

KESWICK TOWN COUNCIL

**Council Offices
50 Main Street
Keswick
Cumbria
CA12 5JS**

Email: townclerk@keswicktowncouncil.gov.uk

11th May 2023

The Annual Meeting of Keswick Town Council will be held in the Council Chamber, Town Hall, Keswick on **Thursday 18th May 2023 at 7.00 p.m.**

Yours sincerely



**Viven Little
Town Clerk**

AGENDA

- 1. Election of Chairman (Town Mayor)**
To elect the Chairman of the Council and to receive the Chairman's Declaration of Acceptance of Office.
- 2. Election of Deputy Chairman (Deputy Mayor)**
To elect the Deputy Chairman and to receive the Deputy Chairman's Declaration of Acceptance of Office.
- 3. Presentation of Mayor's Cadet**
The Mayor's Cadet for the year will be presented.
- 4. Apologies**
To receive apologies for absence.
- 5. Minutes**
To authorise the Chairman to sign as a correct record the minutes of the Town Council meeting held on 20th April 2023 (pages 53-57).
- 6. Requests for Dispensations**
The Clerk to report any requests received since the previous meeting for dispensations to speak and/or vote on any matter where a member has a disclosable pecuniary interest.
- 7. Declarations of Interests**
To receive declarations by elected and co-opted members of interests in respect of items on this agenda.

Members are reminded that, in accordance with the Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

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 at least 24 hours in advance of the meeting.

- 8. Police Report**
To receive the report of the Allerdale Rural Neighbourhood Policing Team.

- 9. Matters to be received from the Public**
Members of the public wishing to raise items should notify the Clerk by email no later than 24 hours before the start of the meeting. Such matters may be received throughout the meeting, however items raised should not be discussed for longer than ten minutes and the Chairman reserves the right to curtail repetitious matters. Public participation shall not be longer than half an hour throughout the meeting.
- 10. Matters to be raised by Councillors**
An opportunity for Councillors to raise any unforeseen matters which are not on the agenda, with the consent of the Chair, and which do not require a decision – items raised should not be discussed for longer than 10 minutes.
- 11. Applications for Development**
 - i) To examine applications for development and agree observations to be submitted to the Lake District National Park Authority (Planning Group comments to be circulated by email prior to the meeting).
 - ii) To receive an update on National Park planning decisions.
- 12. Review of Eligibility for General Power of Competence**
To resolve that the Town Council meets the prescribed conditions to be eligible to use the General Power of Competence following the election in May 2023.
- 13. Mayors Report**
To receive details of the Mayor's engagements and meeting attendance for the period 14 April – 11 May 2023.
- 14. Annual Review of Standing Orders**
To review the current Standing Orders and consider any revisions recommended by the Clerk.
- 15. Standing Committee and Working Group Members**
To appoint members to serve on the undermentioned working groups/committees:
 - i) Staffing Committee
 - ii) Events Committee
 - iii) Planning Group
 - iv) Environmental Working Group
 - v) Visitor Management Working Group
- 16. Outside Bodies & Liaison Meetings**
To appoint representatives on outside bodies and to attend liaison meetings.
- 17. Chairman's Allowance**
To fix the amount of the Chairman's allowance in pursuance of Section 15 (5) of the Local Government Act 1972 (budget provision £2,000) and to note timing of payments.
- 18. Schedule of Meetings 2023/24**
To confirm the date and times of ordinary meetings of the Council for the ensuing year.
- 19. Schedule of Charges**
To confirm the level of charges to be set for 2023/24 – information only.
- 20. Election of Parish member to the Lake District National Park Authority**
To consider whether to nominate a candidate for the North Distinctive Area (note that there is no obligation to make a nomination and that no Council can make more than one nomination).
- 21. Clerk's Report**
To receive the report from the Clerk.

22. Payment of Accounts

To confirm the payment of accounts for May 2023 as approved by the Inspection Committee (to be circulated at the meeting) for:

- i) The Town Council;
- ii) The Trusts

23. Reports from Ward Representatives

To receive reports from the following representatives:

- i) Cumberland Council
- ii) Lake District National Park Authority North Distinctive Area Parishes Representative – No report submitted

24. Consultation

To determine Keswick Town Council's response to the government consultation on the introduction of a use class for short term lets and associated permitted development rights, due by Wednesday 7 June 2023.

25. Policies for adoption

To adopt the following policies:

- i) Health and Safety Statement

To: All Councillors, Press, Police

**KESWICK TOWN COUNCIL
SEVEN PRINCIPLES OF PUBLIC LIFE**

Selflessness – Integrity – Objectivity – Accountability – Openness – Honesty - Leadership

Minutes of the meeting of Keswick Town Council held in the Council Chamber, Town Hall, Keswick on Thursday 20th April 2023 at 7.00 pm.

Present:

Chairman
Councillor Steve Harwood

Councillors		
David Burn	Allan Daniels	Alan Dunn
Louise Dunn	Jean Murray	Duncan Miller
Paul Titley	Peter Walter	

Also present was Vivien Little (Town Clerk), one members of the press, and three members of the public.

233. Apologies

Apologies for absence were received from Councillor Lansbury, Lywood and Paxon, as well as from Catherine Parker (Responsible Financial Officer). Their apologies were noted and accepted by Councillors.

234. Minutes

RESOLVED that the Chairman be authorised to sign as a correct record the minutes of the Town Council Meeting held on 16th March 2023 (pages 49-52).

235. Requests for Dispensations

The Clerk reported that no requests for dispensations had been received.

236. Declarations of Interests

No declarations of interest were made at this meeting.

237. Police Report

RECEIVED the newsletter of the Allerdale Rural Neighbourhood Policing Team.

238. Matters to be received from the Public

A member of the public spoke in relation to planning application 7/2022/2290, to object to the application. They raised concerns regarding the footpath in the area, and how difficult it would be to get a full visual coming out of the entrance, which would be problematic with construction traffic. This application appeared to be dealing solely with the access, with a full application coming at a later date. The member of the public was grateful that Keswick Town Council were intending to object to this application.

239. Matters to be raised by Councillors

Councillor Walter wished to inform members that he had been nominated as candidate for the Lake District National Park North Distinctive Area Parishes election by Above Derwent Parish Council.

Councillor Murray gave an update to Councillors about the opening of the Keswick Area Food Share, which would be opening on Wednesday 26 April.

240. Applications for Development

- i) **RESOLVED** that the following observations be submitted to the Lake District National Park Authority):

Plan. ref	Description of Development Location, Comments, Recommendation
T/2023/0047	T1 Yew Tree - crown raise over road to approx. 5m. T2 Yew Tree - crown raise over road to approx. 5m Bishops House, Ambleside Road, Keswick, CA12 4DD No comments made SUPPORT
7/2022/2290	4 no. new dwellings and the formation of a new site access road and vision splays together with associated external works set in the gardens of Manor Glen Manor Glen, Ambleside Road, Keswick, Cumbria, CA12 4AG <i>Object - we object on grounds of overdevelopment and legitimising what we consider to be a poor vehicle access to plot 2. We consider that the 3 houses identified as plots 3, 4 and 5 could be acceptable subject to satisfying concerns regarding visibility and manoeuvrability at the new entrance proposed off Manor Brow, which would have a high level of use serving 4 dwellings, and detailed design for the new houses.</i> <i>We consider that the proposed new house on plot 2 is unacceptable in both scale and design relative to existing dwellings in this setting which we consider to be unnecessary overdevelopment. It is also proposed to use the existing historic vehicle access to plot 2 which we consider is unacceptable as it uses what is predominantly a pedestrian pathway with extremely poor visibility at the entrance/exit onto Ambleside Road.</i> <i>We consider this should not be legitimised as an acceptable vehicle access in this new situation</i> OBJECT
7/2022/2296	Erection of storey and a half, 3 bedroom, low energy dwelling with associated external works Land adjacent to 1 Briar Rigg, Keswick, CA12 4NW <i>Support in principle but object to black profile sheet metal roof as being unsympathetic in this locality</i> SUPPORT
7/2023/2032	Non-material amendment to planning application 7/2022/2001 (Garage Extension) option to install a composite fence 17, Acorn Street, Keswick, CA12 4EA <i>No comments required</i>
7/2023/2035	Conversion from hair salon to short term holiday letting accommodation Headquarters, Blencathra Street, Keswick, CA12 4HW

Object (This application seeks to legitimise a conversion already implemented following issue of an enforcement notice)

We object to conversion for use as a short term holiday let but we would support conversion to a local need dwelling.

Current planning policy supports re – use of existing buildings for holiday let use only where a building is not suitable for providing local need or affordable housing. The floor area of this building is actually 34 sq.m using the standard method of measurement (not the 30.2 sq.m stated which does not include internal wall divisions).

It is argued that this is below the minimum floor space of 50 sq.m for new homes (applicable for 2 person dwellings) but can be 39 sq.m for 1 person dwellings.

This is a standard applied to new buildings but lower floor areas have previously been approved for conversion of existing buildings – namely 4x1 person flats at Banks Court (29 sq.m) and 4x1 person flats at 18 Otley Road (33 sq.m).

The conversion plan provided shows that it can be used as 1 person local needs dwelling in compliance with current planning policy and should be restricted by planning condition

OBJECT

- 7/2023/2036 Installation of a door at first floor level
14 A, Lake Road, Keswick, Cumbria, CA12 5BX
No comments made
SUPPORT
- 7/2023/2051 New steel security door, two air conditioning condenser units, and one extract grille
8-10, Station Street, Keswick, Cumbria, CA12 5HP
Support in principle – subject to satisfying concerns regarding noise of new equipment in close proximity to nearby apartments
SUPPORT
- 7/2023/2052 Two fascia signs and one hanging sign
8-10, Station Street, Keswick, Cumbria, CA12 5HP
No comments made
SUPPORT
- 7/2023/2054 Oak framed open sided enclosure to existing external seating area
Keswick Brewing Co, The Old Brewery, Brewery Lane, KESWICK, CA12 5BY
Support – we support this traditionally designed structure to provide cover to the existing external seating area
SUPPORT
- 7/2023/2056 Confirmation of compliance with condition 3 (landscaping) on planning permission 7/2022/2301 (Installation of 'off the shelf' powder coated bike shelter)
Lakeside Car Park, Keswick Mountain Rescue Team Base, Lake Road, Keswick, CA12 5DJ
For information only
- 7/2023/2057 Amendment to condition 2 (plans) on planning permission ref 7/2022/2278 for two storey extensions to the existing building, raising front roof area approx.

900mm to include a hipped gable end and dormer to the side extension. Work also to include a raised patio and privacy screening
21, Manesty View, Keswick, Cumbria, CA12 4JF
No comments made

SUPPORT

7/2023/2059 Revised window and roof configuration to rear sun room
7 The Hawthorns, Keswick, CA12 4LL
No comments made

SUPPORT

7/2023/2064 Proposed loft conversion with raised roof height and rear dormer to provide bedroom and bathroom complete with internal alterations.
34, Lakeland Park, Keswick, Cumbria, CA12 4AT
Object - This form of dormer is a poor design feature which creates an overbearing appearance looking down onto the houses below on Springs Road and is out of character with this style of house. The positioning of windows in the proposed new dormer creates an uneasy imbalance with the existing house. We are aware of a similar dormer extension at No.32 approved in 2012 but this should not be allowed to set a precedent for all adjacent properties of this type to follow

OBJECT

ii) **RECEIVED** update on National Park Planning Decisions

241. Mayor's Report

RECEIVED details of the Mayor's engagements and meeting attendance for the period 10th March 2022 – 13th April 2023.

242. Reports from Ward Representatives

RECEIVED reports from the following representatives:

- i) Allerdale Borough Council – Councillor Daniels informed members that Keswick Community Housing Trust had taken over the flats at Otley Road. It had been a privilege to serve as Allerdale Councillor and Mayor. He also thanked Councillors Lansbury and Campbell-Savours for their dedication to the community.
- ii) Cumbria County Council – No report given
- iii) Cumberland Council – Councillor Campbell-Savours informed members that he had been elected as the Chair of the Audit Committee of Cumberland Council, and that he would be one of Cumberland Council's representatives on the Lake District National Park Authority.
- iv) Lake District National Park Authority North Distinctive Area Parishes – No report submitted

243. Payment of Accounts

RESOLVED that the payment of accounts for April 2023 as approved by the Inspection Committee be authorised for payment for:

- i) The Town Council, vouchers 248-19, amounting to £62,070.25 (sixty-two thousand, seventy pounds and twenty five pence)
- ii) The Parks Trusts, vouchers HP245 – FP6, amounting to £12,346.46 (twelve thousand, three hundred and forty-six pounds and forty six pence)

244. Budget Summary Comparisons as at 31st March 2023

RECEIVED budget comparisons for the 4th Quarter.

