



**PENRITH TOWN COUNCIL**

**2016-20 Strategic Priorities  
&  
Devolution Project Plan**

# PENRITH TOWN COUNCIL

## 2016-20 Strategic Priorities & Devolution Project Plan

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## **2016-20 Strategic Priorities & Devolution Project Plan**

### **Background**

Councils across the country are looking for innovative ways to meet the needs of the population, as public services are having to do more with less. It is important for the different tiers of councils to work well together, avoid duplication, and deliver services at the most efficient and effective level.

The Localism Act provides more power and decision making to local levels and gives local councils the opportunities to take on additional services where appropriate.

The National Association of Local Councils and the Local Government Association published 'Modelling Devolution'. This identified five broad models of devolution to local councils:

1. An agreed local charter or contract laying down the principles for how councils should work together;
2. Community asset transfers;
3. Clustering of local councils to take on services;
4. Transferred service delivery to the local council with the service funded locally from the parish precept, volunteers, or some other local resource;
5. Joint service provision, where local councils top up or enhance an existing service provided by the principal authority or where principal councils support local councils to improve their capability to provide services.

Eden District Council has resolved to embark on a devolution project programme to transfer powers, service delivery responsibilities and potentially, in some cases associated staff and assets to local community groups including Town and Parish Councils.

Penrith Town Council has formally expressed an interest in assuming devolved services and assets from Eden District Council.

With potential democratic changes in Cumbria, it is essential that the assets and services in Penrith are preserved for the long-term.

The Town Council would apply due diligence throughout the asset transfer process in order that the Council can demonstrate that risks have been assessed and that the Council is able to manage and maintain the assets and services effectively.

## Vision

Penrith Town Council would work with its partners to strive to make Penrith:

***A safe, attractive and economically strong market town, which is pedestrian and cycle friendly, and with very high environmental standards and an active leisure and arts culture.***

***A pre-eminent rural service centre that is admired as a destination market town –dynamic, economically active and distinctive, with an enviable quality of life.***

***A place where all residents and traders have a stake in its success and a sense of belonging.***

## Strategic Priorities

The vision is underpinned by seven strategic priorities:

### **1. Health & Wellbeing:**

- To assume responsibility for devolved assets and services that contribute to the quality of life for residents and the visitor experience of Penrith.
- To preserve and enhance the nature of the town.
- To support and contribute to the social fabric of the Town, enhancing community facilities.

### **2. Economic Development:**

- To support and contribute to the economic growth and prosperity of the town through sustainable employment, tourism and provision of devolved services.
- To support employment initiatives that deliver better paid employment, apprenticeships and encourage skills development.

### **3. Transport:**

- To provide pedestrian and cycling opportunities that are safe, reliable and enhance the visitor experience.
- To support and contribute to sustainable transport.
- To support and lead on actions identified within the Community Led Plan.

#### **4. Community Led Plan:**

- To encourage and facilitate the development of Community Led Plans that would identify the needs, wants and aspirations of the community.
- To implement the actions that are identified within the Community Led Plan that are the responsibility of the Town Council.
- To lobby other authorities for which actions have been identified and do not fall under the remit of the Town Council.

#### **5. Growth:**

- To support sustainable appropriate development, where this meets local planning criteria.
- To develop a Neighbourhood Plan for Penrith.

#### **6. Community Engagement:**

- To encourage and facilitate community engagement ensuring those members of the community with the smallest voice are heard.
- To value the community's contributions and give them when required, due consideration.

#### **7. Core Council Business:**

- To ensure that the Council is run in a lawful and business-like manner.
- To give confidence in the new model of service delivery and decision-making.
- To provide good governance that provides:
  - Clear and effective decision-making.
  - Clarity about lines of responsibility.
  - Accountability for the different levels of decision-making.

