. A virement of £23,000 from the General Reserve to the Town Projects budget.
- iv. The establishment of an Earmarked Reserve of £67,000 for the term of this Council for the improvement of and creation of Play areas or Multi Use Games Areas in Penrith North, West, South and East Ward, including £7,000 for the Pategill Ward.

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 Finance Committee considered and approved the process for preparing and agreeing the 2025-26 budget (Finance Committee, 16 September 2024). The first stage of the budget process included a Councillor Budget Workshop which was held on the 02 October 2024 at which potential schemes of work were proposed which could be included in next years approved budget or be met from the general reserve given the level of reserve the Council currently has. It was outlined that any potential projects or schemes of work that were considered at a point of delivery in the near future could be brought forward from the budget process and instead considered by committee or council on an individual basis.
- 1.2 A follow up budget workshop was held on the 21 October 2024 at which two community led projects were discussed and considered appropriate to be

considered by the Finance Committee for support given their state of progress, likelihood of delivery and community benefit. The projects are set out below:

Multi Use Games Area – Carleton Park

- Carleton Park is an area of public open space. It is located off Oak Road and Chestnut Close in Penrith. The site is owned and maintained by Westmorland and Furness Council.
- Carleton Park has seen several enhancements undertaken since 2010 which have been led by the Carleton Park Recreation Group (CPRG) which are a constituted group that bring together local residents with councillors and officers. Developments have in the main been undertaken in close cooperation with the previous district council and Westmorland and Furness Council.
- CPRG are currently working with Westmorland and Furness Council on plans to install a new multi-use games area, which would provide further enhancement to the amenities in the locality.
- A multi-use games area is a tarmac surfacing, with double ended play walls featuring small football goals, basketball hoops and sports line markings. The facility will have perimeter fencing. The facility would cater for young people and families and provide a space for play and informal recreation.
- The CPRG are working with Westmorland and Furness Council who have agreed to tender the scheme, supervise the construction works and maintain, insure and inspect the facility once constructed giving the facility a sustainable managed future. This being on the basis that the CPRG can secure the full construction costs and a small contingency budget, which has been set at £90,000.
- The CPRG has secured confirmed funding to the value of £80,000 including having received an approved grant of £5,000 from the Town Council (this has not been paid to the groups accounts as yet), resulting in a current funding shortfall of £10,000.
- Should the CPRG secure the funding prior to the end of the calendar year or sooner ideally, then Westmorland and Furness Council have confirmed that they will proceed to tender for the scheme and expect that construction commence in the early months of 2025 with a completion date set for the easter period.
- CPRG has through its fund-raising activities secured a grant of £50,000 from the Cumbria Waste Management Environmental Trust. In order to draw down the funding the CPRG are required to secure £5,000 from a third-party contribution. Sourcing 10% of the grant awarded releases the 90% funding via the Landfill Communities Fund Grant scheme (LCFGS). (For every £100 donated to the LCFGS, the landfill operator receives £90 tax credit, thus leaving a £10 deficit. CWMET require the grant applicant to find another funder to provide the 10% difference to the landfill operator to make the donation cost neutral to them.

Pategill Children's Play Area – Refurbishment

- The Pategill Tenants and Residents Association (PTRA) is a constituted group made up of representatives of the Pategill estate including the ward councillor.
- Following local public consultation undertaken by the PTRA it was considered that refurbishment of the children's play area was one of the main enhancements needed.
- Westmorland and Furness Council currently own the land known as Prince Charles Close Recreation Ground and manage the existing play area that is on the field.
- This project would install new play equipment and connecting footpaths. The scheme would be aimed at young people aged toddler to 14 years and also support families and grandparents in the area via the provision of a new community play space.
- The PTRA are working with Westmorland and Furness Council who have agreed to tender the scheme, supervise the construction works and maintain, insure and inspect the facility once constructed giving the facility a sustainable managed future. This being on the basis that the PTRA can secure the budget for the scheme which is set at £50,000.
- The PTRA has secured confirmed funding to the value of £42,000 resulting in a current funding shortfall of £8,000.
- Should the PTRA secure the funding then Westmorland and Furness Council have confirmed that they will proceed to tender for the scheme and expect that the scheme be complete for the easter period 2025.