245. Annual Review of Revised Financial Regulations

Consideration was given to the report of the Responsible Financial Officer.

RESOLVED that the renewal of the items contained in the report be approved.

246. Assets Register

RESOLVED to approve and adopt the updated Assets Register.

247. Keswick to Threlkeld Trail – Call for Lighting

RECEIVED an update from Councillor Burn.

RESOLVED that the report be accepted, and that the incoming Council be encouraged to follow this up with the LDNPA (Action – Clerk).

248. Clerk's Report

Consideration was given to the report from the Clerk.

RESOLVED that:

- i) The Clerk continue to follow up with holiday let companies (Action – Clerk); and
- ii) all monies which are to be returned from the Winter Warmth grant would be used to give a grant to the Keswick Area Food Share (Action – Clerk).

249. Consultations

- i. **RESOLVED** to not respond to NALC's Infrastructure Levy consultation.

250. Reports from Representatives on Outside Bodies

- i) **RECEIVED** Keswick Convention Town Liaison Group Report.

251. Minutes of Committee Meetings

RECEIVED for information the Minutes of the Events Committee meeting held on 16 February (pages 10-11) and 16 March 2023 (pages 12).

Prior to consideration of the following business, the Chairman will move the resolution:

'That under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted'

252. Staffing Committee minutes

RECEIVED for information the Minutes of the Staffing Committee meeting held on 9 March 2023 (page 4).

The meeting closed 8.07 p.m.

Chairman

Date

Ania Mlynczak

From: Cumbria Police <CumbriaPolice@public.govdelivery.com>
Sent: 19 April 2023 11:31
To: Ania Mlynczak
Subject: March & April 2023 - Cockermouth & Keswick

[View in browser](#)

 Contact us	 Report a crime	 Allerdale Police Facebook Page
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ALLERDALE
FOCUS

FOR A SAFER COMMUNITY

March & April 2023 - Cockermouth & Keswick

In this month's newsletter you will read about some of the work your neighbourhood policing team has been doing over the last month.

We have been engaging with young people within our community educating them on things they can do to keep themselves safe and creating positive relationships with the police.

We have also been out and about in Cockermouth and Keswick conducting patrols and gathering information on issues that have been reported to us and speaking to the community.



Inspector Pete Aiston



Patrols in Keswick

On 10 March we conducted high-visibility foot patrols in the Keswick area.

During these patrols we carried out a stop search under Section 23 of the Misuse of Drugs Act on a young person located on Vicarage Hill behaving in a suspicious manner.

No drugs were found, however a quantity of alcohol and tobacco was located.

On 31 March, PCSO Megan Jones and Inspector Pete Aiston were on patrol in Keswick.

They engaged with local people and businesses, providing reassurance and advice.

Even though it was pay day, they were able to avoid the temptation of all the nice cakes on offer.



School talks



On 9 March, PCSOs Clare Parker and Gemma Robinson visited Paddle School in Cockermouth.

During their visit they spoke with pupils on how to stay safe online, so they are aware of the dangers, what's right and wrong and who to report to.

On 13 March, PCSO Clare Parker visited Dean School in Cockermouth.

During her visit, Clare carried out a talk on road safety where pupils learnt how to keep safe whilst crossing the road and riding pushbikes.

Visits like these are important to educate children on how to keep themselves safe, as well as the pupils getting to know their local policing team.



Reassurance visit

On the 25 March, PCSO Clare Parker conducted a reassurance visit to a victim of anti-social behaviour.

There have been no further incidents reported by the victim and crime prevention advice was given to the victim to prevent further incidents.

Clare also conducted a Street Safe letter drop in the area to gather further information for the community on incidents occurring in the area and linked in with the housing provider.



Sheep worrying

This lambing season we're urging dog walkers to keep their dogs on their leads when near areas with sheep or livestock.

Sheep worrying is a crime and can have a distressing impact on farmers whose income depends on these animals, don't risk it.

Watch [here](#) and listen to farmer and vet, Rachel, Kerry from [Max Out in the Lake District](#) and Sergeant Amanda McKirdy to hear more on the effects of sheep worrying.

To report a non-emergency visit www.cumbria.police.uk/report-it



LAMBING SEASON

Please keep your dog on a lead



Street Safe letter drop

PCSOs Clare Parker and Liam Forrester conducted a Street Safe letter drop in the area of Couplet Close, Cockermouth in relation to anti-social behaviour risk assessment following incidents in the area.

Clare and Liam spoke with residents to discuss the anti-social behaviour risk assessment process.

Street Safe surveys are an opportunity for you to raise any concerns or observations you have that impacting your area for our team to look into. If you have received one of these surveys, please let us know your thoughts by completing the form and sending it back in the accompanying return envelope.

We encourage anyone who is experiencing anti-social behaviour to please report it us. Your information is crucial in assisting us provide a robust response.

Patrols in Cockermouth

On 6 April, we conducted patrols in the area of Cockermouth following reports of anti-social driving.

PCSO Clare Parker visited local shops and businesses to speak to the community on the issue and gather information on the issue so we can respond alongside our partners to target the issue.

If you witness anti-social driving please report incident to us so we can respond.



The Government launched StreetSafe, as an online tool to allow people to flag places where they have felt unsafe, and describe factors that caused them concern, including anti-social behaviour or environmental reasons.

This can range from poorly paths to public harassment, these are then raised with the us whether or not a crime has been committed.

We will work with partners to address any issues raised.

If there are any public areas where you feel unsafe due to environmental issues e.g. poor street lighting, abandoned buildings, vandalism etc. please report these here - [StreetSafe | Police.uk \(www.police.uk\)](https://www.police.uk/streetsafe)

Please note 'StreetSafe' is not for reporting crime or incidents.



Police Cadets are aged between 13-17

- Gain an insight into policing
- Help with community events
- Make new friends



Volunteer
Police
Cadets



Cadet recruitment is now open until 30th April!

If you are aged 13-17 and have a keen interest in policing you can now apply to join our Police Cadet scheme! It's an excellent opportunity for young people to make friends, engage with the community and learn about the law and the specialist police departments.

For more information on the scheme and to apply visit: <https://orlo.uk/6Dc8o>

SPECIAL CONSTABLE RECRUITMENT NOW OPEN!



Do something
Special.

We are now taking applications for Special Constables

The Special Constabulary is a voluntary body, whose officers form a vital part of the police family, working alongside their regular colleagues to police the communities of Cumbria. Specials perform a variety of police duties to support regular officers with the day-to-day policing of Cumbria.

People become a Special Constable for a variety of reasons. Some people have free time and have a desire to give something back to their community, some people are very happy in their present job but want something totally different in their spare time, some people may have wanted to work in the police but for different reasons they have gone down a different career path. Specials have the same powers as regular officers, wear the same uniform and carry the same equipment as regular officers.

In all these circumstances the Special Constabulary gives you the opportunity to have a second career. This is a great opportunity to meet people from all walks of life and gain experience in a wide range of policing duties.

For more information on being a Special Constable - [click here](#)

Apply [here](#)

Join us!

Have you ever thought about being a police officer?

Could you be make a real difference to people in Cumbria and help keep them safe?

Recruitment is open now. We are looking for enthusiastic and dedicated people to apply now to join our teams.



For more information on the role of a police officer and the numerous entry routes, please visit www.cumbria.police.uk/careers.

Your local officers

Want to know who your local officers are?

Simply go to our website - www.cumbria.police.uk

Scroll down the home page and you can browse different areas to see who your local team are - or enter your postcode.

Not only will you be able to find out who your named local officers and PCSOs are, you will also be able to view our local policing priorities and details of any meetings or events we will be attending.



In other news

Changes will reflect falling demand for front counter provision

Cumbria Constabulary is making changes to its front counter provisions as it seeks to adapt to the changing demands of the public.

The Constabulary has achieved its national uplift target of recruiting an extra 169 police officers. This has enabled the Constabulary to strengthen several areas of the services it provides including the neighbourhood policing model.

Changes are also to be made to the opening hours of the front counters at Carlisle, Kendal, Barrow, Workington and Whitehaven whilst the front counters at Cockermouth and Windermere, which have been closed since 2020, are to remain closed. You can find where

your nearest front counter is and the opening times by visiting www.cumbria.police.uk/contact/find-a-police-station. **Read more [here](#).**

Op Lantern: Arrests and high-value vehicles recovered in rural crime clampdown

Offenders travelling to Cumbria to target rural communities are regularly being arrested and high-value property recovered as part of Cumbria Constabulary's Operation Lantern.

Operation Lantern provides a co-ordinated response to thefts from farms in the county, including enhanced response to localised rural crime and support for those affected rural communities. **Read more [here](#).**

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Operation Lantern provides a co-ordinated response to thefts from farms in the county, including enhanced response to localised rural crime and support for those affected rural communities. **Read more [here](#).**

More than 160 additional officers join Cumbria's ranks in less than four years

An additional 169 police officers have been recruited in Cumbria as the force celebrates achieving the national Police Uplift Programme target.



At the beginning of the Uplift programme, the Home Office set Cumbria Constabulary a target of recruiting an additional 169 police officers in less than four years. **Read more [here](#).**

Workington men jailed for over 42 years for violent attack

Two men from Workington were sentenced at Carlisle Crown Court today (28 March) after admitting grievous bodily harm with intent following a vicious, targeted attack on New Year's Day 2022.

Jamie Elston, 32, of Iredale Crescent in Workington and David Ratcliffe, 34, of Falcon Place in Workington were both sentenced after entering guilty pleas at an earlier hearing.



Ratcliffe was jailed for 21 years and seven months and Elston received a 21-year prison sentence. Both men are also subject to extended five year licence periods. **Read more [here](#).**

News from our partners

Emergency alerts

At 3pm on Sunday 23 April, there will be a national test of the UK Emergency Alerts service. As we have seen in other countries, Emergency Alerts help keep you safe if there is an immediate risk to life by sending an alert direct to your mobile phone.

You can read more about the alerts here - <https://gov.uk/government/news/time-set-for-uk-emergency-alerts-test>

If you're a survivor of **Domestic Abuse** with a secret or secondary phone, the government's new Emergency Alerts could reveal your phone even if it's on silent.

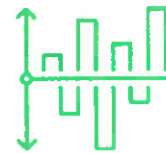
Find out how to turn the alerts off >> <https://youtube.com/watch?v=i2MBcHwmiy8&t>



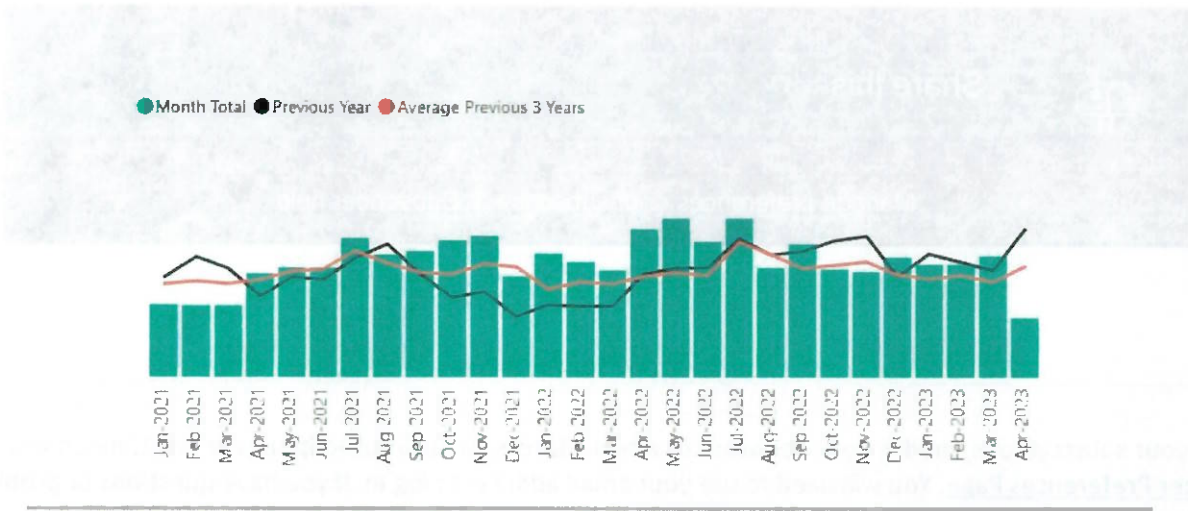
Crime Figures

Further information can be found on [Police.Uk](https://www.police.uk)
Click here to visit the website

Please note the data contained on [Police.uk](https://www.police.uk) is not live time



OffenceGroup	Crimes	Same Period Last Year	Difference	% Change
Arson and Criminal Damage	9	10	-1	-10.0%
Burglary	9	1	8	800.0%
Drug offences	2	2	0	0.0%
Miscellaneous Crimes Against Society	1	6	-5	-83.3%
Possession of weapons offences	2	0	2	0.0%
Public order offences	10	11	-1	-9.1%
Robbery	1	0	1	0.0%
Sexual offences	0	1	-1	-100.0%
Theft offences	11	15	-4	-26.7%
Vehicle Offences	0	3	-3	-100.0%
Violence against the person	57	41	16	39.0%
Total	102	90	12	13.3%



Allerdale Police want you to report all anti-social behaviour and crime

Please report any incidents of crime or anti-social behaviour to us, to help us keep Allerdale safe.