### **Benefits & Costs**

#### **Key Benefits**

Cost effective services  
Town Council credibility  
Needs led service delivery  
Local services designed, managed and delivered at local level to respond to local needs  
Sustainable public finances

#### **Key Costs**

Staff  
On-costs  
Repairs & maintenance  
Depreciation  
Replacement  
Loan & investments

## Impact Assessment

Through devolution it is possible that some services which are non-mandatory may be spared from closure, or even enhanced.

Local communities become empowered to design services which more closely reflect local knowledge, aspirations, priorities and needs.

The Town Council recognises that devolution carries potential risks, but those risks are not necessarily greater than those that come with maintaining the status quo.

Any devolutionary arrangements would involve a robust impact assessment, with an emphasis on developing joint risk management strategies between all partners, recognising that both sides would have expertise to offer to make devolution a success.

The Town Council and the District Council would develop clear communication and stakeholder engagement protocols to mitigate against significant reputational risk and to enable service users and partner agencies to access support and services appropriately.

It is proposed that devolution would be achieved with minimal disruption using a proactive, phased long-term management and commissioning approach.

Eden District Council and the Town Council would assess the Town Council's readiness and ability to assume full responsibility for devolved assets and services over the period of the project plan.

Extensive data would be required on the existing condition of assets and their current and potential running costs. The Town Council has prepared a rigorous set of criteria for information related to each asset and services to enable the Town Council to assess consider and implement specific proposals for devolution – "Assets & Services Data Criteria".

Both Councils would ensure that appropriate governance arrangements are in place including:

- Risk management strategies.
- Effective working relationships across the private, public and voluntary sectors.
- Evidence base to support each service and asset transfer case.

## Summary

The key impacts identified are:

### POSITIVE

- Through devolution it is possible that some services which are non-mandatory may be spared from closure, or even enhanced.
- Services may be designed in accordance with local priorities and needs, using local knowledge and resources.
- Devolving powers and responsibilities has the potential to foster greater degrees of civic pride.
- Increased involvement in public services by local residents.

### NEGATIVE

- Potential risks due to resource capacity limitations within the Town Council.
- Potential safeguarding risks associated with deployment of volunteer work force to operate services.

### MITIGATION

- Due Diligence prior to devolution and during negotiations.
- Data sharing and appropriate knowledge transfer.
- Phased programme to build capacity and expertise within Town Council.
- Stakeholder engagement.
- Communications strategies.
- Confidentiality agreements between parties on a case by case basis setting out information management responsibilities.
- Case by case risk assessments and project management.

## Financial Overview – First two years

### Year 1 -2015/2016

- Personnel - Full time staff member, IT, Accountant and Member time
  - Income - Precept £116,840
    - Allotments £400 provides –
      - £20,000 General service provision
      - £10,000 Reserves
      - £15,250 First year set-up costs
      - £71,990 Council costs
- £117,240**
- Precept/budget review for 16/17 scheduled for autumn 2015 which will consider potential devolution costs.

### Year 2 – 16/17

- Personnel - Full time staff member, , IT, Accountant and Member time plus potential Full/Part time Events/ Town Centre Manager/s
- Increase in Precept to meet anticipated costs of devolution **OR:**
- No change to precept application for 16/17 and costs met from reserves and general service provision and £15,250 “fall out” from 15/16 first year set up costs which may be earmarked to support costs associated with devolution.
- **OTHER POTENTIAL INCOME STREAMS**
  - EDC grant
  - Income from services – public conveniences , car parking
  - Income from New Homes Bonus
  - Contracted out services

## Asset/Services Data Criteria

A fact file is required by the Town Council for the operation, maintenance, of each service & asset.