1.3 This report asks Council to ratify the recommendations of the Finance Committee to make a financial contribution to both schemes to enable the projects to proceed to tender and completion in 2025. Also to ratify a virement from the Council's General Reserve to the Town Projects budget to meet the budgetary costs of the support.

1.4 Finance Committee are further recommending that an earmarked reserve of £67,000 is established for the term of this Council for the improvement of and creation of Play areas or Multi Use Games Areas in Penrith North, West, South and East Ward, including £7,000 for the Pategill Ward. This in effect will allocate a sum of £15,000 for each ward in Penrith, with Carleton receiving its allocation as part of the recommendations within this report and budgeting the balance of the £15,000 for the Pategill Ward. It is anticipated that the Council work with Westmorland and Furness Council, established or new community groups to implement any play area improvements and to include the ward councillors in any projects and schemes.

2. Options Analysis including risk assessment.

a) Risk

Financial risk should any funds not be used for the intended purpose.

b) Consequence

Funds incorrectly used.

c) Controls Required

Any financial contribution made to both groups would be subject to conditions relating to the proper and effective use of the contribution for the approved purpose, with conditions set out in a Service Level Agreement.

Payment of any financial contribution could be scheduled to be made upon confirmation of an official works order or upon receipt of invoices.

The earmarked reserve provides equity of support across Penrith.

3. Financial and Resource Implications

Should members wish to support the recommendations contained within this report that would involve the Council making a financial contribution of:

£15,000 to the Carleton Park Recreation Group and;

£8,000 to the Pategill Tenants and Residents Association.

It is suggested that the funding contribution be met from the Town Projects budget which would then in turn show an overspend on the approved annual budget for the current year. To mitigate against the overspend it is recommended that a virement of £23,000 is made from the General Reserve to the Town Projects budget.

An earmarked reserve be established of £67,000.

4. Equalities Implications

There are no equalities implications associated with this report.

5. Climate Change and Environmental Implications

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

Appendices

None

Background Documents:

Support for Community Projects, Finance Committee, 16 September 2024.

REPORT TO FULL COUNCIL

Date: 18 November 2024

Public Report

Item no: 11

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:

- i. Note the progress to date for the organisation of the May Day 2025 event and;
- ii. Approve for officers to explore quotations and appoint an experienced Cumbrian based events management contractor to oversee the delivery of the May Day event, subject to quotations not exceeding £5,000.

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 Council Chair is also a member of the Arts and Culture Stakeholder Group which is bringing together the programme of content and entertainment.

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

The Arts and Stakeholder group are meeting and bringing together a programme of entertainment for the day which they are now developing and will be reported to Council in the near future.

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 has been received from the Council's insurers who have confirmed that the Council's current insurance policy includes cover for events up to 2000 attendees at any one time. They have advised that should the event have 5000 or more attendees at any one time then a bespoke quotation will need to be obtained. The Council will proceed to obtain a quotation in readiness.

A meeting has been held with Westmorland and Furness Council and whilst it was not an official Safety Advisory Group meeting it did bring together both Councils and relevant officers and departments to discuss aspects of the event management. A formal SAG will be established for the event and will meet in January 2025.

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.

Members approve for officers to explore quotations and appoint an experienced Cumbrian based events management contractor to oversee the delivery of the May Day event, subject to quotations not exceeding £5,000.

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, 23 September 2024.

FULL COUNCIL

Date: 18 November 2024

Public Report

**Matter: Place Action Group Terms of Reference Item
no: 12**

Author: Deputy Town Clerk / Economic Development Officer

Supporting Members: Councillor V Bowen and Councillor R Kenyon

Purpose of Report:

To agree a revision to the Terms of Reference as suggested and agreed by the Place Action Group.

