



# Penrith Town Council

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

Dear Councillor

You are summoned to attend the:

## MEETING OF PENRITH TOWN COUNCIL

to be held on Monday 15 July 2019, at 6.00 p.m. Room 2, Parish Centre,  
St Andrews Place, CA11 7XX.

### Membership

Cllr. Bowen	Pategill Ward	Cllr. Kenyon	North Ward
Cllr. Burgin	South Ward	Cllr. Knaggs	West Ward
Cllr. Clark	South Ward	Cllr. Lawson	Carleton Ward
Cllr. Davies	West Ward	Cllr. Shepherd	East Ward
Cllr. Donald	North Ward	Cllr. Snell	West Ward
Cllr. Fallows	East Ward	Cllr. Whitby	North Ward
Cllr. Hawkins	East Ward		
Cllr. Jackson	North Ward		

A handwritten signature in black ink, appearing to read 'V. Tunnadine'.

Mrs V. Tunnadine, Town Clerk

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## **AGENDA FOR THE MEETING OF PENRITH TOWN COUNCIL MONDAY 15 JULY 2019**

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

Receive apologies from members.

### **2. Public Bodies (Admission To Meetings) Act 1960**

Consider whether items 3, 21 and 22 should be considered without the presence of the press and public, pursuant to the Public Bodies (Admission to Meetings) Act 1960 Section 2as the matter involved exempt information of a legal context.

### **3. Declaration of Interests**

Receive any declarations of interest of any disclosable pecuniary or other registrable interests relating to any items on the agenda for this meeting. Members are reminded to make any declarations at any stage during the meeting if it becomes apparent that this may be required when an item or issue is considered.

**Note:** 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 Clerk in advance of the meeting. Members are reminded to regularly review their Register of Interests to ensure their register

### **4. Co-option to Council – Carleton Ward**

Consider two applications for co-option to the single vacancy after the May election in Carlton Ward.

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

If there are more than two candidates for one vacancy and no one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained. Therefore, if there are more candidates than vacancies, the candidate with the lowest number of votes will be excluded. If two candidates poll the same number of votes a separate vote to eliminate one of them will be held. Voting will continue with the lowest polling candidate being excluded until the number of candidates matches the number of vacancies.

Councillors shall vote by show of hands, or, if at least two members so request, by signed ballot. If any member so requires, the Clerk shall record the names of members who voted on any question to show whether they voted for, against, or abstained. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote. Councillors may be minded not to fill the vacancy and there is no appeal procedure.

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

## **5. Requests for Dispensations**

Apply for a dispensation, if a councillor has a pecuniary interest in an item on this agenda and who wish to remain, speak and/or vote during consideration of that item, they may apply for a dispensation in writing to the Town Clerk prior to the meeting. Applications may also be considered at the meeting itself should the nature of the interest become apparent to a Councillor at the time of the meeting.

## **6. Confirmation of the Minutes of the Previous Meeting**

Authorise the Chairman to sign the Minutes of the Meetings of Council held on Monday 20 May 2019 as a true record.

## **7. Public Participation**

a) Members of the public, who have requested in writing to speak prior to the meeting, are invited to speak on matters related to the agenda for up to three minutes.

### **b) Receive Representations From:**

- Town Councillors
- District Councillors
- County Councillors

### **c) Receive a report from the Mayor**

## **8. Members' Briefing**

Receive oral reports from meetings and briefings attended by Councillors. Members are asked to note that if there is agreement that there are matters arising from the information shared, that these items will be scheduled on to the agenda of the next most appropriate Council agenda.

## **9. Resolutions Report**

Note the Resolutions Report for the 20 May 2019 meeting.

## **10. Council Business Plan 2017-23**

a) Note that the Council Plan and individual committee work plans have been reviewed by each Council committee and members noted the progress made. That the Council Plan has been refreshed accordingly and has been updated to include the electorates feedback to three Neighbourhood Plan Consultations.

b) Consider the refreshed Council Business Plan going forward for a eight-week period of consultation.

## **11. Neighbourhood Plan**

Receive an oral report on the progress of Neighbourhood Development Plan for Penrith.

## **12. Devolution**

Receive an oral report on the progress of Devolution.

## **13. Motion from Cllr. Snell**

The Penrith Town Council notes that the term 'chairman' is currently used in our meetings and on Council papers to describe the role of the person chairing a meeting, whether they are male or female. Though some organisations still use chairman for the head of the board/meeting/committee for both men and women, most modern organisations have stopped using the term in order to demonstrate their commitment to inclusion and gender equality. A frequent problem associated with using the term chairperson is that people tend to use chairman for a man, and chairperson for a woman which consequently maintains the place of gender-specific identification.

The Penrith Town Council believes that as records show that the gender-neutral title of Chair has been recognised and used, in the sense of 'occupant of the chair', since the 17th century, for an organisation to shift to using a gender-neutral term is not a particularly radical change. Throughout history, many notable people have recognised and reflected on the importance of language. For instance, the scholar Benjamin Whorf noted that language shapes thoughts and emotions, determining one's perception of reality. John Stuart Mill said that language is the light of the mind and the linguist Edward Sapir said that language is a vehicle for the expression of thoughts, perceptions, sentiments, and values.

The Town Council therefore recognises the importance of language and that it is no longer appropriate to refer to those carrying out a function by their gender and that by not using gender-specific titles, this helps overcome the stereotyping of male-dominated roles/jobs.

We believe that it is now commonly recognised that, in the context of meetings, the noun 'Chair' is derived from the verb 'to chair' as in chairing a meeting and not from the noun associated with a four-legged piece of furniture made to support people in the sitting position.

We believe that this small, yet significant change may enable more women and younger people to perceive the Town Council as relevant to them and something that they would be happy to join.

### **Recommended to resolve that the Town Council:**

Approves the use of the term Chair in all future meetings and Council documentation.

## **14. Motion from Cllrs. Clark and Lawson**

Members are asked to consider, in liaison with the relevant authorities, identify areas in Penrith where speeding vehicles are an issue and explore using "Community Speedwatch" in these areas.

### **Recommended to resolve that the Town Council:**

- i.** Recognises the ongoing action taken by the police to tackle this problem and that limited police resources restrict the amount of police time that can be devoted to this;
- ii.** Notes that "Community Speedwatch" initiatives, where members of the public are trained by the police to use speed guns, across the UK have played a part in reducing speeds and changing driver behaviour;
- iii.** Liaises with local Police and "Community Speedwatch" organisation, to investigate options and report back to Full Council in due course.

## **15. Bench Disposal Policy**

Ratify the Bench Disposal Policy as approved and recommended by the Council's Finance Committee.

## **16. Town Council Investments**

Ratify the arrangements for the operation of the Council's new CCLA Deposit Fund account and to note the investment transactions.

## **17. Committee Membership**

Request for a Member to join the membership of the Council's Planning Committee.

