

Date: 6 July 2016



**District Council**

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Dear Sir/Madam

## **Council Agenda - 14 July 2016**

Notice is hereby given and you are hereby summoned to attend a meeting of the Council to be held at 6.45 pm on Thursday, 14 July 2016 at the Council Chamber, Town Hall, Penrith.

### **1 Apologies for Absence**

### **2 Declarations of Interest**

To receive declarations of the existence and nature of any private interests, both disclosable pecuniary and any other registrable interests, in any matter to be considered or being considered.

### **3 Minutes**

RECOMMENDATION that the public minutes CI/1/5/16 to CI/15/5/16 of the meeting of Council held on 12 May 2016 be confirmed and signed by the Chairman as a correct record of those proceedings (copies previously circulated).

### **4 Chairman's Announcements**

### **5 Questions by the Public**

To receive questions from the public under Rule 10 of the Constitution

### **6 Questions by Members**

To receive questions from Members under Rule 12 of the Constitution.

### **7 Motions on Notice (Pages 9 - 12)**

To consider motions on notice received under Rule 13 of the Constitution.

### **8 Portfolio Holders on the Executive**

To consider a verbal updated from the Leader of the Council in relation to the Portfolio Holders on the Executive.

## **9 Delivering Growth, Better Paid Jobs and Commercial Income for the Council - Heart of Cumbria Limited** *(Pages 13 - 18)*

To consider report CE14/16 of the Chief Executive which is attached and which deals with the establishment of a corporate vehicle to consider the delivery of Council priorities and projects in relation to the potential for income generation and employment development.

### **RECOMMENDATIONS:**

1. That four members of the Council, consisting of two Conservatives, one Independent and one Liberal Democrat, be recommended to the Executive for appointment as Directors of the Company.
2. That it be noted that further consideration is to be given to the Business Plan for the company and the detailed arrangements for staffing arrangements including the identity of the Managing Director and Company Secretary and financial arrangements and for such matters to be the subject of a future report to the Executive.
3. The proposed actions as set out in paragraph 3.3 of this report be noted.

## **10 Council Plan - Amendments to Strategic Actions in 2016-2017** *(Pages 19 - 22)*

To consider report CE12/16 of the Chief Executive which is attached and which asks Members to approve amendments to the strategic actions in the Council Plan for 2016-2017.

**RECOMMENDATION:** The amendments to the strategic actions in the Council Plan be approved for 2016-2017.

## **11 Allocations of Seats on Committees**

To consider the report of the Director of Governance which will follow.

## **12 Appointment to the Alston Moor Partnership Outside Body**

To consider the appointment of a Councillor representative to the Alston Moor Partnership following the resignation of the previous appointee.

**RECOMMENDATION:** that an appointment be made.

## **13 Request for a Community Governance Review of Kaber Parish** *(Pages 23 - 32)*

To consider report G5/16 of the Director of Governance which is attached and which informs Members that a petition has been received from the Parish of Kaber requesting that a Community Governance Review be undertaken. The report sets out the terms of reference for the review and the Council will have twelve months from publication of the terms of reference to complete the review.

### **RECOMMENDATIONS:**

1. That the petition for the request of a Community Governance Review for the Parish of Kaber be accepted.
2. That the terms of reference for the review set out in appendix one to this report be agreed.
3. That a supplementary estimate of £1,445 be approved.

#### **14 Sector-led Appointment of External Auditors** *(Pages 33 - 40)*

To consider report F29/16 of the Director of Finance which is attached and which summarises the changes to the arrangements for appointment external auditors following the closure of the Audit Commission and the end of the transitional arrangements at the conclusion of the 2017/18 audits.

The Council needs to consider the options available and put in place new arrangements in time to make a first appointment by 31 December 2017.

RECOMMENDATION:

##### **Accounts and Governance Committee**

Recommend to Council that:

- the Council opts in principle, in to the Local Government Association supported sector-led procurement of local authority external auditors from 31 December 2017.
- the Director of Finance is given delegated powers in consultation with the Chairman of the Accounts and Governance Committee to commit to the sector-led procurement.

##### **Council**

Agree the recommendation from the Accounts and Governance Committee

#### **15 Capital Expenditure 2015-2016 Outturn and Revised 2016-2017 Programme** *(Pages 41 - 50)*

To consider report F72/16 of the Director of Finance which is attached and which is to advise Members of:

- a. capital expenditure for the financial year 2015-2016, together with the means by which it was funded; and
  - b. to present an amended Capital Programme for 2016-2017, to take account of a revision of projected resources and other factors affecting the Council's Capital Programme and the impact of the 2015-2016 outturn, subject to audit.
- 1.2 The Capital Programme is susceptible to change because of a variety of factors. Capital schemes can be subject to slippage and overspend, which can affect finance.

- 1.3 This report is brought before Members on an annual basis to take account of such factors and to allow Members to assess the Capital Programme for the current financial year. It also forms the basis for the Capital Programme for the coming financial year.

**RECOMMENDATIONS:**

1. The outturn for 2015-2016, subject to audit, as set out in Appendix A, is noted;
2. The amended Programme for 2016-2017, as set out in Appendix C, is agreed;
3. Executive recommend to Council the carry forward of the unused revenue funding for capital in 2015-2016 to 2016-2017 as a supplementary estimate of £115,000 in 2016-2017;
4. No new schemes are included in the Programme, unless fully grant-funded, formally approved by Council, or emergency schemes.