Recommendations:

To approve the amendments to the Terms of Reference for the Place Action 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 On 15 July 2024, Penrith Town Council approved the Terms of Reference for the Place Action Group along with the nominations of Councillors V Bown and R Kenyon to be the Town Council's representatives on the group.
- 1.2 At the first meeting of the Place Action Group on 17 September, it was unanimously agreed that one of the stakeholders should chair the meeting rather than a local authority representative.
- 1.3 Stakeholders on the group include representatives of Penrith BID, Penrith Industrial BID, Penrith Chamber of Trade and Cumbria CVS.
- 1.4 The representative of the Penrith Chamber of Trade was elected as Chair for the following 12 months.

2. Options Analysis including risk assessment

a) Risk

Not agreeing to the Terms of Reference at this stage may delay meetings of the Place Action Group meetings.

b) Consequence

Place Action Group meetings would not take place to consider and resolve issues.

c) Controls Required None

3. Financial and Resource Implications

Officer time to attend the meetings.

4. Equalities Implications None

5. Climate Change and Environmental Implications

None

Appendices

1. Revised Terms of Reference

PENRITH PLACE ACTION GROUP (PAG) – TERMS OF REFERENCE

Forum of key partners to discuss, co-ordinate and plan for the delivery of projects that will improve the sustainability and vitality of the W&F Council ward area.

PURPOSE

To utilise information from a range of consultations and evidence based plans to understand the issues and opportunities for the W&F Council ward area(s).

To identify, create and deliver projects that will strengthen the vitality and viability of the communities in the W&F Council ward area(s)

To ensure that projects are informed by stakeholders and residents.

To provide a means of co-ordination in respect of joint action and joint working.

To create a shared vision and delivery plan, consisting of both shared and complimentary projects.

To work together to identify funding opportunities to support identified projects.

To understand that some levels of projects will require additional agreement from organisations to be involved and contribute to area planning.

The place action group is not a decision making body, each organisation will need to work within their own agreed priorities and governance.

MEMBERSHIP

The Place Action Group is a partnership forum. All members have equal standing.

Core Membership

- Westmorland and Furness Council Officers (Community Development, Economic Development, and other technical officers where appropriate)
- Westmorland and Furness Councillors for Penrith x2
- Penrith Town Council Officers (Deputy Town Clerk, Economic Development Officer)
- Penrith Town Councillors x2
- Penrith Town BID
- Penrith Industrial BID
- Penrith Chamber of Trade
- Cumbria CVS

The Group has the ability to co-opt additional members for specific projects, including but not restricted to: Highways England, Health Authority, community groups, the third sector or others as may be appropriate.

The Group will act in accordance with the respective policies and procedures of the organisations involved and ensure a regular flow of relevant information to/from parent authorities, agreeing joint communications in advance of dissemination to ensure consistency of approach.

Where projects require executive decision, the project lead Officers will be responsible for obtaining this from their respective member and/or organisation,

PROJECT GROUPS

These will be established to complete specific project work linked to the priorities in the action plan. Project groups will be led by a nominated member of the PAG who will be responsible for updating the main group at each PAG meeting.

PAG AREA / LOCALITY

A place action group will be established in each council ward area within the Eden footprint of Westmorland and Furness Council.

Penrith PAG will cover the Westmorland and Furness Council ward areas of Penrith North and Penrith South.

SUPPORT ARRANGEMENTS

Westmorland and Furness Council will agree to provide support arrangements for the PAG which will include:

- Organising and facilitating meetings in person
- Preparation of agendas
- Taking notes and actions where required
- Updating the PAG action plan

An agenda should be distributed at least three working days prior to a meeting supported by the notes from the previous meeting and a Project Status Report so that participants can be prepared for the meeting.

The notes of meetings shall record work to be undertaken, and actions agreed, including who is responsible for taking any actions and the dates of completions.

MEETINGS

The Place Action Group will meet at least bi-monthly or as required. All dates will be agreed and meetings booked at the start of the year.

The purpose of the meetings is to provide an opportunity for members to identify, plan and work collaboratively on projects that improve the sustainability and vitality of the council area(s)

Meetings of the Place Action Group will be chaired by a nominated stakeholder of the group and chairing arrangements will be reviewed every 12 months.

The updated PAG action plan from each meeting will be circulated to the members of the group by Westmorland and Furness Council Officer.

Meetings of the PAG and associated Project Groups will meet as and when required and will not be open to the public, noting at times that confidential /commercial information may be discussed.