If a crime is in progress always call 999.

You can report crime [online here](#)

Our online Live Chat function is a new service giving you an alternative way to communicate with a Police Officer in real time. [More here.](#)

You can also phone on 101.

Alternatively you can contact Crimestoppers, anonymously, on 0800 555 111.



To receive more policing news, sign up to our other area newsletters by clicking on the link below:



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Make a report



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This email was sent to office@keswicktowncouncil.gov.uk using govDelivery Communications Cloud on behalf of: Cumbria Police
· Carleton Hall · Penrith · Cumbria · CA10 2AU



Planning Applications received between 14/04/2023 - 11/05/2023

Plan ref	Location	Description of Proposed Development
T/2023/0056	Mount View, 12, Fenton, KESWICK, CA12 4AZ	Reduce 1x multi stem sycamore by approx. 3.5m to reduce wind sail and biomechanical stress on the tree (in G1). Reduce 1x leggy stand alone sycamore neighbouring above multi stem sycamore to tie in as one crown (in G1)
7/2023/2062	13 Lakeland View, High Hill, Keswick, CA12 5NY	Change of use of guest house to self catering holiday letting accommodation
7/2023/2072	Bristowe Hill, Crosthwaite Road, Keswick, CA12 5PG	Amendment to condition no 10 (roofing materials) on planning permission 7/2021/2367 for 2no. local needs dwellings following the withdrawal of application 7/2021/22228
7/2023/2076	31 A, Latrigg Close, Keswick, Cumbria, CA12 4LD	Demolition of existing rear extension. Addition of new rear extension & replacement windows

NOTICE TO THE PUBLIC: Interested parties are invited to let the Town Clerk have their comments, in writing or by e-mail to: townclerk@keswicktowncouncil.gov.uk prior to the meeting regarding any of the planning applications on this sheet.

AGENDA ITEM 11.ii)

Decisions Received from LDNPA

Planning Decisions Received between 14/04/2023 & 11/05/2023

Plan Ref	Date of Application	Location	Postcode	Description	KTC Observations	LDNPA Decision	Appeal	Appeal Decision
7/2022/2239	Sep-22	Greta Grove House, Flat 1, Elliott Park, Keswick	CA12 5NF	Replacement of existing timber sliding sash windows with upvc sliding sash windows to matching design and opening methods	SUPPORT	GRANTED		
7/2022/2247	Sep-22	Low Briary Holiday Park, Penrith Road, Keswick, Cumbria,	CA12 4RN	Extension to existing holiday park, formation of access, landscaping and ancillary works	SUPPORT	REFUSED		
7/2023/2001	Jan-23	19, Church Street, Keswick,	CA12 4DX	Change of use of bed and breakfast to self catering holiday letting accommodation	SUPPORT	GRANTED		
7/2023/2026	Feb-23	90, Windeshrowe Avenue, Keswick,	CA12 4JD	Demolish flat roof garage to side and form 2 storey extension to side with off road parking formed. Resubmission of 7/2022/2014 to alter roof design	OBJECT	GRANTED		
7/2023/2036	March-23	14 A, Lake Road, Keswick	CA12 5BX	Installation of a door at first floor level	SUPPORT	GRANTED		
7/2023/2051	March-23	8-10, Station Street, Keswick, Cumbria,	CA12 5HP	New steel security door, two air conditioning condenser units, and one extract grille	SUPPORT	GRANTED		
7/2023/2052	March-23	8-10, Station Street, Keswick, Cumbria,	CA12 5HP	Two fascia signs and one hanging sign	SUPPORT	GRANTED		

KESWICK TOWN COUNCIL
18 MAY 2023

THE GENERAL POWER OF COMPETENCE

Section 1 of the Localism Act 2011 provided for a General Power of Competence (GPC) for councils in England. This is available to Town and Parish councils which meet conditions of eligibility and says that a local authority has the power to do anything that individuals generally may do, unless specifically prohibited.

The conditions of eligibility are as follows:

- The number of members of the council that have been declared to be elected is equal to or greater than two thirds of the total number of members of the Council (i.e. a minimum of 8); and;
- The Clerk to the Council holds the relevant qualification.

All twelve members of Keswick Town Council have been declared elected to the Council, and the Clerk holds the relevant qualification, so Council needs to pass the resolution that it is an eligible parish council – it is eligible to use the GPC from the time the resolution is passed until the day of the next annual meeting of the parish council that takes place in a year of ordinary elections (in this case, the elections in 2027).

In summary, the GPC enables councils to do things:

- An individual generally may do
- Anywhere in the UK or elsewhere
- For a commercial purpose or otherwise, for a charge or without a charge
- Without the need to demonstrate that it will benefit the authority, its area or persons resident or present in its area (although in practice councils will want to realise such benefits)

But there are some limitations on the GPC, either because they are not things which an individual can do or because they are excluded by the Act. The GPC will not:

- Provide councils with new powers to raise tax or precepts or to borrow
- Enable councils to set charges for mandatory services, impose fines or create offences or byelaws, over and above existing powers to do so
- Override existing legislation in place before the Localism Act 2011

Vivien Little
14 April 2023

KESWICK TOWN COUNCIL

TOWN COUNCIL MEETING 18TH MAY 2023

MAYOR'S ENGAGEMENTS & MEETING ATTENDANCE

For period 14th April 2023 – 11th May 2023

Monday 17 April	Attended meeting at Keswick Football Club together with Markus Campbell Savours to discuss joint arrangement with Keswick School for new 3G Sports pitch.
Thursday 20 April	Attended Events Committee meeting to discuss arrangements for Coronation Day in Fitz Park.
Thursday 20 April	Attended Annual Parish Meeting followed by Town Council meeting.
Saturday 22 April	Attended Keswick Choral Society Spring Concert at St. Johns Church.
Tuesday 25 April	Meeting with Samantha Scott, the new High Sheriff of Cumbria to welcome her to Keswick as part of her week long walk on the Cumbria Way from Ulverston to Carlisle visiting towns and villages on route. Joined her on meeting with Keswick Mountain Rescue Team at their new Headquarters building followed by a meeting with Keswick Youth Centre at their new temporary base on the first floor at Rawnsley Hall for a 3 year period.
Friday 28 April	Attended Bob Bryden's funeral service at St. Johns Church.
Thursday 4 May	Attended Planning Group meeting to review current planning applications.
Friday 5 May	Attended East Ward Election Count at Workington Leisure Centre.

KESWICK TOWN COUNCIL

18 MAY 2023

ANNUAL REVIEW OF STANDING ORDERS

STANDING ORDERS

I have been taking the opportunity to have a thorough review of the Standing Orders (enclosed). Most of the changes which I have made are small typographical changes. Changes introduced are marked in red and underlined on your copy.

Key changes to note are:

- Any reference to Allerdale Borough Council has been changed to Cumberland Council
- The Code of Conduct has been updated to show the newly adopted Code of Conduct.
- I have added the Mayor as an ex-officio member of the Events Committee
- I have added an extra Term of Reference for the Environmental Working Group, following the decision to bring the Action Plan back to meetings every six months.

Vivien Little

27 April 2023



KESWICK TOWN COUNCIL

STANDING ORDERS

REVISED MAY 2022
For revision annually

Note: Standing Orders that are in bold type contain legal and statutory requirements

Index of Standing Orders

Standing Order No.	Page No.
1 Meetings	3
2 The Statutory Annual Meeting	3
3 Chairman of the Meeting	3-4
4 Committees and Sub-Committees	4
5 Extraordinary Meetings	4-5
6 Advisory Committees	5
7 Voting in Committees	5
8 Order of Business	5-6
9 Admission of the Public and Press to Meetings	6-7
10 Liaison with County and District Councillors	7
11 Proper Officer	7-8
12 Quorum of the Council	8
13 Voting	8-9
14 Resolutions Moved without Notice	9
15 Rules of Debate at meetings	9-10
16 Closure	10
17 Disorderly Conduct	10
18 Rescission of Previous Resolution	10
19 Management of Information	11
20 Responsibilities to Provide Information	11
21 Responsibilities under Data Protection Legislation	11
22 Discussions and Resolutions Affecting Employees	12
23 Financial Controls and Procurement	12-13
24 Execution and Sealing of Legal Deeds	13
25 Accounts and Accounting Statements	13
26 Estimates (Budgets)/Precepts	13
27 Variation, Revocation and Suspension of Standing Orders	13
28 Interests, Code of Conduct and Dispensations	14
29 Code of Conduct Complaints	14-15
30 Inspection of Documents	15
31 Restrictions on Councillor Activities	15
32 Interpretation	15
Appendix 1 – Code of Conduct	16-19
Appendix 2 – Pecuniary and Other Registrable Interests	20-21
Appendix 3 –Committees and Group Terms of Reference	22-25

1 Meetings

- a) Meetings of the Council shall be held on the third Thursday of each month at 7.00pm. If there is a speaker the meeting may commence at 6.30pm.
- b) Smoking is not permitted at any meeting of the Council.
- c) Meetings take place in the Council Chamber, First Floor, 50 Main Street, Keswick. **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- d) The order of business shall be stated on an agenda paper that shall be delivered to each Member at least 3 clear days prior to the date of the meeting along with the summons convening the meeting. Electronic service of the summons and agenda for the meeting shall be permitted on the requisition in writing of individual Councillors, at least three clear days before the meeting to include the electronic signature and title of the Proper Officer.
- e) **The minimum three clear days for notice of a meeting does not include the day on which notice was issued or the day of the meeting (subject to (f) below), a Sunday, a day of the Christmas break, a day of the Easter break or of a Bank Holiday or a day appointed for public thanksgiving or mourning.**
- f) **The minimum three clear days' public notice for a Committee meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- g) Except at the discretion of the Chairman, all meetings of the Council shall finish not later than two and a half hours after commencement. Any business not transacted shall be carried over to the next meeting or such other date as the Chairman may decide.

2 The Statutory Annual Meeting

- a) In an election year, the Annual Council meeting shall be held on or within 14 days following the day on which the new Councillors elected take office.
- b) In a year which is not an election year the Annual Council meeting shall be held on such day in May as the Council may direct.
- c) **If no other time is fixed, the Annual meeting of the Council shall take place at 6.00pm.**
- d) In addition to the statutory Annual Council meeting at least three other statutory meetings shall be held in each year on such dates and times as the Council may decide. In the case of this Council, meetings shall be held on the third Thursday of each month in the Council Chamber at 7.00pm (except if there is a speaker).

3 Chairman of the Meeting

- a) **The Chairman of the Council, if present, shall preside at a Council meeting. If the Chairman is absent from a meeting, the Vice Chairman of the Council, if present, shall preside. If both the Chairman and Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**

The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting. The Clerk must never assume the role of Chairman.

- b) **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- c) **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the Annual Meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- d) **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council.**
- e) Nominations for the positions of Chairman (Mayor) and Vice Chairman (Deputy Mayor) must be submitted to the Proper Officer in writing at least 7 days before the Annual Council Meeting takes place.

4. Committees and Sub-Committees

- a) The Council may, at its Annual Meeting, appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision.
- b) Except where otherwise agreed by the full Council, committees have the devolved powers to research, discuss and propose/recommend actions but they may not take decisions on behalf of the Council.
- c) Except where otherwise agreed, Committees must report back to full Council for approval of any decisions to be made.
- d) Committees may not have devolved powers to spend, unless specific agreement has been given by full Council, again recommendations to spend must be put to full Council.
- e) **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- f) **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

(A copy of the agreed Terms of Reference for the Staffing Committee, Events Committee, Planning Group and Environment Working Group is appended to these Standing Orders).

5. Extraordinary Meetings of the Council, Committees and Sub-Committees

- a) **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b) The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee (or the sub-committee) at any time.