## **18. Penrith Car Parking and Movement Study**

Consider a request from Cumbria County Council to provide a financial contribution towards the Penrith Car Parking and Movement Study: **to follow**

## **19. A66 Northern Trans-Pennine Project Consultation**

Note the Council's response to the Highways England A66 Northern Trans-Pennine Project Consultation as resolved by the Council's Planning Committee on Monday 8 July 2019: **to follow**

## **20. Street Trading Consent for the Cornmarket Bandstand**

Consider a report requesting support to apply for a Street Trading Consent for the Cornmarket Bandstand.

## **PART TWO ITEMS**

### **21. Land Transfer Thacka Beck (Pategill)**

Receive an oral update on the transfer of land at Thacka Beck (Pategill).

### **22. Councillor Personal Information**

Consider the public disclosure of Members personal information.

### **23. Next Meeting**

Note the next meeting is scheduled for 23 September 2019 at 6.00pm at Room 2, Parish Centre, St Andrews Place, CA11 7XX.



# Penrith Town Council

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

**Draft** Minutes of the:

## **ANNUAL MEETING OF THE TOWN COUNCIL**

Held on:

Monday 20 May 2019 at 6.00 pm Room 2, Parish Centre,  
St Andrews Place, Penrith

### **PRESENT:**

Cllr. Bowen	Penrith Pategill Ward
Cllr. Burgin	Penrith South Ward
Cllr. Clark	Penrith South Ward
Cllr. Davies	Penrith West Ward
Cllr. Fallows	Penrith East Ward
Cllr. Hawkins	Penrith East Ward
Cllr. Jackson	Penrith North Ward
Cllr. Kenyon	Penrith North Ward
Cllr. Knaggs	Penrith West Ward
Cllr. Lawson	Penrith Carleton Ward
Cllr. Shepherd	Penrith East Ward
Cllr. Snell	Penrith West Ward
Cllr. Whitby	Penrith North Ward

Services and Contracts Manager

Deputy Town Clerk

Responsible Finance Officer

## **MINUTES OF THE ANNUAL MEETING OF THE TOWN COUNCIL 20 MAY 2019**

### **PTC19/01 Election of a Chairman**

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

Moved, seconded and **RESOLVED THAT:**

Councillor Lawson be elected Chairman for the 2019-2020 municipal year. Cllr. Lawson assumed the Chair and Town Mayor roles and made a declaration of acceptance of office in the prescribed form.

### **PTC19/02 Appointment of Vice Chairman**

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

Moved, seconded and **RESOLVED THAT:**

Councillor Jackson be appointed Vice-Chairman for the 2019-2020 municipal year. Cllr. Jackson assumed the Deputy Chair and Deputy Town Mayor roles and made a declaration of acceptance of office in the prescribed form.

### **PTC19/03 Apologies**

Members received apologies for absence from Cllr. Donald.

### **PTC19/04 Acceptance of Office**

The Services and Contracts Manager on behalf of the Town Clerk received completed Declaration of Acceptance Forms from each elected Member.

### **Members considered an amendment to the order of agenda items.**

Members were requested to consider item 12 Committee Membership ahead of Item 11 Meetings Report, to enable Councillors to determine their preferences for Committee membership prior to those on the committee considering the timing of meetings.

**RESOLVED THAT:**

The amendment be approved.

### **PTC19/05 Public Bodies (Admission to Meetings) ACT 1960**

Members considered whether any items should be considered without the presence of the press and public, pursuant to the Public Bodies (Admission to Meetings) Act 1960 Section 2. None identified.

### **PTC19/06 Minutes Approval**

- a) Members were requested to approve the minutes of the meeting held on 28 January 2019 and authorise the Chairman to sign the minutes as a true and accurate record.

#### **RESOLVED THAT:**

The Chairman be authorised to sign the Minutes of the Meeting of Full Council held on 28 January 2019.

- b) The outgoing Committee Members were requested to consider and approve the year-end minutes of the Council's standing committees and authorise the Chairman of the Annual Town Council Meeting to sign the minutes as a true and accurate record.

#### **RESOLVED THAT:**

The Chairman be authorised by the outgoing committee members to sign the Minutes of the:

- i. Planning Committee held on Monday 04 March 2019.
- ii. Community, Culture and Economic Growth Committee held on Monday 11 March 2019.
- iii. Management Committee held on Monday 15 April 2019
- iv. Finance Committee held on Monday 29 April 2019

### **PTC19/07 Interests**

Members noted that they must complete the Register of Interests form within 28 days of being elected and submit these forms to the Monitoring Officer by the 30 May 2019.

### **PTC19/08 Declaration of Interests**

Members were asked to disclose their interests in matters to be discussed. None identified.

### **PTC19/09 Dispensations**

Members were asked to disclose requests for dispensations. None identified.

## **PTC19/10 Policies and Procedures Review**

Members considered a review of the Council's Policies and Procedures:

### **a) General Dispensations**

#### **RESOLVED THAT:**

The General Dispensations Policy for the four-year term of the Council be approved.

### **b) Code of Conduct**

#### **RESOLVED THAT:**

The Revised Code of Conduct which brings the Council's Policy in line with the Code of Conduct template issued by the National Association of Local Councils be approved.

### **c) Scheme of Delegation**

#### **RESOLVED THAT:**

- i.** The revisions to the Scheme of Delegation be approved.
- ii.** Cllr Jackson be the lead Member for Devolution and Councillor Lawson be the lead for Member/Officer liaison.

### **d) New Policies**

#### **Asset Valuation Policy**

#### **RESOLVED THAT:**

The policy be ratified as recommending by Finance Committee.

#### **Petitions Policy**

#### **RESOLVED THAT:**

The Policy be adopted.

## **PTC19/11 Committee Membership**

Members considered the appointment of Members and Standing Deputies to serve on the under mentioned Committees and other expressions of interest to sit on the committees were sought.

### **RESOLVED THAT:**

The appointment of members and standing deputies be approved as follows:

#### **i. Planning Committee:**

Cllr Bowen  
Cllr Jackson  
Cllr Knaggs  
Cllr Shepherd  
Cllr Snell  
Cllr Fallows                      Standing Deputy

#### **ii. Finance Committee:**

Cllr Bowen  
Cllr Burgin  
Cllr Hawkins  
Cllr Jackson  
Cllr Kenyon  
Cllr Shepherd

#### **iii. Communities, Culture and Economic Growth Committee**

Cllr Bowen  
Cllr Davies  
Cllr Donald  
Cllr Jackson  
Cllr Knaggs  
Cllr Snell  
Cllr Burgin                      Standing Deputy  
Cllr Shepherd                      Standing Deputy

## PTC19/12 Meetings Report

Members considered the dates and times of ordinary meetings of the Council and Committees for the ensuing year.

### RESOLVED THAT:

- i. The dates of the ordinary meetings of the Council and Committees be approved as set out below;
- ii. The start time of Full Council be approved and;
- iii. The start time of the committee meetings be considered and approved at the first meeting of each committee.