**16 Penrith Civic Centre (Pages 51 - 58)**

To consider report CE15/16 of the Chief Executive which is attached and which presents the findings from a feasibility study that was undertaken in relation to the former Co-op building following the recommendation from Council on 14 April 2016.

**RECOMMENDATIONS:**

1. The Council do not proceed with the purchase of the Co-op building.
2. Members consider and agree the next steps:
  - 2.1 In light of the offer price for the Mansion House not meeting expectations and the fact that it has now been on the market for four years, that it be withdrawn from the market and interested parties are advised accordingly.
  - 2.2 The single site project is put on hold at this time.
  - 2.3 The Service Innovation Board review current and future accommodation needs and report back to the Council by the end of the calendar year.
  - 2.4 Following the review, that Officers prepare costings for any works that are required to the Town Hall and Mansion House to make them fit for use for the future and that this is reported to Council at a later date.
3. That officers are thanked for the work carried out on both the Town Hall extension and the Co-op building.

**17 Proposed Changes to the Local Plan arising from the May 2016 Examination Hearings (Pages 59 - 62)**

To consider report CD57/16 of the Communities Director which is attached and which outlines that the Examination of the Eden Local Plan 2014— 2032 commenced on 9 May 2016. The Inspector wrote to the Council on 19 May 2016 to advise that the Local Plan's approach to Key Hubs in Policy LS1 – Location Strategy

is unlikely to be found “sound” and provided advice on how to make the policy sound. Officers have taken on board the Inspector’s advice and redrafted the Policy. The purpose of the report is to seek the endorsement of the revised Policy by the Portfolio Holder as representing the Council’s policy position at the Examination.

**RECOMMENDATION:** That the revised Key Hubs element of Policy LS1 – Locational Strategy represents the Council’s policy position at the Examination.

## **18 Staffing**

The Chief Executive has reviewed the senior management posts within the Council with the HR and Appeals Committee following the retirement of the three former Directors. An exempt report with the details of this review has been produced for consideration at this meeting. The report is exempt from being discussed in public because it contains personal information about employees.

The essence of the report refers to the allocation of responsibilities for undertaking various managerial and service tasks over the next twelve months. The twelve month period is considered an appropriate period of time to review how the managers can work in the expanded roles and deliver improved services including progress on delivering the digital services project.

The report identified the costs and savings of the revised arrangements including the increase in days/hours to be worked by the Chief Executive from 110 days to 132 days, 825 to 990 hours for the period 1 April 2016 to 31 March 2017. Overall, it is forecast the revised arrangements will deliver a £9,150 saving for the period to 31 July 2017.

A review of how the proposed revised arrangements work will be carried out by the HR and Appeals Committee and it will report to Council on that in the early part of 2017. Details of any decisions made on this item will be published, as appropriate, as part of the minutes for the meeting.

## **19 Date of Next Scheduled Meeting**

The next scheduled meeting of Council will be held on 8 September 2016.

## **20 Exclusion of Press and Public**

To consider whether, in accordance with Section 100A(4) of the Local Government Act 1972, members of the public (including the press) should be excluded from the meeting during discussion of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 to Schedule 12A of the Act.

## **21 Transfer of Assets to Penrith Town Council - Fair Hill**

To the report of the Director of Governance which will follow.

## **22 Staffing** *(Pages 63 - 76)*

To consider report CE13/16 of the Chief Executive which is attached and which relates to staffing structures at the Council.

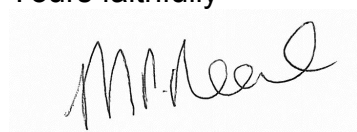
This report is not for publication by virtue of paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 as it includes information relating to individual employees of the Council including their conditions of service and details of their remuneration packages.

## **23 Penrith Civic Centre** *(Pages 77 - 80)*

This report is an addendum to report CE15/16 of the Chief Executive which contains confidential information in support of report CE15/16.

This report is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Yours faithfully



Matthew Neal  
Director of Governance

Democratic Services Contact: Lauren Rushen

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### **For Attention**

All members of the Council

**Chairman** – Councillor M Tonkin (Independent Group)

**Vice Chairman** – Councillor Mrs J Raine (Conservative Group)

### **Councillors**

A Armstrong, Conservative Group  
D Banks, Independent Group  
K Beaty, Conservative Group  
Miss P Breen, Conservative Group  
I Chambers, Conservative Group  
Miss M Clark, Independent Group  
A Connell, Liberal Democrat Group  
J Derbyshire, Liberal Democrat Group  
M Eyles, Liberal Democrat Group  
Ms P Godwin, Independent Group  
Mrs L Grisedale, Conservative Group

J C Lynch, Conservative Group  
Mrs E Martin, Conservative Group  
Mrs A Meadowcroft, Conservative Group  
G Nicolson OBE, Conservative Group  
Mrs S Orchard, Conservative Group  
J Owen MBE, Conservative Group  
W Patterson, Independent Group  
Mrs M Robinson, Independent Group  
H Sawrey-Cookson, Independent Group  
R Sealby, Conservative Group  
M Slee, Conservative Group

A Hogg, Conservative Group  
D Holden, Liberal Democrat Group  
R Howse, Liberal Democrat Group  
S Jackson, Conservative Group  
Mrs V Kendall, Conservative Group  
T C Ladhams, Independent Group

M Smith, Independent Group  
V Taylor, Liberal Democrat Group  
M Temple, Conservative Group  
J G Thompson, Conservative Group  
A Todd, Conservative Group  
J Tompkins, Liberal Democrat Group