- c) If the Chairman of a committee (or sub-committee) does not call an extraordinary meeting it may be convened on the requisition in writing of not less than a quarter of the members of the committee (or sub-committee). The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- d) **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two Councillors.**

6. Advisory Committees

- a) The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- b) The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- c) An advisory committee may make recommendations and give notice thereof to the Council.
- d) An advisory committee may consist of persons who are not members of the Council.
- e) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

7. Voting in Committees

- a) Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.
- b) Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.
- c) Only Councillors have voting rights at meetings (unless other representatives attending sign up to the Code of Conduct and sign a Declaration of Interests).

8. Order of Business

- a) The order of business shall be stated on the agenda paper that shall be delivered to each member.
- b) **At each Annual Council Meeting the first business shall be:**
 - (i) **To elect a Chairman of the Council**
 - (ii) **To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received**
 - (iii) **The Chairman of the Council, unless he has resigned or become disqualified, shall continue in office and preside at the Annual Meeting until his successor is elected at the next Annual Meeting of the Council.**
 - (iv) **To elect a Vice - Chairman of the Council**
 - (v) **To receive the Vice - Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received**

- (vi) **The Vice-Chairman of the Council, unless he has resigned or become disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next Annual Meeting of the Council.**
 - (vii) **In an election year, to fill any vacancies left unfilled at the election by reason of insufficient nominations**
 - (viii) **In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date.**
- c) At every meeting other than the Annual Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice Chairman be absent, and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's Code of Conduct as are required by law to be made or, if not then received, to decide when they shall be received.
 - d) In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order no. 22 must be read in conjunction with this requirement.
 - e) After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:
 - (i) To read and consider the Minutes, provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read
 - (ii) After consideration, to approve the signature of the Minutes by the person presiding as a correct record
 - (iii) To deal with business expressly required by statute to be done.

9. Admission of the Public and Press to Meetings

- a) **Meetings (of the Council and its committees) shall be open to the public and press unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public and press's exclusion from part or all of the meeting shall be by a resolution which shall give reason for the public's exclusion**
- b) At all meetings of the Council, the Chairman may at his discretion, and at a convenient time in the transaction of business, allow any member of the public to address the meeting in relation to the business to be transacted.
- c) A public participation session will feature on the formal agenda issued before the meeting. The public participation session will be minuted as an integral part of the meeting's proceedings in the same way as all other items on the agenda. Prior notice is not required from members of the public wishing to speak. However, the maximum length of time one person can speak will be 10 minutes and the maximum length of time for the whole public participation session will be 30 minutes. The Chairman has the right to curtail undue repetition of the points by different individuals.

- d) At all meetings of the Council, the Chairman may, at his discretion, and at a convenient time in the transaction of business, allow any Councillor to address the meeting in relation to any item of urgent business not covered on the agenda for the meeting, provided that no decisions can be taken on any issue raised. The maximum length of time one Councillor can speak will be 5 minutes.
- e) **Subject to Standing Order 9 (f) a person who attends a meeting (of the Council and its committees) is permitted to report on the meeting whilst the meeting is open to the public. To 'report' means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- f) **A person present at a meeting (of the Council and its committees) may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- g) **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting (of the Council and its committees) at which they are entitled to be present.**
- h) Photographing, recording, film, broadcasting or transmitting the proceedings of a meeting by any means is subject to the Council's protocol on the recording and filming of Town Council and committee meetings.
- i) If a member of the public interrupts the proceedings at any meeting, the Chairman may after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.
- j) Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

10. Liaison with County and District Councillors

A summons and agenda for each meeting shall be sent, together with an invitation to attend, to the County, Borough, Unitary or District Councillor for the appropriate division or ward.

11. Proper Officer

- a) The Proper Officer of the Council is the Clerk.
- b) The Responsible Financial Officer of the Council is the Clerk unless a separate appointment has been made.
- c) The Council shall appoint an appropriate staff member to undertake the work of the Proper Officer and the Responsible Financial Officer when the Proper Officer or the Responsible Financial Officer is absent.
- d) Duties and responsibilities of the Clerk are as laid down in the Conditions of Service Contract and Job Description.
- e) Notwithstanding those duties and responsibilities, it shall be the duty of the Clerk to advise members on the content and interpretation of these Standing Orders.

f) The Proper Officer shall:-

- (i) At least three clear days before a meeting of the Council or a meeting of a committee serve on Councillors, by delivery or post at their residences or by e-mail authenticated subject to the provisions of Standing Order 1 (d) above and provided the Councillor has consented to service by email, a signed summons confirming the time, place and the agenda, and
- (ii) Provide in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with the agenda of an extraordinary meeting of the Council convened by Councillors is signed by them)
- (iii) Facilitate inspection of the minute book by local government electors
- (iv) Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office
- (v) Receive and retain copies of bylaws made by other local authorities.

12. Quorum of the Council

- a) No business may be transacted at a Council meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.
- b) If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

13. Voting

- a) Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors and non-Councillors with voting rights present and voting.
- b) Unless the meeting/Standing Order decides otherwise, voting on a question shall be by show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against the question. Such a request shall be made before moving on to the next item of business on the agenda.
 - i. Subject to (ii) and (iii) below the Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.
 - ii. If the person presiding at the Annual Meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office, he may not give an original vote in an election for Chairman.
 - iii. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.
 - iv. Subject to the meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.

- v. A Councillor who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting, is subject to statutory limitations or restrictions under the Code on his right to participate and vote on that matter.

14. Resolutions Moved without Notice

Resolutions on procedural matters may be moved without notice including those to vary the order of business on grounds of urgency or procedural efficiency. Such resolution shall be put to the vote without discussion.

15. Rules of Debate at meetings

- a) All remarks shall be addressed to the Chairman.
- b) A member shall raise their hand when requesting to speak.
- c) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting.
- d) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- e) A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- f) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder at the meeting.
- g) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- h) If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- i) An amendment shall not be considered unless early verbal notice of it is given at the meeting.
- j) A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder at the meeting.
- k) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chairman.
- l) A Councillor may not move more than one amendment to an original or substantive motion.
- m) The mover of an amendment has no right of reply at the end of the debate.
- n) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply (not exceeding one minute) either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to vote.
- o) A member shall, except as provided by these Standing Orders, only be entitled to speak once on any motion or amendment, except by the consent of the Chairman.
- p) No speech by a mover of a resolution shall exceed three minutes and no other speech shall exceed two minutes except by consent of the Council.

- q) No discussion shall take place on the minutes of previous meetings except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the Chairman.
- r) A member shall direct comments to the question under discussion or to a personal explanation or to a point of order.
- s) The ruling of the Chairman on a point of order or on the admissibility of any item shall not be discussed.
- t) A representative of the local Constabulary shall be allowed to speak at Council meetings at the discretion of the Chairman.
- u) Whenever the Chairman rises to his feet during a debate all other members shall be seated and silent.

16. Closure

A motion of closure of a debate may be moved at any time but must be proposed and seconded without comment. The Chairman may refuse such motion if he feels that the question before the Council has not been sufficiently debated.

17. Disorderly Conduct

- a) All members must observe the Code of Conduct which was adopted by the Council on ~~19 July 2011~~ 16 February 2023, a copy of which is annexed to these Standing Orders (*Appendix 1*).
- b) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this Standing Order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- c) If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- d) If a resolution is made under standing order 17(c) is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meetings. This may include temporarily suspending or closing the meeting.

18. Rescission of Previous Resolution

A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except by a special resolution, the written notice of which bears the names of at least three members of the Council. When such a resolution has been disposed of, no similar resolution may be moved within a further six months.

19. Management of Information

- a) No member of the Council shall disclose to any person, not being a member of the Council, any business declared to be confidential by the Council.
- b) The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.
- c) The Council shall have in place and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
- d) The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification
- e) Councillors, staff and the Council's contractors and agents shall not disclose confidential or personal data without legal justification.
- f) Confidential papers that support an agenda are to be printed on 'yellow' paper and stamped 'confidential'.

20. Responsibilities to Provide Information

- a) In accordance with Freedom of Information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.
- b) The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

21. Responsibilities under Data Protection Legislation

- a) The Council may appoint a Data Protection Officer.
- b) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- c) The Council shall have a written policy in place for responding to and managing a personal data breach.
- d) The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- e) The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- f) The Council shall maintain a written record of its processing activities.

22. Discussions and Resolutions Affecting Employees of the Council

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it is subject to Standing Order no. 19.

23. Financial Controls and Procurement

- a) Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.
- b) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 23 (e) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- c) Subject to additional requirements in the Financial Regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for submission of tenders (iii) the date of the Council's written response to tender and (iv) the prohibition of prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one Councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee with delegated responsibility
- d) Neither the Council, nor committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**

- f) A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public, or the provision of a port or airport, or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

24. Execution and Sealing of Legal Deeds

- a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution
- b) Subject to Standing Order 24(a) any two Councillors may sign, on behalf of the Council, any deed required by law, and the Proper Officer shall witness their signatures.

25. Accounts and Accounting Statements

- a) 'Proper practices' in Standing Orders refer to the most recent version of 'Governance and Accountability for Local Councils – a Practitioner's Guide'.
- b) All accounts for payment and claims upon the Council shall be laid before the Council.
- c) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.
- d) The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (income and expenditure) for the year to 31 March. A completed draft Annual Governance and Accountability Return shall be presented to each Councillor. The Annual Governance and Accountability Return of the Council, which is subject to external audit, including the Annual Governance Statement, shall be presented to the Council for consideration and formal approval before 30 June.

26. Estimates (Budgets) /Precepts

- a) The Council shall approve written estimates (budgets) for the coming financial year at its meeting before the end of the month of December.
- b) Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than the end of October.

27. Variation, Revocation and Suspension of Standing Orders

- a) All or part of a Standing Order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b) The decision of the Chairman of a meeting as to the application of Standing Orders at the meeting shall be final.
- c) The Clerk shall provide a copy of the Council's Standing Orders to all Councillors.

28. Interests, Code of Conduct and Dispensations

- a) All Councillors and non-Councillors with voting rights shall observe the Code of Conduct adopted by the Council (*see Appendix 1*).
- b) Disclosable Pecuniary Interests
 - i) **Subject to (ii) below a Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter to be considered, or being considered, at a meeting is subject to statutory limitations or restrictions under the Code on his right to participate and vote on that matter.** Members should declare any interest to the meeting and should leave the room whilst any discussion or vote takes place.
 - ii) If a dispensation has been granted to a member in relation to a disclosable pecuniary interest then, subject to the terms of the dispensation, the member may be relieved from the above restrictions but will still be required to declare the interest to the meeting.
- c) **Dispensation requests shall be made in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- d) A decision as to whether to grant a dispensation shall be made by the Proper Officer and their decision is final.
- e) **A dispensation may be granted in accordance with Standing Order 29-28 (d) above if having regard to all relevant circumstances any of the following apply:**
 - (i) **Without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business**
 - (ii) **Granting the dispensation is in the interests of persons living in the Council's area**
or
 - (iii) **It is otherwise appropriate to grant a dispensation.**

29. Code of Conduct Complaints

- a) Upon notification by the District or Unitary Council that it is dealing with a complaint that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Proper Officer shall, subject to Standing Order 19, report this to the Council.
- b) Where the notification in Standing Order 29 (a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with Standing Order 29 (d).
- c) The Council may:
 - i) Provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement
 - ii) Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter
- d) **Upon notification by the District or Unitary Council that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Council shall consider**

what, if any, action to take against him. Such action excludes disqualification or suspension from office.

30. Inspection of Documents

All Minutes kept by the Council and by any Committee shall be open for the inspection of any member of Council.

31. Restrictions on Councillor Activities

Unless authorised by resolution, no Councillor shall:

- i) Inspect any land and/or premises which the Council has a right or duty to inspect; or
- ii) Issue orders, instructions or directions

32. Interpretation

In these Standing Orders words importing one gender shall include all genders and the singular includes the plural and vice versa.

- ~~a) After the ten-minute period, if it has not been possible to re-establish the attendance of the particular Member:
 - i) If the Meeting remains quorate, the Meeting continues.
 - ii) If the Meeting is inquorate, it will be adjourned until a suitable alternative time.~~
- ~~b) In circumstances when a Member re-joins part way through a re-commenced matter in a quorate Meeting and have missed part of the debate, councillors must take a view as to whether they are sufficiently informed to properly cast their vote.~~

Code of Conduct

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This Code of Conduct is based on the Local Government Association's Model Councillor Code of Conduct 2020 with local variations as deemed appropriate by the Council.

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations. Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public. This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

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Definitions

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For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that fails to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park Authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The Local Government Association (hereafter "LGA") encourages the use of support, training and

mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Town and Parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer at Allerdale Borough Council (Cumberland Council from 1 April 2023).