PTRG participants will ensure their actions, recommendations and decisions are in the best interests of the whole project and to protect the reputation of all the organisations involved.

Group participants are expected to identify and declare any actual, potential or perceived conflicts of interests in matters being discussed at the board.

Where issues have been identified as confidential or participants have disclosed personal information or views in the course of a meeting, such information should not be used for personal benefit nor disclosed to any third party.

PAG ACTION PLAN

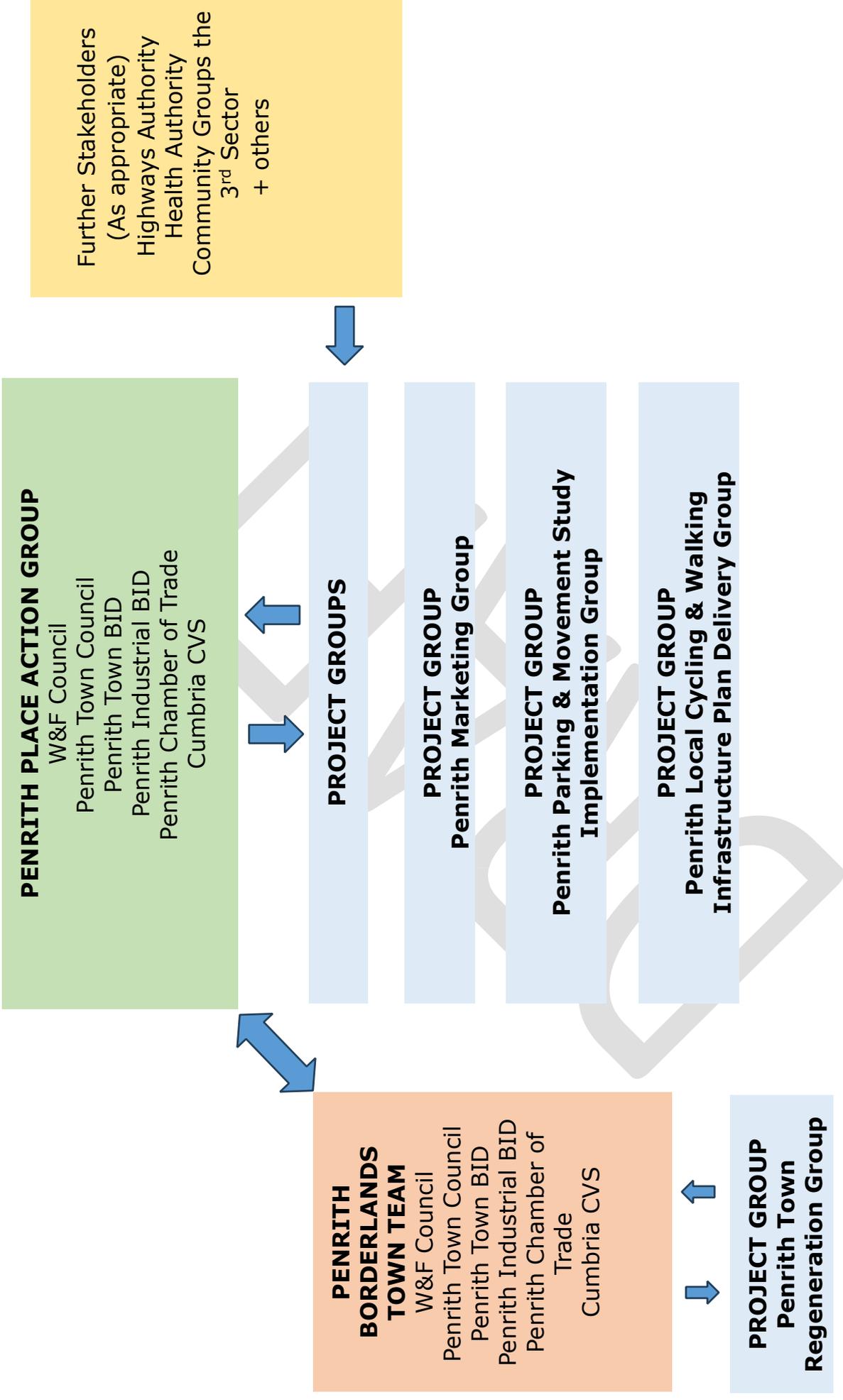
The agreed action plan should include the key priorities for the council area, contributed by all stakeholders in the PAG.