<b>PENRITH TOWN COUNCIL MEETINGS CALENDAR 2019-20</b>				
<b>MONTH</b>	<b>FULL COUNCIL</b>	<b>FINANCE</b>	<b>CCEG</b>	<b>PLANNING</b>
<b>TIME</b>	<b>18.00-20.00</b>	<b>18.00 - 20.00</b>	<b>16.00-18.00</b>	<b>14.15-16.00</b>
<b>MAY</b>	20			
<b>JUNE</b>		17	17	3
<b>JULY</b>	15			8
<b>AUGUST</b>				
<b>SEPTEMBER</b>	23	9	9	2
<b>OCTOBER</b>				7
<b>NOVEMBER</b>	25	11	11	4
<b>DECEMBER</b>				2
<b>JANUARY</b>	27	13	20	13 <u>after Finance</u>
<b>FEBRUARY</b>				3
<b>MARCH</b>	23			
<b>Annual Town Meeting</b>	16	9	9	2
<b>APRIL</b>		27		6
<b>MAY</b>	18 Annual PTC Meeting		11	11

### **PTC19/13 Election of Committee Chairman**

Members were requested to elect Chairmen to serve on the under mentioned Standing Committees.

#### **RESOLVED THAT:**

The following members be elected as Chairman

- i.** Planning Committee: Cllr Jackson
- ii.** Finance Committee: Cllr Burgin
- iii.** Communities, Culture & Economic Growth Committee: Cllr Jackson

### **PTC19/14 Appointments to External Bodies**

Members considered the appointment of representatives to attend the under mentioned bodies:

#### **RESOLVED THAT:**

The following Members be appointed as representatives:

- i.** Eden Association of Local Councils: Cllr. Bowen and Cllr. Snell
- ii.** Omega Proteins: Cllr. Davies
- iii.** Friends of Coronation Garden: Cllr. Shepherd
- iv.** Friends of Eden Valley Public Transport: Cllr. Knaggs
- v.** Penrith Business Improvement District: Cllr. Jackson
- vi.** Plastic Clever: Cllr. Knaggs

### **PTC19/15 Insurance and Asset Register**

- a)** Members noted that the Council's insurance policy was a 3-year long term agreement effective from 18 May 2018 and had been renewed automatically.
- b)** Members were asked to ratify the Asset Register as at 31 March 2019 as resolved by the Finance Committee.

#### **RESOLVED THAT:**

The Asset Register as at 31 March 2019 be ratified.

## **PTC19/16 Annual Review of Fees and Charges**

Members were requested to ratify the report setting out the Fees and Charges for the hire of the Boardroom, Meeting Room and Cornmarket Bandstand for the 2019-20 municipal year as resolved by the Finance Committee.

### **RESOLVED THAT:**

The Fees and Charges 2019-20 be ratified.

## **PTC19/17 Final Accounts 2018/19**

Members were asked to ratify the approved resolutions from the Council's Finance Committee.

### **a) Internal Audit Report**

Members were requested to ratify the internal audit report for the year ended 31 March 2019.

### **RESOLVED THAT:**

The Internal Audit Report for the year ended 31 March 2019 be ratified.

### **b) Governance and Accountability for Small Authorities**

Members were requested to ratify the formal adoption of the CALC publication 2019 with effect for 2018/19 which represents statutory proper practice and as part of the adoption, Members noted that they had each received a copy of the CALC publication within their induction training pack.

### **RESOLVED THAT:**

The formal adoption of the CALC publication 2019 for year end 2018/19 be ratified.

### **c) Review of the System of Internal Control and Annual Governance Statement 2018/19**

Members were requested to note that the Town Council must carry out an annual review of the effectiveness of the system of internal control prior to the completion of the Annual Governance Statement. A full review was carried out in 10 September 2018 by the Finance Committee and approved by Full Council on 24 September 2018; the Finance Committee has since confirmed that the Council's internal controls, including those relating to risk management, have remained effective throughout the remainder of the financial year.

**PTC19/17 Final Accounts 2018/19 Continued**  
**Review of the System of Internal Control and Annual Governance Statement 2018/19 continued**

**RESOLVED THAT:**

- i. The Annual Governance Statement for 2018/19 be ratified.
- ii. The Chairman of the Council and the Town Clerk be authorised to sign the Statement at Section 1 of the Annual Governance and Accountability Return.

**d) Bank Reconciliations**

Members were requested to ratify Bank Reconciliations for year ended 31 March 2019.

**RESOLVED THAT:**

The Bank Reconciliations for year ended 31 March 2019 be ratified.

**e) Finance Outturn Report – Year ended 31 March 2019**

Members considered the Finance Outturn Report Year ended 31 March 2019 authored by the Council's Responsible Finance Officer (RFO):

**RESOLVED THAT:**

- i. The Finance Outturn report for the year ended 31 March 2019 be ratified. ,
- ii. The transfers to reserves in the outturn report be noted. These being General Reserve £181,256, Devolution £55,815, Acquisitions £50,000.
- iii. The exception to Financial Regulations to allow Planning Committee to carry forward unspent budget provision totalling £23,715 from 2018/19 to 2019/20 be ratified.

**f) Annual Governance and Accounts Return 31 March 2019: Accounting Statements.**

Members considered the Annual Governance and Accounts Return 31 March 2019: Accounting Statements.

**RESOLVED THAT:**

- i. The Accounting Statements for 2018/19, AGAR Section 2 be ratified.
- ii. The Chairman of the Council be authorised to sign the Statements on behalf of the Council to allow the RFO to submit the Accounting Statement to the External Auditor.

### **PTC19/18 Appointment of Internal Auditor**

Members noted that the Finance Committee had approved the reappointment of Mrs G. Airey as the Council's Internal Auditor for 19/20.

#### **RESOLVED THAT:**

The reappointment of Mrs G. Airey as the Council's Internal Auditor for 2019/20 be ratified.

### **PTC19/19 Membership of Professional Bodies**

Members noted the Council's continuing subscription to the Cumbria Association of Local Councils, the Society of Local Council Clerks, the National Allotment Society, the Living Wage Foundation and the Information Commissioners Office be noted.

### **PTC19/20 EDC Signatures Project Fund**

Members considered the Finance Committees request to approve a budget of £5,000 from the Devolution Reserve to support the delivery of the Fairhill Playing Field Project.

#### **RESOLVED THAT:**

£5,000 from the Devolution Reserve to support the delivery of the Fairhill Playing Field Project be ratified.

### **PTC19/21 Community Caretaker Contract**

Members considered Finance Committees recommendation to extend the Community Caretaker Contract for a further 12 months.

#### **RESOLVED THAT:**

The Community Caretaker Contract for a further 12 months effective from 25 June 2019 be ratified.

### **PTC19/22 The Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018**

Members considered the recommendation of Finance Committee to use General Reserves for schemes of work associated with the Council's statutory compliance with The Public Sector Bodies Accessibility Regulations 2018.

#### **RESOLVED THAT:**

General Reserves be used for schemes of work associated with the Council's statutory compliance with The Public Sector Bodies Accessibility Regulations 2018 be ratified.

### **PTC19/23 Neighbourhood Plan**

The Council's Deputy Town Clerk gave a verbal update regarding progress and next steps for the furtherance of the Neighbourhood Plan.