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

- 1.1 I treat other councillors and members of the public with respect.**
- 1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

- 2.1 I do not bully any person.**
- 2.2 I do not harass any person.**
- 2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in virtual meetings, emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person. Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral. They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report they have written. However, you must not try to force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received consent of the person authorised to give it;
 - ii. I am required by law to do so
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. The disclosure is:
 - 1. reasonable and in the public interest; and

2. made in good faith and in compliance with reasonable requests of the local authority; and

3. I have consulted the Clerk (who in turn may consult the Monitoring Officer) prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute

As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

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As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and
- b. ensure that such resources are not used for political purposes, unless that use could reasonable be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct.

As a Councillor:

- 8.1** I undertake Code of Conduct training provided by my local authority.
- 8.2** I cooperate with any Code of Conduct investigation and/or determination
- 8.3** I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- 8.4** I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you to not undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Clerk, who may in turn raise it with the Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a Councillor:

- 9.1** I register and disclose my interests.

Section 29 of the Localism Act requires the Monitoring Officer to establish and maintain a register of interests of members of all Town and Parish Councils.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public to be open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1 is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Clerk.

10. Gifts and Hospitality

As a councillor:

- 10.1** I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- 10.2** I register with the Clerk any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.
- 10.3** I register with the Clerk any significant gift or hospitality that I have been offered but refuse to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as a rudeness in which case you could accept it but must ensure that it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Clerk for guidance.

Appendices

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Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour whenever it occurs.

Appendix B Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office, you must register with the Monitoring Officer (via the Clerk) the interests which fall within categories set out in Table 1 (Disclosable Pecuniary Interests) which are described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Clerk, who will then pass this information onto the Monitoring Officer.
2. A 'sensitive interest' is an interest which, if disclosed, could lead to the councillor, or person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Clerk, who will then pass it onto the Monitoring Officer's office, with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room/meeting unless you have been granted a dispensation. If it is a 'sensitive interest' you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Disclosure of Other Registerable Interests

5. Where a matter arises at a meeting which *directly relates* to the financial interest or wellbeing of one of your Other Registerable interests (as set out in Table 2), you must disclose the interest. If you have such an interest you must consider whether a reasonable member of the public, knowing all the facts, would think the interest such that it may influence the way you vote. If the ordinary person would think that the interest may influence your vote then you should not participate in the matter. In these circumstances you may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which *directly relates* to your financial interest or well-being (and it is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

7. Where a matter arises at a meeting which *affects*-

a. your own financial interest or well-being;

b. a financial interest or well-being of a friend, relative, close associate; or

c. a financial interest or well-being of a body included under Disclosable Pecuniary Interests set out in Table 1

you must disclose the interest. In order to determine whether you may participate in the meeting after disclosing your interest the following test should be applied:

8. Where a matter affects your financial interest or well-being so that a reasonable member of the public knowing all the facts would believe that it may affect your view of the wider public interest to a greater extent than it affects the financial interests of the majority of inhabitants, you may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
<u>Employment, office, trade, profession or vocation</u>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<u>Sponsorship</u>	<p>Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
<u>Contracts</u>	<p>Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council.</p> <p>:-</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
<u>Land and Property</u>	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
<u>Licenses</u>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.

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<u>Corporate tenancies</u>	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is body that the councillor or his/her spouse or civil partner of the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities of*
<u>Securities</u>	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the rea of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeding one hundredth of the total issued share capital of that class.

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* 'director' includes a member of the committee of management of an industrial and provident society

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* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

<p>You must register as an Other Registerable Interest:</p> <ul style="list-style-type: none"> a) Any unpaid directorships b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) Any body <ul style="list-style-type: none"> i) Exercising functions of a public nature ii) Directed to charitable purposes or

III) One of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management

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APPENDIX 1

CODE OF CONDUCT FOR MEMBERS AND CO-OPTED MEMBERS OF KESWICK TOWN COUNCIL

1. ~~Keswick Town Council ("The Council") has adopted the following Code dealing with the conduct that is expected of Members and co-opted Members of the Council ("Members") when they are acting in that capacity as required by section 27 of the Localism Act 2011 ("the Act").~~
2. ~~The Council has a statutory duty under the Act to promote and maintain high standards of conduct by Members and the Code sets out the standards that the Council expects Members to observe.~~
3. ~~The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.~~
4. ~~The Code is intended to be consistent with the seven principles as attached to this Code and applies whenever a person is acting in his/her capacity as a Member of the Council or co-opted Member in the conduct of the Council's business or acting as a representative of the Council.~~
5. ~~When acting in your capacity as a Member:~~
 - (1) ~~You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend, a close associate, an employer or a business carried on by you~~
 - (2) ~~You must not place yourself under a financial or other obligation to outside individuals or organisations that may influence you in the performance of your official duties~~
 - (3) ~~You must not disclose any information given to you as a Member in breach of any confidence~~

- (4) ~~You must not bring your office or your Council into disrepute~~
- (5) ~~You must treat others with respect and promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability. You should respect the impartiality and integrity of the Council's statutory officers and its other employees~~
- (6) ~~When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits on merit~~
- (7) ~~You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office~~
- (8) ~~You must be as open as possible about your decisions and actions and the decisions and actions of your Council and should be prepared to give reasons for these decisions and actions~~
- (9) ~~You must declare any private interests, both disclosable pecuniary interests and any other registrable interests, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner which conforms with the procedures set out below~~
- (10) ~~You must ensure, when using or authorising the use by others of the resources of your Council, that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Council Code of Publicity made under the Local Government Act 1986~~
- (11) ~~You must promote and support high standards of conduct when serving in your office.~~

Registering and declaring disclosable pecuniary and other registrable interests

- (1) ~~You must, within 28 days of taking office as a Member or co-opted Member, notify your Council's Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners. These interests and those at (2) below are shown attached to this code.~~
- (2) ~~In addition, you must, within 28 days of taking office as a member or co-opted member, notify your Council's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which your Council has decided should be included in the register.~~

~~(3) If an interest has not been entered onto the Council's Register, then the member must disclose the interest to any meeting of the Council at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest' as described by the Localism Act 2011.~~

~~(4) Following any disclosure of an interest not on the Council's Register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.~~

~~(5) Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your Council places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your Council.~~

SEVEN GENERAL PRINCIPLES OF CONDUCT

Selflessness

1. Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

2. Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity

3. In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, holders of public office should make choices on merit.

Accountability

4. Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

5. Holders of public office should be as open as possible about the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

6. Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

7. Holders of public office should promote and support these principles by leadership and by example, and should act in a way that secures or preserves public confidence.

APPENDIX 2

PECUNIARY AND OTHER REGISTRABLE INTERESTS

DISCLOSABLE PECUNIARY INTERESTS (as defined by regulations)

1. — Details of any employment, office, trade, profession or vocation carried on for profit or gain.
2. — Details of any payment or provision of any other financial benefit (other than from the relevant Council) made or provided within the relevant period in respect of any expenses incurred in carrying out duties as a member, or towards election expenses. (This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
3. — Details of any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant Council —
 - (a) under which goods or services are to be provided or works are to be executed; and
 - (b) which has not been fully discharged.
4. — Details of any beneficial interest in land which is within the area of the relevant Council.
5. — Details of any licence (alone or jointly with others) to occupy land in the area of the relevant Council for a month or longer.
6. — Details of any tenancy where (to the Member's knowledge) —
 - (a) The landlord is the relevant Council; and
 - (b) The tenant is a body in which the relevant person has a beneficial interest.
7. — Details of any beneficial interest in securities of a body where
 - (a) That body (to the Member's knowledge) has a place of business or land in the area of the relevant Council; and
 - (b) Either —
 - (i) — The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - (ii) — If that share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

OTHER REGISTRABLE INTERESTS

These interests are what the Council has determined should be entered into the Council's register of interests

8. — Details of any body of which you are a member, or in a position of general control or management, and to which you are appointed or nominated by the Council.

9. Details of any body of which you are a member, or in a position of general control or management, and which:

(a) Exercises functions of a public nature;

(b) Is directed towards charitable purposes; or

(c) Is a body which includes as one of its principal purposes influencing public opinion or policy (this includes political parties or trade unions)

10. Details of any persons from whom you have received a gift or hospitality with an estimated value of at least £50. (You must register any gifts or hospitality worth £50 or over that you receive personally in connection with your official duties).

APPENDIX 3

STAFFING COMMITTEE TERMS OF REFERENCE

Purpose of Staffing Committee

The committee is appointed to make decisions about all staffing matters excluding the appointment and dismissal of staff (which requires approval of full Council), subject to budget and expenditure limits decided by the Council.

Composition of Staffing Committee

The committee shall comprise of up to six Councillors, to include ex officio the Mayor ~~and alongside~~ the Chair and Vice-Chair of the Parks Trusts.

Terms of Reference

- To establish and keep under review the staffing structure in consultation with the Council
- To draft, implement, review, monitor and revise policies for staff
- To establish and review salary pay scales for all categories of staff and to be responsible for their administration and review
- To oversee the recruitment and appointment of staff
- To arrange execution of new employment contracts and changes to contracts
- To establish and review performance management (including annual appraisals) and staff training programmes
- To oversee any process leading to dismissal of staff (including redundancy)
- To keep under review staff working conditions, and health and safety matters
- To monitor and address regular or sustained staff absence
- To make recommendations on staffing related expenditure to the Council
- To consider any appeal against a decision in respect of pay
- To consider a disciplinary or grievance matter (and any appeal)
- To supervise and performance manage the Clerk's work, to administer his/her leave requests, record and monitor absences, and handle grievance and disciplinary matters and pay disputes.

Reviewed May 2022

EVENTS COMMITTEE TERMS OF REFERENCE

Purpose of Events Committee

The Committee is appointed to organise events approved by the Town Council as the responsible body.

Composition of Events Committee

The Committee shall comprise of up to six Councillors plus additional community representatives to be appointed by the Committee from those expressing an interest. A Chairman will be appointed from among the Town Council representatives. The Mayor shall be an ex-officio member of this Committee.

Terms of Reference

- To organise events approved by Keswick Town Council as the responsible body.
- To comply with all statutory and licensing requirements.
- To ensure that events are covered by the Council's public liability insurance.
- To be responsible for agreeing spending within the budget limits approved by the Town Council, any requests for additional spending to be referred back to the Town Council for approval.
- To ensure that all financial transactions relating to events are in accordance with the Town Council's Financial and Contract Regulations.
- To advise the Town Council on its annual Events programme, liaising with others as required to co-ordinate dates.

Revised October 2020

PLANNING AND LICENSING GROUP TERMS OF REFERENCE

Purpose of Planning and Licensing Group

The Group is appointed to advise the Council on its response to planning applications for submission to the Lake District National Park Authority (the planning authority) and to make decisions about all licensing applications received from ~~Allerdale-Borough~~Cumberland Council (the licensing authority).

Composition of Planning Group

The Group shall comprise of up to four Councillors appointed at the Council's Annual Meeting.

Terms of Reference

Planning

- To study all planning applications received by the Council as statutory consultee
- To carry out site visits where appropriate and in accordance with the recommended protocol
- To make recommendations and to draft responses for approval by the Council and submission to the planning authority
- To advise the Council on its response to any planning consultation documents received

Licensing

- To study all licensing applications received by the Council for comment
- To consult other parties as appropriate
- To prepare and submit responses on behalf of the Council to the licensing authority
- To report details of responses submitted to the next Council meeting

Adopted February 2020.

ENVIRONMENTAL WORKING GROUP TERMS OF REFERENCE

Purpose of Environmental Working Group

The Group is appointed to hold Keswick Town Council to account on their implementation of carbon reduction policies and practices, and to work with external agencies to support, lobby and educate regarding the Council's pledge to become carbon neutral by 2030.

Composition of Environmental Working Group

The Working Group shall comprise of up to five Councillors appointed at the Council's Annual Meeting, and will meet on a regular basis to discuss the environmental impact of items on the agenda, as well as other matters as required.

Terms of Reference

- To have oversight of the work of Keswick Town Council and ensure that the work undertaken, whether it be operational or procurement, has environmental benefit
- To undertake a lobbying role with Outside Bodies such as the Lake District National Park and local businesses
- To train and educate Town Councillors, officers and members of the public where relevant
- To challenge decisions by external bodies that don't move towards the target of carbon neutrality.
- To work closely with the Parks Charitable Trusts to ensure the work undertaken, whether it be operational or procurement, has environmental benefit.
- To review the Town Council's Environmental Action Plan on a six monthly basis, and to make recommendations to the Town Council and the Parks Trusts to that effect.