The fact file would include:

- I. Photographs
- II. Overall description with as built drawings and subsequent drawings of any alterations
- III. Contents list
- IV. Site Location
- V. Audited I & E statements for the last 3 years and forecast
- VI. Leases, licences, deeds, HoT's , SLA and any other associated legal documents
- VII. Land Registration
- VIII. Insurance valuation
- IX. Service history
- X. Repairs history
- XI. Suppliers
- XII. Associated contracts – equipment, building, personnel and services
- XIII. All mechanical and electrical specs
- XIV. Instructions of operations and maintenance with daily and non-routine procedures
- XV. Health & safety information including risk assessments
- XVI. Guarantees, warranties and certificates
- XVII. Associated professional fees
- XVIII. Business Rates
- XIX. Utilities
- XX. Associated EDC recharges

## Project Organisation

<b>Project Leader PTC</b>	Chairman Penrith Town Council
<b>Project Leader EDC</b>	Communities Portfolio Holder, Eden District Council
<b>Project Team</b>	Penrith Town Council members Eden District Council members
<b>Officer Team members</b>	Town Clerk Eden District Council Officers
<b>Key Contributors</b>	Penrith BID Penrith Partnership Penrith Chamber of Trade Totally Locally Eden Arts and local organisations in Penrith.

### **Schedule for Devolution of Assets & Services Precise – Strategic priorities 1-3**

A time plan showing the key activities which need to take place and estimates of when the activity needs to be carried out, with key milestone dates.

#### **PHASED PROJECT PLAN TARGET DATES FOR DEVOLUTION**

- To ensure that each asset and service is preserved the Town Council would initially express an interest in all assets and services currently managed by Eden District Council.
- Over four years the Town Council would assume gradual responsibility for assets and services.
- The phased approach takes into account the weight of the asset and services, in terms of personnel, legal liabilities, cost and capacity of both the Town and District Council.

## PHASED PROJECT PLAN TARGET DATES

ASSET	EXPRESSION OF INTEREST	TRANSFER START DATE	COMPLETION ESTIMATION
Town Clock	September 2015	October 2015	January 2016
Bus shelters	September 2015	April 2016	August 2016
War memorials	September 2015	October 2015	January 2016
Litter bins	September 2015	April 2016	August 2016
Closed churchyards	September 2015	April 2017	August 2017
Allotments	September 2015	October 2015	January 2016
Sports pitches	September 2015	April 2017	August 2017
Castle Park	September 2015	April 2016	August 2016
Castle Park Sports Facilities	September 2015	April 2016	August 2016
Play areas	September 2015	April 2017	August 2017
Tourist Information Centre	September 2015	April 2018	August 2018
Museum	September 2015	April 2018	August 2018
Leisure Centre	September 2015	April 2019	February 2020
New Squares	September 2015	April 2019	February 2020
Cemetery	September 2015	April 2017	August 2017
Car parks	September 2015	April 2016	August 2016
Public toilets	September 2015	April 2016	August 2016
Benches and public seats	September 2015	April 2016	August 2016
Town Hall	September 2015	April 2019	February 2020
Mansion House	September 2015	April 2019	February 2020
Other buildings	September 2015	April 2019	February 2020
Events & Town Centre management	September 2015	August 2016	October 2016

Strategic Priorities - would be implemented alongside the devolution project as follows:

### Strategic Priority 4 – Community Led Plan

Priorities	Committee Responsible	Outcome/Output or expected milestone Level of Funding	Completion Timescale
Implement PTC Actions of Community Led Plan initiated by the Penrith Partnership	Full Council Penrith Partnership	<p>To assume responsibility of any actions that are identified in the consultations that fall within the responsibility of the Town Council:</p> <ul style="list-style-type: none"> <li>• Environment</li> <li>• Leisure events &amp; activities</li> <li>• Economy, commerce &amp; employment</li> <li>• Transport, parking &amp; cycling</li> <li>• Heritage, buildings &amp; conservation</li> <li>• Youth</li> </ul> <p>To develop a projects budget to enable these actions to be funded.</p>	2020

## Strategic Priority 5 - Growth

Priorities	Committee Responsible	Outcome/Output or expected milestone Level of Funding	Completion Timescale
Produce Neighbourhood Plan after the CLP consultation results are received and analysed.	Planning	DCLG Grant Consultant Staff hours Circa £50,000	2020

