Penrith Town Council

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

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

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.

PENRITH TOWN COUNCIL MEETINGS CALENDAR 2019-20				
MONTH	**FULL COUNCIL**	**FINANCE**	**CCEG**	**PLANNING**
TIME	**18.00–20.00**	**18.00 – 20.00**	**16.00-18.00**	**14.15-16.00**
MAY	20			
JUNE		17	17	3
JULY	15			8
AUGUST				
SEPTEMBER	23	9	9	2
OCTOBER				7
NOVEMBER	25	11	11	4
DECEMBER				2
JANUARY	27	13	20	13 after Finance
FEBRUARY				3
MARCH	23			
Annual Town Meeting	16	9	9	2
APRIL		27		6
MAY	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 Mach 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 humanity's 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 speed limit 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_2 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, 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 acknowledges 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 1.5ºC: 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)
- 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.