Adopted November 2021

KESWICK TOWN COUNCIL
18 May 2023

COMMITTEE/WORKING GROUP/LIAISON GROUP MEMBERS 2023-24

COMMITTEE/GROUP	2022-23 MEMBERSHIP	2023-24 PROPOSAL
STAFFING COMMITTEE (up to six members)	MAYOR (CHAIR) EX OFFICIO TRUST CHAIR EX OFFICIO TRUST VICE-CHAIR EX OFFICIO COUNCILLORS: BURN DANIELS TERRY	MAYOR (CHAIR) EX OFFICIO TRUST CHAIR EX OFFICIO TRUST VICE-CHAIR EX OFFICIO COUNCILLORS:
EVENTS COMMITTEE (up to six members)	COUNCILLOR TITLEY (CHAIR) COUNCILLORS BURN DUNN FORSYTH LYWOOD <ul style="list-style-type: none"> • Representative of Keswick Tourism Association • Representative of Keswick Rotary Club • Representative of Keswick Lions Club • Representative of Theatre by the Lake • Representative of Cumbria Police • Representative of Allerdale Borough Council - Markets • Any other individual as requested by the committee 	MAYOR (EX OFFICIO) COUNCILLORS <ul style="list-style-type: none"> • Representative of Keswick Tourism Association • Representative of Keswick Rotary Club • Representative of Keswick Lions Club • Representative of Theatre by the Lake • Representative of Cumbria Police • Representative of Allerdale Borough Council - Markets • Any other individual as requested by the committee
PLANNING GROUP	COUNCILLORS DANIELS FORSYTH HARWOOD MILLER	
ENVIRONMENTAL WORKING GROUP	COUNCILLORS LANSBURY TERRY TITLEY	
VISITOR MANAGEMENT WORKING GROUP	COUNCILLORS BURN DANIELS L DUNN LANSBURY	

KESWICK TOWN COUNCIL
18 MAY 2023

REPRESENTATIVES ON OUTSIDE BODIES FOR 2023/24

ORGANISATION	2022/23 REPRESENTATIVE	2023/24 PROPOSAL
THE BATTERSBY CHARITY	TONY LYWOOD	
KESWICK IN BLOOM	No representative	
KESWICK TOURISM ASSOCIATION	ALAN DUNN	
KESWICK COMMUNITY EMERGENCY PARTNERSHIP RECOVERY	SALLY LANSBURY	
KESWICK YOUTH CENTRE	ADAM PAXON	
KESWICK FAIR TRADE COMMITTEE	No representative	
KESWICK FLOOD ACTION GROUP	PAUL TITLEY	
KESWICK CONVENTION TOWN LIAISON GROUP	DUNCAN MILLER PAUL TITLEY (RESERVE)	
LIAISON MEETINGS (CALC) ETC	STEVE HARWOOD PAUL TITLEY	

<u>SCHEDULE OF MEETINGS 2023</u>	
18TH MAY	ANNUAL COUNCIL MEETING 7PM
25TH MAY	ANNUAL TRUST MEETING 7PM
15TH JUNE	TOWN COUNCIL MEETING 7PM
13TH JULY	CHARITABLE TRUST MEETING 7PM
20TH JULY	TOWN COUNCIL MEETING 7PM
17TH AUGUST	TOWN COUNCIL MEETING 7PM
14TH SEPTEMBER	CHARITABLE TRUST MEETING 7PM
21ST SEPTEMBER	TOWN COUNCIL MEETING 7PM
19TH OCTOBER	TOWN COUNCIL MEETING 7PM
9TH NOVEMBER	CHARITABLE TRUST MEETING 7PM
16TH NOVEMBER	TOWN COUNCIL MEETING 7PM
14TH DECEMBER	TOWN COUNCIL MEETING 7PM
<u>SCHEDULE OF MEETINGS 2024</u>	
11TH JANUARY	CHARITABLE TRUST MEETING 7PM
18TH JANUARY	TOWN COUNCIL MEETING 7PM
15TH FEBRUARY	TOWN COUNCIL MEETING 7PM
14TH MARCH	CHARITABLE TRUST MEETING 7PM
21ST MARCH	TOWN COUNCIL MEETING 7PM
18TH APRIL	ANNUAL PARISH 6.00PM TOWN COUNCIL MEETING 7PM
16TH MAY	ANNUAL COUNCIL MEETING 7PM
23RD MAY	ANNUAL TRUST MEETING 7PM

Keswick Town Council – Schedule of Charges – 2023-24

Current Charges – FOR INFORMATION ONLY

Description of Charge	Charge
Hire of Council Chamber	£15 per hour + VAT
Notes	<p>Free of charge for local voluntary groups only e.g., Keswick in Bloom, Suskes, KCERP etc.</p> <p>Charges to be applicable to all other groups/businesses (membership, non-voluntary, private sector, local businesses etc.) e.g., U3A, Keswick Tourism Association etc</p> <p>Hire available Monday to Friday – building opening hours only</p>

Description of Charge	Charge
Photocopying Charges – TO ALL	10p per copy - A4 Black & white 20p per copy – A4 Colour 20p per copy A3 – Black & white 30p per copy – A3 Colour

Description of Charge	Charge
Hawthorns Allotment Rent	£60 per annum per plot
Notes	10 plots located in the field at the top of the Hawthorns

The above schedule of charges was introduced in February/March 2023, as resolved at the December 2022 Town Council meeting.

Catherine Parker
Responsible Financial Officer
11th May 2023



**Fire and Rescue Service Headquarters
Carleton Avenue
Penrith
Cumbria, CA10 2FA**

**01768 812663
office@calc.org.uk**

To: Clerks of Parish Councils/Parish Meetings in the North Distinctive Area of the Lake District National Park

3rd April 2023

Dear Clerk,

ELECTION OF PARISH MEMBER TO THE LAKE DISTRICT NATIONAL PARK AUTHORITY

Please see the timetable for the election of a Parish Member to the Lake District National Park Authority which is contained within the advance letter also enclosed in this email.

I have also enclosed a Nomination Form should your Council/Meeting wish to nominate a candidate, guidance notes and the 2023 LDNPA member prospectus. No Council/Meeting can make more than one nomination.

Any nomination by your Council/Meeting must be agreed at a properly convened meeting. Please ensure the candidate reads the Guidance Notes and completes Section 1 and the section called 'Reasons for Applying' at the bottom of the Nomination Form which will subsequently be circulated with the ballot papers. Section 2 should be completed on behalf of your Council/Meeting. The completed Nomination Form must be received at this office no later than noon on **Friday 26th May 2023**. Any received after that time and date will be rejected. We will accept emailed nomination forms but request that a hard copy is sent to the CALC office for our records. However, as long as an email is received before noon, that will stand as your parish's nomination.

On the assumption that more than one candidate is nominated for the North Distinctive Area, an election will be held and the Ballot Paper for your Council/Meeting (on which the vote of each councillor or Parish Meeting Chairman can be recorded) will be dispatched to you on **Friday 26th May 2023**.

Once duly nominated, councillors are free to canvas in support of their election as a Parish Member of the National Park.

The deadline for the receipt of the completed ballot paper is **noon on Wednesday 7th June 2023**. We will accept emailed ballot papers but request that a hard copy is sent to the CALC office for our records. However, as long as an email is received before noon on the 7th June,

that will stand as your parish's ballot paper.

If you have any queries please get in touch.

Yours sincerely,

S. Hutchinson

Sonia Hutchinson
Chief Officer, CALC



**Lake District
National Park**



Lake District National Park Authority

Member Prospectus

1. Introduction

Congratulations on your appointment to the Lake District National Park Authority (referred to as 'the Authority') and welcome.

This guide has been written with the aim of providing you with some important information to help you during your time with the Authority.

If you have any problems or queries, please do not hesitate to contact Heather McClure, Member Services Co-ordinator, on 01539 792637 or e-mail Heather.McClure@lakedistrict.gov.uk or Julie Wood, Authority Solicitor, on 01539 792665 or email Julie.Wood@lakedistrict.gov.uk.

2. A short history of National Parks

The story of the establishment of National Parks began in the early 19th century, with romantic poets such as Byron, Coleridge and Wordsworth writing about the inspirational beauty of the 'untamed' countryside. Wordsworth famously claimed the Lake District as "a sort of national property, in which every man has a right and interest who has an eye to perceive and a heart to enjoy".

By the late 19th century James Bryce MP started a campaign for public access to the countryside by introducing the first "freedom to roam" bill to parliament in 1884. The bill failed by the campaign had begun.

By the early 20th century, the demands for public access to the countryside were growing – fuelled by widespread industrialisation and growing towns and cities.

By the 1930s, public pressure was at breaking point amid conflicts between landowners and people demanding greater access to the countryside. By 1932, the famous "mass trespasses" on Kinder Scout in the Peak District were taking place, leading to five men being imprisoned.

By 1936, groups of leisure activity enthusiasts and nature conservationists had formed a voluntary sector Standing Committee on National Parks which argued the case for national parks and urged the government to act.

Ongoing pressure culminated in the 1945 White Paper on National Parks, produced as part of the post-war reconstruction. The government set up a committee, under Sir Arthur Hobhouse, to prepare for National Park legislation.

In 1949 the government passed the National Parks and Access to the Countryside Act to establish National Parks, to conserve and enhance their natural beauty, and provide recreational opportunities for the public.

The Lake District National Park was designated on 9 May 1951 and founded on 13 August 1951.

Managing a National Park is challenging. It needs the right balance between conservation and recreation. National Park authorities need to conserve wildlife and

habitats, but also encourage people to enjoy and learn from the countryside. This can cause conflicts.

To help National Park authorities make decisions between conservation and recreation, the National Parks Policy Review Committee made a recommendation in 1974, which is now known as the 'Sandford Principle', named after Lord Sandford who was chair of the committee. This principle states: "Where irreconcilable conflicts exist between conservation and public enjoyment, then conservation interest should take priority".

This principle was updated in the Environment Act 1995 which made fundamental changes to the system of care and control of National Parks. It defines the purposes and duty of the National Park Authorities by which National Parks are managed today.

In 2016 Lake District National Park boundary was extended to include areas to the south and the east of the original National Park.

In 2017 Lake District National Park became a UNESCO World Heritage Site.

3. About the Lake District National Park Authority

The Authority is a legal entity established by [section 63 of the Environment Act 1995](#) which receives grant funding from DEFRA to undertake its work. The Lake District was one of the first areas to be designated a National Park in 1951 and the Authority has been known in the past as the Lake District Planning Board and the Lake District Special Planning Board. Though situated within the county of Cumbria and lying across the boundaries of two unitary authorities, the Authority is the Planning Authority for the area of the National Park.

The Authority was set up with purposes and duties to which it must adhere. These statutory duties are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park; and
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

and in pursuing those purposes:

- To seek to foster the economic and social well-being of local communities within the National Park by working closely with the agencies and local authorities responsible for these matters.

The National Park Authorities (England) Order 2015 as amended states that the Lake District National Park Authority shall consist of 20 Members. Members are appointed by local authorities and by the Secretary of State for the Environment.

Local Authority Appointed Members - 10

Of which 6 are nominated by Westmorland and Furness Council
; and

4 are nominated by Cumberland Council

Secretary of State Appointed Members (5 Parish and 5 National) - 10

To comply with the provisions of [section 28](#) of the Localism Act 2011, the Authority has appointed two Independent Persons. Their role is to assist the Authority in promoting high standards of conduct of elected and co-opted members of the Authority and, in particular, to uphold the [Member Code of Conduct](#).

Members have to agree to follow a Code of Conduct to ensure high standards in the way they undertake their duties. Most day-to-day decisions are made by Committees. Further information regarding the [Member Code of Conduct](#) and Committees can be found within this handbook.

Our Vision

The Vision for the Lake District National Park set out below is a Partnership Vision that has been agreed by the 25 partner organisations on the Lake District National Park Partnership. For the Authority, it is our Management Plan; detailing how we interpret and deliver our Statutory Purposes in a more contemporary way.

The Lake District National Park will be an inspirational example of sustainable development in action.

A place where its prosperous economy, world class visitor experiences and vibrant communities come together to sustain the spectacular landscape, its wildlife and cultural heritage.

Local people, visitors and the many organisations working in the National Park or have a contribution to make to it, must be united in achieving this.

Our Purpose

Our Purpose explains why the Authority is here and the valuable role we play for the well-being of the nation and in looking after the place.

Our purpose is to inspire a sense of freedom and wellbeing for the nation so people and this spectacular landscape flourish.