### **PTC19/24 Local Council Award Scheme**

Members were asked to confirm by resolution that the Council was eligible, to register, for the Local Council Award Scheme Quality Gold Award, as resolved by Full Council, 28 January 2019, Minute PTC18/91. Members were asked to approve the statements of evidence and authorise the Chairman to sign the statements.

#### **RESOLVED THAT:**

- i. The Council register for the Local Council Award Scheme, Quality Gold Award.
- ii. The statements of evidence be approved; and
- iii. The Chairman of the Council be authorised to electronically sign the declaration on the application.

### **PTC19/25 General Power of Competence**

Members were asked to confirm by resolution that the Council was eligible to adopt the General Power of Competence as resolved by Full Council, 28 January 2019 minute reference PTC18/92.

#### **RESOLVED THAT:**

From 20 May 2019, until the next relevant Annual Meeting of the Council, the Council, having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Council's (General Power of Competence) (Prescribed Conditions) Order 2012, would adopt the General Power of Competence.

### **PTC19/26 Declaration of a Climate Emergency**

Councillor Lawson brought forward a motion to Declare a 'Climate Emergency' and aim to make Penrith carbon neutral by 2030.

#### **RESOLVED THAT:**

- i. Recommendation (i) of the motion be amended to:

Declare a 'Climate and Ecological Emergency ' and resolve to make Penrith carbon neutral by 2030, considering both production and consumption emissions (scope 1, 2 and 3) by working with partners across the parish, district and county to help deliver this goal through relevant strategies, plans and shared resources via a constituted Climate Change Partnership group, led by the larger authorities.

## **PTC19/26 Declaration of a Climate Emergency Continued**

- ii. The following wording be inserted into the Council's policy 'Adopt a holistic approach and prioritise pollution prevention to avoid ecological degradation and ecosystem collapse, for humanities survival, continued existence, health and wellbeing by all of earths inhabitants comprising ecosystem diversity.
- iii. The motion to Declare a Climate Emergency be approved including the agreed amendments in items 1), and 2) as appended to these minutes: Appendix A

## **PTC19/27 Statutory Consultation – Eden Speed Limit Consolidation 2019**

Members were asked to consider amendments to the speed limits in Carleton and Pategill Wards, as proposed by Cumbria County Council.

### **RESOLVED THAT:**

The following response be returned to Cumbria County Council in relation to their Eden Speed Limit Consolidation 2019 consultation:

## **PTC19/27 Statutory Consultation – Eden Speed Limit Consolidation 2019 Continued**

- i. That the 40mph speed limit on the A686 Carleton Penrith be extended on the A686 for approx. 250m in an easterly directions, with the existing 50mph restriction being reduced accordingly as outlined in the consultation document; and that Cumbria County Council be asked to consider introducing a 30mph now to save on a second expense for consulting when the building work on the Cross keys side is completed.
- ii. That the proposed speed limit of 20mph be extended to include the whole of the Pategill Estate.
- iii. That the Council requests that Cumbria County Council considers reviewing the speed limits on Castle Hill Road in Penrith.

## **PTC19/27 Next Meeting**

Members noted that the next meeting was scheduled for 15 July 2019.

### **CHAIRMAN:**

### **DATE:**

### **For the attention of:**

Cllr. Bowen	Penrith Pategill Ward
Cllr. Burgin	Penrith South Ward
Cllr. Clark	Penrith South Ward
Cllr. Davies	Penrith West Ward
Cllr. Donald	Penrith North Ward
Cllr. Fallows	Penrith East Ward
Cllr. Hawkins	Penrith East Ward
Cllr. Jackson	Penrith North Ward
Cllr. Kenyon	Penrith North Ward
Cllr. Knaggs	Penrith West Ward
Cllr. Lawson	Penrith Carleton Ward
Cllr. Shepherd	Penrith East Ward
Cllr. Snell	Penrith West Ward
Cllr. Whitby	Penrith North Ward

## Appendix A – Declaration of a Climate and Ecological Emergency



# Penrith Town Council

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

## ANNUAL TOWN COUNCIL 20 MAY MEETING 2019

### **MATTER: Motion to Penrith Town Council: Declaration of a Climate and Ecological Emergency**

**AUTHOR AND PROPOSER: Cllr. Lawson**

**ITEM NUMBER: 26**

### **RECOMMENDATIONS:**

#### **That the Council:**

1. Declare a 'Climate and Ecological Emergency' and resolve to make Penrith carbon neutral by 2030, considering both production and consumption emissions (scope 1, 2 and 3) by working with partners across the parish, district, and county to help deliver this goal through relevant strategies, plans and shared resources via a constituted Climate Change Partnership group, led by the larger authorities.
2. Request Cumbria County Council along with the relevant district/borough councils establish a Climate Change Partnership that would:
  - a) Involve Councillors, residents, young citizens, climate science experts, businesses, and other relevant parties.
  - b) Adopt a holistic approach and prioritise pollution prevention to avoid ecological degradation and ecosystem collapse, for humanities survival, continued existence, health and wellbeing by all of earths inhabitants comprising ecosystem diversity.
  - c) Consider strategies and actions that would enable the development of a Sustainable Energy and Climate Action Plan for Cumbria in line with a target of net zero emissions by 2030.

- d) Consider actions that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice;
- e) Call on Westminster to provide the powers, resources and help with funding to successfully meet the 2030 target;
- f) Consider convening a citizen's assembly in 2019 to oversee and feed into the development of related action plans and budgets in each organisations/stakeholders area of responsibility.

## **LAW**

As of 1 October 2006 every public authority must, in exercising its functions, have regard so far as it is consistent with the proper exercise of those functions to the purpose of conserving biodiversity under the Natural Environment and Rural Communities Act 2006.

The Natural Environment and Rural Communities (NERC) Act came into force on 1st Oct 2006. Section 40 of the Act requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

This duty extends to all public bodies the biodiversity duty of Section 74 of the Countryside and Rights of Way Act 2000 (CROW).

The National Planning Policy Framework (NPPF) published in 2012 emphasises that the purposes of the planning system is to contribute to the achievement of sustainable development and that this gives rise to the need for the planning system to perform a number of roles, such as contributing to protecting and enhancing the natural, built and historic environment and helping to improve biodiversity. The NPPF also states that the planning system should provide a net gain for biodiversity wherever possible, and contribute to the Government's commitment to halt the loss of biodiversity.