The action plan document will record all key projects identified by the PAG.

The lead organisation for each project will be responsible for providing an update at each meeting. Updates will be recorded on the action plan at each PAG meeting.

The Terms of Reference will be reviewed annually to ensure that the work of the PAG is relevant and of value to the community.

REVIEW



Reviewed and updated: 18 September 2024

FULL COUNCIL

Date: 18 November 2024

Public Report

Matter: Consultation enabling remote attendance and proxy voting at local authority meetings.

Item no: 13

Author: Town Clerk

Supporting Member: Chair

RECOMMENDATIONS

- i. Determine the Councils position in respect of the consultation proposals.
- ii. Agree if a Council response is required and if agreed approve the suggested responses.

1. BACKGROUND

1.1 Following calls from sector bodies to re-enable remote virtual/hybrid meetings as was enabled during the coronavirus pandemic the Government has launched a consultation on enabling remote attendance and proxy voting at local authority meetings:

<https://www.gov.uk/government/consultations/enabling-remote-attendance-and-proxy-voting-at-local-authority-meetings/enabling-remote-attendance-and-proxy-voting-at-local-authority-meetings>

1.2 The survey link was circulated to all Councillors.

1.3 Councillors and officers may participate in the survey as individuals.

2. CONSULTATION PROPOSALS & SUGGESTED RESPONSES

2.1 VIRTUAL MEETINGS

"Government is consulting on introducing powers for local authority members to apply to the relevant authority for a dispensation to attend formal council meetings remotely and vote by proxy in certain circumstances".

Suggested Consultation Response

Penrith Town Council recommends that each council should be able to determine its own policy as to how and if it enables remote attendance at meetings.

That there should be consideration within policy or legislation for:

- a) How confidentiality is maintained.
- b) How the notice of agenda may be affected if a public meeting becomes a virtual meeting at short notice.
- c) If agreed and legislated for that revised standing orders guidance is issued.

2.2 PROXY VOTING

"Proxy voting is a form of voting whereby a member of a decision-making body may delegate their voting power to another representative to enable a vote in their absence.

It is possible some members may find that, due to their personal circumstances, they are temporarily unable to participate in meetings even if remote attendance provisions are in place. Provisions for proxy voting could provide additional flexibility to those who really need it on a time-limited basis, allowing affected members to indirectly exercise their democratic duty, participate in their local authority's governance, and ensure that their views are taken into consideration. In the context of local authorities, the representative would have to be another elected member of the local authority".

COUNCIL CONSIDERATIONS:

At present, an absent Councillor cannot send in a vote.

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

The Localism Act 2011 has clarified the rules on predetermination. It makes it clear that a councillor is not deemed to have had a closed mind on an issue just because they have indicated what view they have taken or may take before the issue is decided. A councillor is not, for example, prevented from participating in discussion of an issue, or voting on it, if they have campaigned on the issue or made public statements about their approach to it.

The general position remains however, that, whatever their views, councillors must approach their decision-making with an open mind in the sense that they must have regard to all material considerations and must be prepared to change their views if persuaded that they should.

There are sometimes occasions where a councillor is unable to attend a meeting but has a predisposition to a certain viewpoint, for example being in favour or against the proposals detailed in a report.

The purpose of council meetings is for matters to be openly debated before a decision is taken. A proxy voter would not be party to the debate, although the holder of their proxy would be. The open debate of matters is an important part of the democratic process and can influence the voters final decision.

There could be a scenario, particularly if there were politics involved in the council, that an individual member could hold multiple proxy votes and effectively be able to determine the outcome of a vote; this could come across as undemocratic.

Suggested Consultation Response

Penrith Town Council does not support proposals to introduce proxy voting for local authority meetings. It is considered that an open debate is an essential part of effective decision making and local representative democracy and the introduction of proxy voting would erode this.