## Strategic Priority 6 – Community Engagement

Priorities	Committee Responsible	Outcome/Output or expected milestone Level of Funding	Completion Timescale
Policies and procedures	Full Council	To develop and adopt relevant Policies, procedures and protocols that support Council communication.	<b>April 2016</b>
Publicise duties and powers to residents.	Full Council	To promote in press and in the Council's website.	<b>On going</b>
Encourage public participation	Full Council	To ensure that there is an opportunity for the public to have their say at meetings.	<b>On going</b>
Provide a website that is current and relevant with email provision to councillors	Full Council	To provide contact details and email addresses for each councillor.	<b>On going</b>

## Strategic Priority 6 – Community Engagement continued

Priorities	Committee Responsible	Outcome/Output or expected milestone Level of Funding	Completion Timescale
Community feedback	Full Council	To provide relevant polls and surveys via the “have your say” polls free site.	<b>On going</b>
Seek feedback on community engagement at Annual Town Meeting.	Full Council	To promote the annual town meeting inviting local groups to attend.	<b>April 2016</b>
Promotion of council activities to public who do not have access to internet	Full Council	To find locations for ward noticeboards, seek permissions, purchase & install.	<b>April 2016</b>

## Strategic Priority 6 – Community Engagement continued

Priorities	Committee Responsible	Outcome/Output or expected milestone Level of Funding	Completion Timescale
Multi – organisation partnership forums	Full Council	To ensure that each community group has the opportunity to contact with a councillor.	<b>On going</b>
Councillor surgeries	Full Council	To develop regular surgeries.	<b>On going</b>

## Strategic Priority 7 Council Business Priorities

PROVISION OF GOOD GOVERNANCE		FISCAL YEAR											
Activities	Months	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR
Year end & Audit return prep													
Governance Review													
Insurance review													
Annual Town Meeting													
Annual Town Council Meeting													
Internal Audit													
Year-end accounts to Finance Committee													
Accounts to external auditor													
Risk Assessment review													
Review of Internal Control													
Review of Internal Audit													
Financial Statements review													
Budget Planning													
Approval of budget													
Application for Precept													
Asset Register review													

## Strategic Priority 7 Core Council Business Activities

### CORE COUNCIL ACTIVITIES

- ❖ Adopt a budget and ensure a balanced approach to its capital expenditure in respect of the procurement of new assets, services and the maintenance of assets.
- ❖ Implement four year strategic priorities business plan.
- ❖ Maintain a risk management strategy.
- ❖ Maintain an asset register.
- ❖ Ensure all risks are insured.
- ❖ Develop and maintain existing assets to produce achievable additional benefits.
- ❖ Provide a staff pay contingency for project officer hours to ensure unplanned projects and initiatives are met.
- ❖ Provide a projects/contingency fund for unplanned activities that the Council would be required to implement as part of its duties and responsibilities.
- ❖ Maintain accounting & finance systems and electronic banking services to improve the efficiency of the Council and promote business continuity.
- ❖ Review policies and procedures to ensure that the Council is run in a lawful and business-like manner.
- ❖ Maintain budget setting and monitoring processes and to identify efficiency measures utilising the expertise provided by external accountancy services.
- ❖ Ensure that accounting and audit procedures are completed in a lawful and timely manner.
- ❖ Comply with auto enrollment for employee pensions and provide the Local Government Pension Scheme for staff.
- ❖ Improve skills and knowledge through inductions, reviews and training.
- ❖ Meet all governance and financial compliancy requirements utilising the support and advice mechanisms supplied by CALC & SLCC.
- ❖ Ensure business continuity with a dedicated IT maintenance service and external accountancy service.
- ❖ Monitor and review tenancies, leases and rental charges.
- ❖ Work collaboratively with local organisations to support local initiatives that support the Council's strategic priorities and contribute to the quality of life of Penrith.
- ❖ Encourage partnership working to enhance the economy of the town, working with other authorities and stakeholders to improve the general amenity of the town.
- ❖ Continue regular press and community news/updates to support community engagement.