## **LINK TO LINKS TO COUNCIL PRIORITIES**

Health and Wellbeing and Transport

## 1. OVERVIEW

- 1.1 Since the Intergovernmental Panel on Climate Change (IPCC) Special Report of October 2018, Town, District, County and Metropolitan Councils of all political persuasions across the UK have passed motions committing them to addressing the climate crisis. Across the world local government bodies are doing the same.
- 1.2 The motion invites Penrith Town Council to join the many other Councils that are determined to make their contribution to tackling the crisis.
- 1.3 The scientific evidence of the threat we all face is undeniable. In relation to the IPCC report, Mary Robinson former President of Ireland and UN Special Envoy on Climate has said: "We have to understand that we face an existential threat that is going to undermine the future prospects for our children and grandchildren". Unless we act on climate, we collectively face the greatest threat to our local and global environment.
- 1.4 The IPCC's Special Report on Global Warming of 1.5°C describes the enormous harm that a 2°C rise is likely to cause compared to a 1.5°C rise. It informed us that limiting global warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities. Ref 1,2
- 1.5 The World Meteorological Organisation in their annual bulletin (Nov 2018) state that carbon dioxide levels have hit new highs of 405.5 parts per million (ppm) in 2017, up from 403.3 ppm in 2016 and 400.1 ppm in 2015, levels not seen for millions of years. They warn that "the window of opportunity for action is almost closed".
- 1.6 The world's leading climate scientists warn that there are only a dozen years for global warming to be kept to a maximum of 1.5°C, beyond which even half a degree will significantly worsen the risks of drought, floods, extreme heat and poverty for hundreds of millions of people.
- 1.7 Global temperatures have already increased by 1 degree Celsius from pre-industrial levels and they are still rising rapidly, with impacts being felt around the world today.
- 1.8 The world is on track to overshoot the Paris Agreement's 1.5°C limit before 2050.
- 1.9 In order to reduce the very real risk of runaway global warming and the dramatic impacts on the global environment, society and us as individuals, it is imperative that we take the boldest steps to reduce our CO<sub>2</sub> emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible.

- 1.10 Society needs to help individuals reduce their own carbon emissions by changing its laws, taxation, infrastructure, policies and plans, to make low carbon living easier and the new norm.
- 1.11 Carbon emissions result from both production and consumption.
- 1.12 Authorities around the country and the world are responding by declaring a 'Climate Emergency' and committing resources to address this emergency now.
- 1.13 South Lakeland District Council 26 February 2019 was the first council in Cumbria to pass a motion to declare a climate emergency:  
 "Council confirms that it is committed to reducing its carbon emissions and continues to look at all areas of policy and delivery. The Climate Change Policy and the work of the Green Team demonstrates and clarifies our position and ambitions. Council recognises that many organisations have been working hard locally and nationally to identify and address climate change in their own communities and with partners. However, the council believes action needs to happen faster. Business as usual is not enough and there is a growing urgency to implement these actions more rapidly. Council confirms that we are facing a climate emergency. Council now urges government to recognise this urgency and to work with local authorities, health services, businesses, consumers, farmers, educational institutions and all other interested bodies to reduce to net zero as quickly as possible our carbon emissions and their equivalents."
- 1.14 Carlisle City Council declared a climate emergency on 5 March 2019. Carlisle's motion, proposed by Councillor Colin Glover, leader of the Council, is one of the strongest in the country, committing their Council to:
- "Declare a 'Climate Emergency' that requires urgent action.
  - Make the Council's activities net-zero carbon by 2030.
  - Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2030.
  - Support and work with all other relevant agencies towards making the Carlisle district Zero Carbon within the same timescale.
  - Achieve 100 per cent clean energy across Carlisle City Council's full range of functions by 2030.
  - Convene a citizen's assembly in 2019 to oversee and feed into the development of related action plans and budgets."
- 1.15 That as of 1 May 2019, climate emergency declarations had been made by 59 councils across the country.

## **Penrith Town Council is requested to acknowledge that:**

- 1.16 The consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be humanity's number one priority.
- 1.17 To meet the urgent challenge outlined in the IPCC report, we all have a part to play. It is important for us all in Penrith that the Town Council commits to carbon neutrality as quickly as possible. Penrith Town Council can lead where Eden District Council and Cumbria County Council should follow.
- 1.18 That many organisations have been working hard locally and nationally to identify and address climate change in their own communities and with partners.
- 1.19 Bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities (as well as improved well-being for people worldwide).

## **2. FINANCIAL IMPLICATIONS**

None

## **3. BACKGROUND PAPERS / REFERENCES**

- Covenant of Mayors - <https://www.covenantofmayors.eu/about/covenant-initiative/origins-and-development.html>
- See the map showing local governments that have declared a Climate Emergency [here](#).
- World Resources Institute:  
<https://www.wri.org/blog/2018/10/8things-you-need-know-about-ipcc-15-c-report>
- The IPCC's Special Report on Global Warming of 1.5°C: see IPCC report [here](#).
- Fossil CO2 & GHG emissions of all world countries, 2017:  
[http://edgar.jrc.ec.europa.eu/overview.php?%20v=CO2andGHG1970-2016&dst=GHGpc%20\(opens%20in%20a%20new%20window\)](http://edgar.jrc.ec.europa.eu/overview.php?%20v=CO2andGHG1970-2016&dst=GHGpc%20(opens%20in%20a%20new%20window))
- Scope 1, 2 and 3 of the Greenhouse Gas Protocol explained:  
<https://www.carbontrust.com/error.html?aspxerrorpath=/resources/faqs/services/scope-3-indirect-carbon-emissions>.



# Penrith Town Council

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

## FULL COUNCIL MONDAY 15 JULY 2019

### MATTER: Resolutions Report from Full Council 20 May 2019

**AUTHOR: I. Parker Services and Contracts Manager**

**SUPPORTING MEMBER: Cllr. Lawson**

**ITEM NO: 9**

### RECOMMENDATIONS

To note

Minute Ref	Matter Title	Progress
PTC19/12	Meetings Report	Finance Committee 18:00hrs start. CCEG Committee 16:00hrs start. Planning Committee 14:15hrs start. <b>Completed.</b>
Minute Ref	Matter Title	Progress
PTC19/18	Appointment of Internal Auditor	Mrs G Airey accepted the offer of reappointment as Internal Auditor for the 2019/20 financial year by letter dated 28 May 2019. <b>Completed.</b>

<b>Minute Ref</b>	<b>Matter Title</b>	<b>Progress</b>
PTC19/21	Community Caretaker Contract	The Community Caretaker Contract Extension was officially accepted by the Contractor on the 28 May 2019.  <b>Completed.</b>
<b>Minute Ref</b>	<b>Matter Title</b>	<b>Progress</b>
PTC19/24	Local Council Award Scheme	Cllr Lawson's electronic signature has been used to sign the declaration.  Awaiting registers of interest approval from Eden District Council which are required to be published on the Council's website.  <b>Ongoing.</b>
<b>Minute Ref</b>	<b>Matter Title</b>	<b>Progress</b>
PTC19/26	Declaration of a Climate Emergency	Letter sent to the Leader of Cumbria County Council requesting CCC considers declaring a Climate and Ecological Emergency seeking consideration to the creation of a Climate Change Partnership in Cumbria.  Letter sent to the Chairman of Eden District Council requesting EDC considers declaring a Climate and Ecological Emergency.  <b>Completed.</b>
<b>Minute Ref</b>	<b>Matter Title</b>	<b>Progress</b>
PTC19/27	Statutory Consultation – Eden Speed Limit Consolidation 2019	Letter sent to Cumbria County Council on the 22 May 2019.  <b>Completed.</b>



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## **FULL COUNCIL MONDAY 15 JULY 2019**

**MATTER: Bench Disposal Policy**

**AUTHOR: I. Parker Services and Contracts Manager**

**SUPPORTING MEMBER: Cllr. Burgin**

**ITEM NO: 15**

## **RECOMMENDATIONS**

Ratify the Bench Disposal Policy as approved and recommended by the Council's Finance Committee.

## **LINK TO COUNCIL PLAN PRIORITIES**

Protect and improve the Town, the environment, leisure and recreational community facilities, services and assets that contribute to our quality of life and its attractiveness as a place to visit.

# **BENCH DISPOSAL POLICY**

## **1. BACKGROUND**

- 1.1 Penrith Town Council approved a Memorial Benches Policy, 12 November 2018, attached at Appendix A. When the policy was approved there was no inclusion for the disposal of the existing benches once they had been removed. This policy sets out the steps that the Council shall consider when benches and benches are being removed.
- 1.2 This policy relates to the administrative area covered by Penrith Town Council only and shall be included within the approved Memorial Benches Policy.

## **2. OBJECTIVES**

- 2.1 To set out a framework for the disposal of benches that are no longer functional, are beyond repair and may be disposed of to avoid expensive maintenance costs and safety concerns.
- 2.2 To set out a framework for the disposal of benches which may be available for reuse, sale or for donation to a third party community group.

## **3. BACKGROUND**

- 3.1 Penrith Town Council received 45 benches from Eden District Council via an asset transfer on the 19 October 2018. The benches vary in style, age and condition.
- 3.2 The Council approved a Memorial Bench Policy in November 2018, and further resolved to undertake a phased replacement of the benches over a three-year period, commencing in the 2019/20 financial year.
- 3.3 The Council approved a bench design which allowed for consistency of appearance and reduced maintenance costs.
- 3.4 The Council resolved to not increase the number of sites and locations for benches, but instead to seek to replace benches in the existing locations.

## **4. CONDITIONS**

### **4.1 Disposal of benches that are no longer functional, are beyond repair and may be disposed of to avoid expensive maintenance costs and safety concerns.**

- a) Should the Council, its contractor or a member of the public report a bench which is identified to be defective or present a safety hazard to the public, then this bench must be inspected by the Services and Contracts Manager.
- b) Where it is considered that the bench presents a hazard to the public this bench shall be removed from its public place or fenced off to restrict use.
- c) Should the bench be a memorial bench showing an inscription or has been donated by a local organisation; the Council shall make attempts to contact those persons/organisations to inform them of the state of the bench. It is important to note that the Council received no information from the previous bench owners as to who may have donated benches prior to the 19 October 2018.
- d) The Council will determine whether the bench can be repaired at a reasonable and affordable rate, with the Council being the sole arbiter on what constitutes 'reasonable' cost. Should the bench be considered affordable for repair the Council may undertake the repair and reinstall the bench. The costs will be met by the Council.
- e) Where the bench is identified to be defective and cannot be repaired at a reasonable cost, the bench will be made available for sale or donation to the public or a third-party community group. (See 4.2) Where a community group/organisation has been identified as the original donor, they will be given first opportunity to have the bench donated at nil cost.
- f) Where the bench is identified to be in a severe state of damage or disrepair, the Council at its discretion may dispose of the bench and will instruct its contractor to remove the bench and send it to the most appropriate recycling facility.

### **4.2 Disposal of benches which may be available for reuse, sale or donated to third party community group.**

- a) Where a bench is removed and is identified as defective and cannot be repaired at a reasonable cost, the bench will be made available for sale or donation to the public or a third-party community group. Where a community group/organisation has been identified as the original donor, they will be given first opportunity to have the bench donated at nil cost.

- b) Where a bench is removed as part of the Council's planned phased replacement of benches, then the Council will:
- I. Consider whether the bench shall be installed at an alternative location in the Council's ownership.
  - II. Consider whether the bench would be better replacing an existing bench in an alternative location.
- c) Should the bench not be associated with a Community group/organisation, or they are not interested in receiving the bench; and (bi) and (bii) are not applicable, then the Council shall make available the removed bench to the public or community groups on the following basis:
- I. The bench shall be removed by the Council and put into storage.
  - II. The Council will photograph the bench which will be advertised as sold as seen.
  - III. The Council will advertise the bench for a period of 28 days.
  - IV. The Council will accept closed bids, with the interested party submitting their name, contact details and bid amount.
  - V. The Council will open the received bids at a preset time in the presence of the Town Clerk, Services and Contracts Manager and one elected member from the Finance Committee.
  - VI. The Council will accept the highest bid.
  - VII. The Council will notify applicants in writing of the outcome.
  - VIII. Successful applicants will have 7 days to pay their accepted bid amount by cheque or electronic banking.
  - IX. Should the successful applicant fail to pay their bid amount after 7 days then the next highest bidder will be offered the bench.
  - X. Successful applicants will be responsible for the collection of the bench within 14 days of receiving their confirmation of acceptance of bid.
  - XI. The Council may be able to arrange delivery for an additional fee. The fee being agreed on an individual basis.
  - XII. The income from the sale of benches received will be donated to the Mayors Charity.
  - XIII. Upon collection, the bench will become the new owners responsibility. The Council cannot be held liable for any defects or personal injury arising from the condition of the bench following the exchange of ownership.
  - XIV. Where no persons submitted a bid for an advertised bench the Council will:
    - Advertise the bench on a Freegle website or similar
    - Make available the bench to residents in locality areas
    - Dispose of the bench at its discretion

## **APPENDIX A**

# **MEMORIAL BENCHES POLICY**

## **INTRODUCTION**

Penrith Town Council has adopted this policy to facilitate members of the public if they wish to donate towards:

- a. A new bench with accompanying plaque in memory of a deceased person
- b. A plaque on its own to be fixed to an existing bench of a new style

This policy relates to the administrative area covered by Penrith Town Council only.

## **OBJECTIVES**

To respond to requests by relatives and friends of a deceased person to provide some lasting memory of that person;

To contribute to the overall amenity of the town by providing benches and securing their maintenance for the future.

## **BACKGROUND**

Penrith Town Council received 45 benches from Eden District Council via an asset transfer on the 19 October 2018. The benches vary in style, age and condition.

The Council in addition to approving a Memorial Bench Policy, has been asked to take into consideration a phased replacement of many of the 45 benches to provide the town with consistency of design and appearance.

With the Town Council only recently being responsible for benches then it is considered appropriate at this stage to not increase the number of sites and locations for benches, but instead to seek to replace benches in the existing locations.

The Town Council are working with Eden District Council and Cumbria County Council to receive further areas of Public Open Space which will offer the potential for new sites for benches to become available in the future.

Once these additional sites are devolved to the Town Council, the policy will be reviewed, and a list of new locations and the number of available bench sites will be made available.