## Strategic Priority 7 - Powers and Duties relevant to Council Priorities & Devolution

Function	Powers & Duties	Statutory Provisions
Allotments	Duty to provide allotments. Power to improve and adapt land for allotments, and to let grazing rights	Small Holding & Allotments Act 1908, ss. 23, 26, and 42
Borrowing money	Power for councils to borrow money for their statutory functions or for the prudent management of their financial affairs	Local Government Act 2003, Schedule 1, para. 2
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s. 1 Local Government Act 1972, s. 214(6)
Bus shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s. 4
Bye-laws	Power to make bye-laws in regard to pleasure grounds Cycle parks Baths and washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Common pastures	Powers in relation to providing common pasture	Smallholdings and Allotments Act 1908, s.34
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or recreational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145

Function	Powers & Duties	Statutory Provisions
Environment	Power to issue fixed penalty notices for litter, graffiti and offences under dog control orders	Clean Neighbourhoods and Environment Act 2005, s.19, s.30, Part 6
General Power of Competence	Power for an eligible council to do anything subject to statutory prohibitions, restrictions and limitations which include those in place before or after the introduction of the general Power of competence	Localism Act 2011, ss.1-8
Highways	<p>Power to maintain footpaths and bridle-ways</p> <p>Power to light roads and public places Provision of litter bins Powers to provide parking places for bicycles and motor-cycles, and other vehicles Power to enter into agreement as to dedication and widening Power to provide roadside seats and shelters</p> <p>Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway Power to complain to highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes Power to provide traffic signs and other objects or devices warning of danger Power to plant trees and lay out grass verges etc. and to maintain them</p>	<p>Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3; Highways Act 1980, s.301</p> <p>Litter Act 1983, ss.5,6 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72 Highways Act 1980, s.96</p>

<b>Function</b>	<b>Powers &amp; Duties</b>	<b>Statutory Provisions</b>
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local Government Act 1972, s.139
Litter	Provision of receptacles Power to take enforcement action against those that litter	Litter Act 1983, ss.5,6 Cleaner Neighbourhoods and Environment Act 2005
Neighbourhood planning	Powers to act as lead body for a neighbourhood development plan or a neighbourhood development order. Localism Act 2011, Schedule 9; Town and Country Planning Act 1990, ss.61E	61Q, Schedule 4B; Planning and Compulsory Purchase Act 2004, s.38A
Newsletters	Power to provide information relating to matters affecting local government	Local Government Act 1972, s.142
Open spaces	Power to acquire land and maintain	Public Health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Public buildings and village hall	Power to provide buildings for public meetings and assemblies	Local Government Act 1972, s.133
Public conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to provide a wide range of recreational facilities	Local Government (Miscellaneous Provisions) Act 1976, s.19 Provision of boating pools Public Health Act 1961, s.54
Right to challenge services that are provided by a principal authority	The right to submit an interest in running a service provided by a district, county or unitary authority.	Localism Act 2011, ss.81-86

<b>Function</b>	<b>Powers &amp; Duties</b>	<b>Statutory Provisions</b>
Right to nominate and bid for assets of community value	The right to nominate assets to be added to a list of assets of community value and the right to bid to buy a listed asset when it comes up for sale	Localism Act 2011, ss.87-108
Sustainable communities	Able to be represented on a panel of representatives to be consulted on proposals that would contribute to sustainable communities	Sustainable Communities Act 2007
Tourism	Power to encourage visitors and provide conference and other facilities	Local Government Act 1972, s.144
Transport	Powers in relation to car-sharing schemes, taxi fare concessions and information about transport Powers to make grants for bus services	Local Government and Rating Act 1997, s.26, 28 and 29 Transport Act 1985, s.106A
War memorials	Power to maintain, repair, protect and alter war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133

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