For this policy any application for a memorial bench will be received to provide a replacement bench in an existing location, thus enabling the phased replacement of the old benches, and where there is no current memorial dedication.

## **CONDITIONS**

All requests for either new benches with plaques or for plaques to be fixed to existing benches of the new style must be made on the relevant form, signed and submitted to the Services and Contracts Manager.

New benches will be of a type, design and colour approved by the Council to ensure some consistency with existing ones in place throughout the Penrith Parish.

The purchase of each bench and/or plaque and their installation will be carried out by the Council.

Once installed the bench and plaque will become the property of the Council. It will be maintained for an initial period of 10 years.

After the period of 10 years the Council will endeavor to contact the donor and seek a further agreement for continued maintenance of the plaque and bench. This agreement will likely be subject to a further fee being charged. If the donor cannot be contacted for any reason, the Council may at its discretion remove the plaque and allow the bench to be available to new donors.

Where an existing memorial plaque is in place, and should that bench be replaced, the memorial plaque will be replaced with the same detail for a period of 10 years from the date of replacement.

The Council will maintain a database of applicants, including the expiry date of 10 years, and any waiting lists that may develop.

The Council will not permit the provision of benches and plaques other than as supplied by or through the Council.

## **LOCATION**

For this policy at this stage:

The provision of new benches where there is an existing memorial plaque displayed will require that the existing memorial plaque be replaced with like for like wording for a period of 10 years from the date of installation.

The provision of new benches will be in existing locations and will replace one of the old-style benches that does not currently display a memorial plaque.

Where the Council has provided a new style bench as part of its phased replacement and does not display a memorial plaque, then donors can choose to have a plaque installed at this location.

As and when the Council have further public open space devolved to it, only at that point will the Council approve new sites and locations.

The Council cannot install benches on private land or other areas of public land that it has no control over.

## **BENCH DESIGN**

New benches will be of a type, design and colour approved by the Council to ensure some consistency. The chosen bench is:

Lowther Bench, with brown slats, supplied by Glasdon UK.



Where space prevents the preferred bench from being installed, then the Council will select an alternative bench design of its choice.

## PLAQUES / INSCRIPTIONS

Only one memorial plaque measuring 150mm x 40mm is permitted per bench and this will be ordered at the same time as the bench. Where only a plaque is being ordered the same dimensions apply. There is no maximum number of characters permitted, however it should be noted that the more wording required the smaller the font will be to accommodate the plaque size.

All wording to be printed on to the plaques must be approved by the Council prior to the order being placed. The Council may determine a consistent font to be used on all plaques.

## MAINTENANCE

Penrith Town Council will inspect the benches and plaques on a regular basis. Where there are any defects with the benches the Council will instruct its Community Caretaker to undertake any repairs.

Benches may be removed by the Council if they become unsafe or are beyond reasonable repair. The Council cannot replace stolen benches.

Penrith Town Council cannot guarantee the long-term safety or security of the bench.

## END OF 10 YEAR TERM

At the end of 10 years where no renewal fee is paid, the plaque will be returned to donor. Where the Council is unable to contact the donor, the Council will keep the plaque for 12 months. When vacated plaque space becomes available the bench will be available to a new applicant or the next person on the waiting list.

## CHARGES

Description	(£)
New bench with plaque, including 10 years maintenance fee	£1000
Plaque fixed to existing new style bench, including 10 years maintenance fee. See Note 1	£200
Renewal of bench/plaque, including maintenance fee after initial 10 years expires. Price is for a further 10 years. See Note 2	£200

**Note 1** - No new plaques can be fixed to any of the old-style benches

**Note 2** - Cost for additional 10 years or when bench/plaque reaches the end of its meaningful life, or whichever is soonest.

The charges will be reviewed by the Council annually to be effective from the 01 April each year. Once the location of the bench and wording for the plaque has been agreed and any necessary consents are approved, the Council will raise an invoice to the donor. Once payment has been received in full the Council will arrange for the order and installation to proceed.

## **EXCLUSIONS**

Penrith Town Council cannot be held responsible or liable for any decisions or amendments made to any of the benches prior to the 19 October 2018, which was the date that the benches were devolved to Penrith Town Council.



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## **FULL COUNCIL MONDAY 15 JULY 2019**

### **TOWN COUNCIL INVESTMENTS**

**AUTHOR: Jack Jones - RFO**

**SUPPORTING MEMBER: Cllr Roger Burgin -  
Chairman of Finance Committee**

### **ITEM NUMBER: 16**

Ratify the Finance Committee's recommendation for the arrangements for the operation of the Council's new CCLA Public Sector Deposit Fund account and to review its range of investments.

### **RECOMMENDATIONS**

The Council is recommended to:

- a) Ratify the proposed arrangements for the operation of the new CCLA Public Sector Deposit Fund investment account;
- b) Ratify the following investment transactions:
  - i) withdraw funds from the Penrith Building Society account to reduce its balance to £85,000;
  - ii) invest £85,000 into the Cumberland Building Society account; and
  - iii) invest £300,000 into the CCLA Public Sector Deposit Fund account; and
- c) note that this will leave approximately £237,000 in the HSBC current account, which will be required to meet operational expenditure in the coming months.

## **1. LAW**

The Council has the power to invest for any purpose relevant to its functions under any enactment, or for the purposes of the prudent management of its financial affairs (Section 12 of the Local Government Act 2003, the '2003 Act').

Statutory Guidance on Local Government Investments (3rd Edition) has been issued under section 15(1)(a) of the 2003 Act; the provisions of the Investment Strategy and the proposals in this report are consistent with that guidance.

## **2. LINKS TO COUNCIL PRIORITIES**

Proper investment of reserves and working balances ensures that these monies are secure and available when required to fund expenditure to deliver the Council's priorities as resolved in the Council Plan.

## **3. REPORT DETAILS**

### **A. Background**

In March this year, the Committee agreed to:

- establish a new investment account with the CCLA Public Sector Deposit Fund;
- close the Council's Unity Trust bank account and transfer its balance to HSBC; and
- withdraw monies from the Penrith Building Society and re-invest into other accounts, at an opportune time following the closure of the 2018/19 Accounts. This is consistent with the Investment Strategy, which proposes spreading investments with secure counterparties.

The Unity Trust account was closed during March; the remaining actions are the subject of this report.

The Council's main day to day funds are held in the HSBC current account; it has investment accounts with the Penrith and Cumberland Building Societies, both of which qualify for the FSCS compensation scheme up to £85,000.

## **CCLA Public Sector Deposit Fund**

The Investment Strategy proposed investigating the use of the CCLA Public Sector Deposit Fund in order to further spread the Council's investments with secure counterparties. The Strategy explained that this is a pooled investment available to local authorities. The Fund currently has a value of £440 million, invested in a range of high quality institutions. By investing in the Fund (with a minimum of £25,000), an authority has the benefit of buying into a share of that pool, with a consequent reduction in risk; the Fund is not covered by FSCS compensation, but risk is mitigated by the quality of its counterparties.

Arrangements for the operation of the new CCLA account were delegated to the RFO, in consultation with the Chairman of this Committee. The previous Chairman was broadly in agreement with the RFO's suggestions but asked that the details be reported to the full Committee so that all its Members could agree the arrangements. These concern the authority to give instructions (ie to invest or withdraw funds), correspondence and method of contact.

The account set up forms from CCLA require the Council to nominate signatories in several areas, listed below with Officers' recommendations:

<b>Options</b>	<b>Recommendation</b>
Up to four "Directors" can have authority to give instructions to CCLA	Four Members of Finance Committee should be authorised as "Directors"
Either one or two Directors can authorise signatories	Two Directors should be required to authorise signatories
Directors can be authorised signatories	All four Directors should be authorised signatories
Further signatories can be authorised, one of which can be the main contact	The Town Clerk be authorised to deal with all correspondence (ie not to authorise investment transactions)
Instructions can be made by email, providing an indemnity is signed	Emailed instructions should be allowed, the safeguard being that properly authorised documents will be attached to the emails

Councillors at the Finance Committee held on the 17 June 2019 approved that the following Members be the named Directors for the CCLA Deposit Fund account:

Cllr Burgin, Cllr Bowen, Cllr Jackson, Cllr Hawkins

## B. Spreading Investments

Since closing the 2018/19 accounts, the Council has received several full year amounts of income from Eden District Council, including the annual precept, Council Tax Reduction Scheme and devolved asset grants. These items total approximately £461,000. The result is that the bank and investment balances are currently particularly high, although a substantial proportion will be needed to pay for expenditure later in the year. Current balances are as follows:

<b>Account</b>	<b>Balance at 31 May 2019</b>
HSBC	567,815
Penrith BS	138,860
Total	706,675

In spreading risk, the main aim should be to reduce the Penrith Building Society balance to £85,000 and to also invest £85,000 in the Cumberland Building Society.

A substantial investment can be made into the new CCLA Fund, however as the Council is not used to moving investments around regularly, a cautious approach should be adopted to ensure that its bank balance is always sufficient to meet demands.

This will involve an HSBC balance above the compensation limit, which is considered acceptable and an improvement on current practice of holding the majority of funds in that bank.

It is therefore recommended that, in addition to the two above changes, £300,000 is invested in the CCLA account, which would leave £236,675 in HSBC for operational expenditure from 1 June onwards (equivalent to six months' typical payments).

The bank balance will need to be monitored more closely than in the past as investments will need to be withdrawn later in the year to "top up" the HSBC bank account.

The proposed investments would then be as follows:

<b>Account</b>	<b>Balance £</b>
HSBC	236,675
Penrith BS	85,000
Cumberland BS	85,000
CCLA Public Sector Deposit Fund	300,000
<b>Total</b>	<b>706,675</b>

#### **4. FINANCE IMPLICATIONS**

The Council's reserves and surplus working capital are invested pending their use and therefore need to be protected against loss. The income earned from investment is of secondary importance.

#### **5. RISK MANAGEMENT**

<b>RISK</b>	<b>CONSEQUENCE</b>	<b>CONTROLS REQUIRED</b>
<ul style="list-style-type: none"> <li>• Failure of an investment counterparty leading to the loss of Council funds.</li> <li>• Non-compliance with statutory guidance.</li> </ul>	<ul style="list-style-type: none"> <li>• Unwelcome curtailment of spending programmes; possible unpalatable council tax increase; potential reputational damage.</li> <li>• Criticism from internal/external audit; reputational damage.</li> </ul>	<ul style="list-style-type: none"> <li>• Adherence to a robust and prudent investment strategy.</li> <li>• Safeguards in the strategy and Government guidance.</li> <li>• Spreading investments to minimise risk.</li> </ul>

## **6. APPENDICES ATTACHED TO THIS REPORT**

None

## **7. BACKGROUND PAPERS**

Investment Strategy 2019/20

Statutory Guidance on Local Government Investments (3rd Edition)

CCLA Website and correspondence



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## **FULL COUNCIL MONDAY 15 JULY 2019**

**MATTER: Application for Street Trading Consent**

**AUTHOR: C. Grey, Economic Development Officer**

**SUPPORTING MEMBER: Cllr. Lawson**

**ITEM NO: 20**

## **RECOMMENDATIONS**

The application for a Street Trading Licence is submitted.

## **LINK TO COUNCIL PLAN PRIORITIES**

### **Economic Development**

- Improve the Town's prosperity through economic growth and tourism
- Encourage sustainable better paid employment, skills development and apprenticeships
- Increase the aspirations of our young people

# 1. OVERVIEW

1.1 Penrith Town Council priorities aims to:

- a. Support and contribute to the economic growth and prosperity of the town through encouraging inward investment, sustainable employment, tourism and provision of devolved services.
- b. Encourage employment initiatives that deliver better paid employment, apprenticeships and encourage skills development

1.2 It has been identified that there is a need in Penrith for Young entrepreneurs to test the market for their new business products or services.

1.3 One of the most important things for a new business is to validate demand for its products—and real product validation only happens when money changes hands. Selling in person also gives the added benefit of receiving direct, unfiltered feedback from customers by seeing their initial reactions and finding out if they're willing to spend money on what is being sold and how much.

1.4 A pop-up shop is a short-term, temporary retail space where fledgling business can interact in person with customers and communicate their message. Opportunities for Pop up Shops in Penrith are limited and although a cost effective solution for established businesses this solution is still unobtainable to many young entrepreneurs.

1.5 By obtaining a Street Trading Consent from Eden District Council for the Cornmarket Band Stand, Penrith Town Council will be able to offer the ability for a "Pop up Market Stall" presence in Penrith.

1.6 Whilst the Street Trading Consent would allow the Council to support Young entrepreneurs it will equally allow the Council to work with other sectors of the community.

## 2. FINANCIAL IMPLICATIONS

Cost of License and purchase of Pop up folding Tables £900. This expenditure would be funded from the Town Projects budget.

### 3. RISK MANAGEMENT

RISK	CONSEQUENCE	CONTROLS REQUIRED
Safeguarding	Safeguarding matters should minors under the age of be trading	Where minors are trading under the age of 18 will require the supervision of a competent adult.  DBS certificates for competent adults.
Inadequate Insurance	Contravene Council's policy  Suitable insurance not in place to cover the event or activity  Any claims may be reduced.	All event or trading applications shall be presented to the Council's insurers prior to the event proceeding.
Reputation of the Council	Inappropriate products and services being sold.  Conduct and professionalism of traders	All applicants must contact the Council in advance of trading outlining full details of their proposal.  Council to consider applications on an individual basis and give written consent to the applicant prior to the activity proceeding.  Council to monitor traders and activity.
Personal Injury	Harm to traders and customers	Cornmarket is regularly inspected by the Council and all defects are recorded.  Equipment including pop up tables shall be regularly inspected by the Council.  Electrical testing certificate is in date. Ensure no trailing cables.

**4. APPENDICES ATTACHED TO THIS REPORT - none**

**5. BACKGROUND PAPERS - none**