Our Organisational Strategy

Our [Organisational Strategy](#) sets out our priorities, our values and behaviours and our aspirations for the future.

Our Values

Our values support the delivery of the vision and our purpose; they are our identity. Our values specify how we will accomplish our goals; they help guide how we make decisions. Our values underpin our policies, procedures and strategies because they provide an anchor and a reference point for all things that happen at the Lake District National Park Authority.

- **Empowered – we think creatively, encouraging innovation, adapting to change and being willing to take risks.** We are flexible to deliver an excellent service. We are accountable for decisions within our area of responsibility, finishing what we start. We keep the vision, our purpose and values front and centre when making decisions.
- **Forward thinking – we plan for the future, recognising that our future sustainability is in our own hands.** We constantly ask ‘how can we improve to create the best experience, service and environment to help our future?’ We take a strategic approach to forward planning and prioritising issues for the Lake District National Park Authority; discovering new ways to bring in money and save money, so we have more to invest in the Lake District. We are committed to making a difference for future generations.
- **Leaders – we lead the way, delivering the vision and inspiring people and the landscape to flourish.** We are all leaders in our area of responsibility, with a deep commitment to deliver results. We motivate, support and inspire our people.
- **Nurturing – we nurture the Lake District, our teams and where we work, respectfully managing the Lake District National Park on behalf of those who live, work or visit here.** We oversee the conservation and sustainable development of this spectacular landscape of international importance, carefully and responsibly managing the resources which are entrusted in our care.
- **Proud – we are proud of the Lake District and what we do at the Lake District National Park Authority, which drives us to be our best.** We take pride in the difference we make together and the way in which we celebrate successes together. We are passionate about working in this special place and we enjoy sharing our stories.
- **Team player – we cooperate and work together, creating a sense of belonging where trust thrives.** We actively contribute to and share responsibility for results, asking for input and feedback from others. We respect the opinions of each other and listen attentively. We work collaboratively with our partners, doing what we have committed to do and act in the interest of the public.

We have adopted formal Codes of Conduct defining standards of personal behaviour for [Members](#) and [Officers](#).

We maintain the Governance Committee to raise awareness and take the lead in ensuring high standards of conduct are embedded within the Authority’s culture. The Authority has put in place arrangements to ensure that Members and Officers of the Authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders; ensuring that these arrangements are workable by means of the Authority’s [Anti-Fraud, Theft and Corruption Policy](#); [Confidential Reporting](#)

[\(Whistleblowing\) Policy](#); [Members and Staff Working Together Policy](#) and declaration of interests processes set out in the [Member](#) and [Officer](#) Codes of Conduct.

Performance

The [Lake District National Park Partnership's Management Plan](#) (‘the Partnership Plan’) is the Authority’s statutory Management Plan. It explains how the Authority, together with a collective of key organisations working together as part of the Lake District National Park Partnership, will manage the Lake District National Park as effectively as possible to meet the strategies outlined in the Partnership Plan.

The [Business Plan](#) sets out how we will deliver those strategies detailed as the Authority’s responsibility in the Partnership Plan. The Business Plan includes our priorities for the Lake District National Park and key actions we will take over the next three years. It also sets out how we will focus our resources to achieve the Vision and our priorities.

The Authority’s performance in delivering its priorities and the outputs for each year is reported to Resources Committee each year.

Organisational Strategy

The Organisational Strategy clarifies the Authority’s priorities and objectives and sets out how our teams work with partners and communities, generating funds to invest in looking after the Lake District National Park. It sets out how we work together to deliver the Vision.

4. What you need to do

Before you can take up your position as a Member, you need to agree to fulfil your duties as Member. You do this by undertaking an induction with the Authority’s Directors and the Deputy Monitoring Officer, completing your declaration of interest form and signing a copy of the Member Code of Conduct.

5. Code of conduct

As a Member you are also expected to comply with the [Member Code of Conduct](#). A copy of the Code is available on Waymarker (the Authority’s intranet) and on the Authority’s website.

In order to comply with the Authority’s Member Code of Conduct, you must register your pecuniary interests and other registrable interests with the Authority’s Monitoring Officer within 28 days of the date of their election.

FAILURE TO DECLARE A DISCLOSABLE PECUNIARY INTEREST IS A CRIMINAL OFFENCE.

Further information regarding declaration of interests will be provided at your Induction. The Declaration of Interests Form will be sent out upon us being notified of your appointment.

6. New member induction

The Member Induction is designed to help to give you an understanding of how the Authority operates and give you the chance to meet key Members and Officers. It comprises a series of short meetings which we endeavour to undertake over the first month following your appointment. It will provide you with an introduction to the Authority as well as your role as a Member.

The Induction will cover the following -

- Authority's Management Structure;
- The Authority's Core Documents ([Standing Orders](#), [Contract Standing Orders](#), [Financial Regulations](#) and [Scheme of Delegation](#)) including meeting procedures;
- Background to NPA Finance;
- The [Member Code of Conduct](#);
- Registering and Declaring Interests;
- Members' Allowances;
- Understanding Data Protection and Freedom of Information;
- IT Matters;
- Governance Committee;
- Explanation of the Vision, and Strategy of the Authority;
- Explanation of the role of the Lake District National Park Partnership; and
- Explanation of the priorities and activities of the directorates.

If you are appointed to the Development Control Committee you will receive an induction on the Planning Legislation and processes.

7. Member training and development

The Authority is committed to supporting its Members so that you feel confident and have the skills to meet the challenges of your role. To this end all new Members will receive a thorough Induction and have access to a mentoring scheme.

Each year or upon request you will have the opportunity to have a one to one personal development review with the Chair in which you will be able to discuss any training needs you may have or any learning opportunities you wish to explore to support your aspirations and continuous development. The Head of People and Organisational Development, Member Services Coordinator and Chair will also be happy to discuss any training requests you might have, outside of the annual personal development review process.

The Authority will provide you with access to high quality, responsive learning opportunities to equip you with the skills and knowledge you require to be effective in your roles and for any specific duties you may be asked to undertake.

8. What is expected from you in the role as a Member

You will be expected to:

- Contribute actively to the formulation of the Authority's policies, budget strategies and service delivery;
- Represent the Authority on any Outside Bodies and Partnerships, as appointed, providing two-way communications between the organisation and the Authority; and to this end, develop and maintain a working knowledge of the Authority's policies and practices in relation to that organisation;
- Attend and participate in any Committee for any related responsibilities associated with such appointment;
- Develop and maintain good working relations with relevant Officers of the Authority, in accordance with the [Members and Officers Working Together Policy](#); and
- Attend and participate in any training courses, away days, workshops and other sessions either internally or externally provided, to enable you to fulfil your role as a Member.

You can find further information in the Authority's [Member Role Profile](#).

9. Meetings you will be expected to attend

Within the Authority

- Meetings of the full Authority Membership (known as Authority meetings);
- Committees, Sub-Committees, Project and Working Groups to which you have been allocated; and
- Training and/or briefing sessions relevant to your role.

Outside the Authority

- Meetings of any external Bodies or Partnerships to which you have been appointed by the Authority.

10. How the Authority operates

The Constitution

The Authority's Constitution is set out in [Schedule 7](#) of the Environment Act 1995 and its Core Documents. It sets out how the Authority operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to members of the public. Some of these processes are required by law, while others are a matter for the Authority to choose. You can find the Core documents on Waymarker or on the Authority's Website.

Schedule 7 of the Environment Act 1995 sets out the status and constitution of National Park Authorities. The Core Documents are:

[Part A – "Proceedings and Business of the Authority"](#)

[Part B – "Contract Standing Orders"](#)

[Part C – "Financial Standing Orders"](#)

[Part D – "Scheme of Delegation"](#)

Members are not expected to know the contents of the Constitution in detail but should have a knowledge of what it covers.

Annual Authority Committee Meeting

The Authority's Annual Authority Committee meeting is held in June. This meeting deals with administrative matters including -

- Electing a Chair and Deputy Chair;
- Appointing Members to Committees; and
- Appointing Members to Outside Bodies and Partnerships.

Authority Committee Meetings

The Authority meets as required - usually four times a year - and meetings are held at 10am in the Boardroom at the National Park Office, Murley Moss, Oxenholme Road, Kendal, LA9 7RL or at such other venue of which you will be notified in advance of the meeting.

Occasionally, an Authority meeting may need to be held to consider matters which require special or urgent consideration.

All members receive an agenda to attend Authority meetings. The dates of the meetings are included in the [calendar of meetings](#).

The principal functions exercised by Authority include -

- The Core Documents: the Standing Orders, the Contract Standing Orders (save as provided for at D3.5 below), the Financial Regulations (save as provided for at D3.5 below) and this Scheme of Delegation and the following documents:
 - The Vision
 - The Business Plan

- The Lake District National Park Partnership Plan (the National Park Management Plan)
 - Revenue and Capital Budgets
 - Medium Term Financial Strategy
 - The Code of Corporate Governance
 - The Lake District National Park Local Plan
 - any Members' Allowances Scheme
 - the Member Code of Conduct and associated guidance
- appointing the Chairman and Deputy Chairman of the Authority;
 - agreeing and/or amending the terms of reference for committees and deciding on their composition and membership;
 - appointing representatives to outside bodies;
 - co-opting members of committees of the Authority;
 - confirming the appointment and dismissal of the Chief Executive (National Park Officer);
 - making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local legislation or private Bills; and
 - all other matters which, by law, must be reserved to the Authority.

Committees

Meetings of the Authority's Committees are open to the public except where personal or confidential matters (known as Part 2 matters) are being discussed. The Authority has established the following Committees -

Development Control Committee
 Governance Committee
 Park Strategy & Vision Committee
 Resources Committee
 Rights of Way Committee

Membership of Committees

The Chairman may ask you which Committees you might be interested in, however, they decide who is nominated for places on each Committee. The nominations are presented to the Annual Authority meeting for approval.

You will receive Agendas electronically for Committees to which you are appointed as a Member. All other Agendas will be available on the Authority's website.

Terms of Reference of Committees

Detailed Terms of Reference of each of the Committees of the Authority can be found in the Authority's [Scheme of Delegation](#). Below is a brief overview of the areas that each Committee deals with.

Development Control Committee

To consider planning applications and property control matters including planning enforcement.

Governance Committee

To undertake the audit activity including the appointment of the Authority's external auditor; commissioning work from internal and external audit and the consideration of reports from such bodies. In addition this Committee undertakes the role promoting and maintaining high standards of conduct by the members of the Authority including the adoption of the Member Code of Conduct and the determination of complaints made against Members.

Park Strategy & Vision Committee

Considers the formulation of all policies relating to the work of the Authority, making recommendations to the Authority for the adoption of new policies and the review and amendment of existing policies of the Authority. Also the Committee oversees the Local Plan, the Lake District National Park Partnership Management Plan and the Vision for the Lake District National Park.

Resources Committee

The Resources Committee is responsible for the authority's capital and revenue budgets and all matters relating to the planning and monitoring of the Authority's finances, Risk Management, Performance Indicators and Procurement.

Rights of Way Committee

Considers and determines all applications for the making of agreements, the making and confirmation of orders and to discharge any other function of the Authority under the Highway Acts.

Executive Performance

The Chair and Deputy Chair of the Authority manage all aspects of the Chief Executive's employment with the Authority and assist the Chief Executive on the interpretation of the Authority's policies and to advise the Chief Executive.

11. Authority structure

The Authority's Staff

The Authority has people working for it (known as Officers) to give advice, implement decisions and manage the day-to-day delivery of its services. Some Officers have a

specific duty to ensure that the Authority acts within the law and uses its resources wisely. A Code of Practice governs the relationship between Officers and Members of the Authority.

Chief Executive (and designated Head of Paid Service)

Section 4 of the Local Government & Housing Act 1989 provides that it is the duty of every local authority to designate one of their officers as its Head of Paid Service and sets out the duties that the Head of Paid Service must undertake. The Chief Executive has the overall corporate management and operational responsibility (including overall management responsibility for all Officers). The Chief Executive also provides professional advice to all parties in the decision making process and together with the Monitoring Officer, has the responsibility for a system of record keeping for all of the Authority's decisions.

Regulations made under the Local Government Act 2000 reinforce these duties by making the appointment of staff below chief officer level the exclusive function of the Head of Paid Service or someone nominated by them.

Director of Visitor Services and Resources

The Director of Visitor Services and Resources has the overall management and operational responsibility for all aspects of the Visitor Services and Resources Directorate. The Head of Resources is the section 151 officer for the Authority and this role sits within the Visitor Services and Resources Directorate.

Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs and appoint a S151 Officer, also known as a Chief Financial Officer (CFO), to have responsibility for those arrangements. As such, the CFO must lead on a local authority's financial functions and ensure they are fit for purpose. CFOs must be professionally qualified and suitably experienced.

Director of Sustainable Development (and designated as the Monitoring Officer for the Authority)

The Director of Sustainable Development has the overall management and operational responsibility for all aspects of the Sustainable Development Directorate and the Lake District National Park Partnership.

Section 5 of the Local Government & Housing Act 1989 Act provides that it is the duty of every local authority to designate one of their officers as its Monitoring Officer. The Director of Sustainable Development is the Authority's Monitoring Officer and has three main roles:

- To report on matters they believe are, or are likely to be, illegal or amount to maladministration;
- To be responsible for matters relating to the conduct of Members and officers; and
- To be responsible for the operation of the Authority's Constitution.

The Monitoring Officer also has significant functions in relation to Members' and Parish Council Members' conduct. The Monitoring Officer is the registration officer for the purposes of the Members' Code of Conduct and supports the work of the Governance Committee.

The Authority's Organisational Structure can be found on the page below. Full details of the responsibilities of the Senior Officers of the Authority can be found in Part D4 of the [Authority's Scheme of Delegations](#).

12. Useful contacts

If you have any general enquiries, please call the Contact Centre on 01539 724555. If they cannot help you, they will direct you to the relevant Department or Officer.

Richard Leafe	Chief Executive	01539 792636
Gavin Capstick	Director of Visitor Services and Resources	01539 792633
Stephen Ratcliffe	Director of Sustainable Development	01539 792622
Ben Leavesley	Head of People & Organisational Development	01539 792698
Andrew Smith	Head of Development Management	01539 792660
Jane Fretwell	Head of Resources	01539 792654
Hanna Latty	Head of Strategy and Rangers Service	01539 792650
Tony Watson	Head of Visitor Services and Communications	01539 792649
Julie Wood	Authority Solicitor	01539 792665
Heather McClure	Member Services Co-ordinator	01539 792637

Please note that if you are emailing an Authority Officer about an issue and are unsure of their e-mail address, they take the format of:- forename.surname@lakedistrict.gov.uk

LAKE DISTRICT NATIONAL PARK AUTHORITY

ROLE DESCRIPTION FOR AUTHORITY MEMBERS TO SUPPLEMENT DEFRA ROLE PROFILE

1. Context

1.1. As set out in the Environment Act 1995, the Lake District National Park Authority's statutory purposes are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park; and
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

It also has a duty in pursuing those purposes:

- To seek to foster the economic and social well being of local communities within the National Park by working closely with the agencies and local authorities responsible for these matters.

1.2. The LDNPA worked with its partners and other stakeholders to translate its statutory purposes into an overall Vision for the Lake District National Park. As a result, the Lake District National Park Partnership, which includes the LDNPA as an equal member, works together to realise the Vision which has the four outcomes:

- A prosperous economy
- World class visitor experiences
- Vibrant communities
- Spectacular landscape.

1.3. The Partnership Plan for the National Park is created by the Lake District National Park Partnership and includes actions to be delivered by all the partners and other stakeholders. The LDNPA will adopt the Partnership Plan as the Authority's statutory five year National Park Management Plan. The actions which the LDNPA leads on are translated into its own Business Plan according to the four Vision outcomes. The Authority has also added a further outcome of "Being an Excellent Organisation" in its Business Plan. The actions in the Business Plan to deliver this outcome ensures the organisation is continually improving its performance and can effectively meet the challenges ahead.

2. Key roles

2.1. Collectively our members are the ultimate policy-makers and leaders for the organisation. They carry out a number of strategic and corporate functions in line with the role of a non-executive:

- To lead by example and demonstrate compliance with the priorities, values and behaviours of the Authority and with our Code of Corporate Governance, Members' Code of Conduct and Members' Handbook.
- To set or approve policies and budgets to achieve those priorities, and monitor performance against them.

- To ensure the financial strength and high performance of the Authority.
- To ensure that the Authority complies with all relevant laws, regulations and requirements of its regulators including DEFRA and the Audit Commission.
- To deal with the appointment (and if necessary the dismissal) of the Chief Executive
- To manage the performance of the Chief Executive with particular reference to organisational leadership, external relations and the relationship with Members.
- To set and maintain a framework of delegation and internal control.
- To agree or ratify all policies and decisions on matters that might create significant risk to the Authority, financial or otherwise.
- To maintain an appropriate level of understanding on those national, regional and local issues that impact upon the work of the Authority.

3. Our Values

- 3.1 Our Values were agreed by Authority in March 2009, they are central to the way the authority works and provide a clear indication of what you can expect when working with us:

Our Values

We are passionate and proud of the Lake District
 We are innovative and courageous
 We are ethical and we care about our environment
 We are approachable, receptive and respectful
 We communicate and cooperate
 We value people
 We aim high and achieve success

A set of behaviours has been developed under each of our values more information is available on **Touchstone**.

4. Rights and duties

- Members act as leaders within the organisation and ambassadors within the community
- Members must comply with the Code of Conduct (Section 2 of the **Members' Handbook**)
- Members will have such rights of access to such documents, information, land and buildings of the Authority as are necessary for the proper discharge of their functions and in accordance with the law.
- Members will not make public information that is confidential or exempt without the consent of the Authority or divulge information given in confidence to anyone other than a Member or officer entitled to know it. For these purposes, "confidential" and "exempt" information are defined in sections 100A and 100I of the Local Government Act 1972.
- Members are bound by an overriding duty to act reasonably at all times and in the interests of the Authority.
- Members must act personally and not as the representative of any group or organisation regardless of how that person was nominated.
- Members must ensure that they remain independent.
- Members to have regard to our Member Officer protocol, **Members and Staff working together**

- Members must have due regard to equal opportunities at all times, and to work in a fair and reasonable manner towards all people, ensuring service standards are maintained.

5. Generally to:

- Take all decisions concerning resources and priorities in accordance with the corporate planning framework and budget set by the Authority.
- Recognise the broad agenda for the work of the Authority including national government policy and the wider national parks movement.
- Focus on the strategic direction of the Authority and avoid becoming involved in day to day operational decisions and matters that are properly delegated to staff.
- Contribute to the achievement of the Authority's priorities, targets and activities as set out in the Business plan.
- Promote and develop partnership working.
- Attend meetings of committees and the Authority, as well as outside bodies, to which they are appointed, in compliance with Standing Orders.
- Promote, and participate in, Member development and training.



Fire and Rescue Service Headquarters
Carleton Avenue
Penrith
Cumbria, CA10 2FA

01768 812663
office@calc.org.uk

To: Clerks of Parish Councils/Parish Meetings in the North, East and West Distinctive Areas of the Lake District National Park

23 March 2022

Dear Colleague,

ADVANCE NOTICE

ELECTION OF PARISH MEMBERS TO LAKE DISTRICT NATIONAL PARK AUTHORITY

The term of appointment of the parish members on the Lake District National Park Authority from the North, East and West distinctive areas come to an end in May 2023.

The election of new parish members (who will be recommended to the Secretary of State for appointment) will be arranged by the Cumbria Association of Local Councils. Nominations for election have to be supported by a Parish Council or Meeting. For all parishes that are wholly or partly in the National Park, every councillor (and Chairman of a Parish Meeting) has one vote. The votes are recorded on a single ballot paper for each parish which is then sent by the Clerk of the Council/Meeting to the CALC office for counting.

In May one member will be elected by the parishes in each of the three distinctive areas in line with the timetable below and **you are asked to make the necessary arrangements** for your council to participate in the election process. The timetable is very tight in order to meet the date of the National Park Authority's Annual Meeting on 21st June 2023.

Monday 3rd April	CALC dispatches Notice of Election and Nomination Papers to Council/Meeting Clerks
Monday 5th May	Council Elections in some areas
During May	Annual meetings of Parish Councils. Prior to council meeting clerk provides information to councillors on nomination procedure. Council/Meeting decides whether to support a nomination.
Noon, Friday 26 May	Deadline for receipt of completed Nomination Papers at the CALC office
Friday 26 May	CALC dispatches Ballot Papers to Council/ Parish Meeting Clerks

(one Ballot Paper per Council / Parish Meeting on which the vote of each councillor, or Meeting Chairman, is to be recorded)

- Noon Wednesday 7 June** Deadline for receipt of completed Ballot Papers in sealed, marked envelopes at the CALC office
- Wednesday 7 June (pm)** Envelopes opened and count of the number of votes cast for each candidate. The candidate receiving the highest number of votes per designated area notified to DEFRA.
- Prior to 21st June** DEFRA notify the appointed Parish Members and the National Park Authority (if the Secretary of State makes the appointments by this date).
- Wednesday 21st June** Annual Meeting of the Lake District National Park Authority

Please make a note of these key dates in your diary

Key points to bear in mind are:

1. Nominations can only be made by a council (or a Parish Meeting in parishes without a council). Any councillor or Chairman of a Parish Meeting is eligible for nomination. It is anticipated that any nominations will be decided at the council's annual meeting in May (or a Parish Meeting's annual meeting).
2. Each councillor (and Chairs of Parish Meetings) will have one vote to be recorded on his/her council's Ballot Paper. It is **not** necessary to convene a further meeting of the council in order for councillors to cast their votes (although councils may do this if they so wish). Appropriate arrangements should be made by the Clerk to receive and then record the votes of councillors on the ballot paper. The completed ballot paper will need to be signed by both the Clerk and the Chairman in order to be valid.
3. It should be noted, by anyone interested in being nominated, that Committee meetings always take place in Kendal at 10 am and committee members have to attend in person.

If you have any queries please contact the CALC office on 01768 812663 or email to office@calc.org.uk

Yours sincerely,

S Hutchinson

Sonia Hutchinson, Chief Officer, CALC

LAKE DISTRICT NATIONAL PARK AUTHORITY

GUIDANCE NOTES FOR APPOINTMENT OF PARISH MEMBERS

The Parish Member

The Environment Act 1995 introduced the category of 'Parish Member' to the National Park Authorities that were established to run the English National Parks from 1 April 1997. In the case of the Lake District National Park, there are at present five parish members on the Authority, appointed by the Secretary of State from names put forward following a ballot. (One Member is appointed from each of the five distinctive areas within the National Park).

The involvement of Parish Members is to ensure that the National Park Authority fully takes account of the needs of its local communities and to improve links between the National Park Authority and local people. The Government has said that the parish members should not just be spokespeople for local issues, but ambassadors for wider concerns. Candidates should therefore be mindful of National Park purposes:

- (a) To conserve and enhance the natural beauty, wildlife and cultural heritage of the Park, and;
- (b) To promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.

Parish Members will be expected to attend meetings of the National Park Authority in person and, as appropriate, its committees and working groups and to prepare for these by reading papers, reports and background information. They will also need to keep abreast of developments both locally and nationally. Parish Members need to be able to commit around 50 days a year to National Park work. A member's allowance (currently £3,000 pa) and travelling and subsistence expenses will be paid in accordance with the Park Authority's Members' Allowances Scheme.

A role description for members of the National Park is attached at Appendix 1. More information about the work of the National Park and its members can be found on the Authority's website <http://www.lakedistrict.gov.uk/>

Members are bound by the Authority's Code of Conduct. The Code requires the completion of a Register of Financial and Other Interests and the acceptance of the Code in respect of personal behaviour, and the disclosure of pecuniary and other interests. A Member who fails to attend any meeting for six consecutive months, unless approved, will cease to be a Member.

Candidates for nomination will be required to complete a screening questionnaire issued by the Department for Environment, Food and Rural Affairs arising from the recommendations of the Nolan Committee (the Committee on Standards in Public Life).

Nominations and Voting

Candidates for nomination are being sought from parishes wholly or partly within the North Distinctive Area of the National Park. A Ballot Paper will then be sent to the councils in that area to enable councillors to vote. The candidate receiving the highest number of votes will be put forward to the Secretary of State for appointment. In the event of an equality of votes, the candidate receiving majority support from the largest number of councils\meetings will be notified to the Secretary of State.

The Parish Member will serve until the end of their term of office as parish councillor – in this case to May, 2027. If a member ceases to be a parish councillor or parish meeting chairman at an earlier date then the runner-up (if still available and eligible) will be nominated as replacement. Failing that an election will be run.

Eligibility for Appointment

Environment Act 1995 Schedule 7 paragraph 3

A person shall not be appointed as a Parish Member of a National Park Authority unless he\she is –

- (a) a member of a Parish Council for a parish, the whole or part of which, lies within the National Park, or
- (b) the Chairman of a Parish Meeting of a parish which does not have a Parish Council, and the whole or part of which lies within the National Park.

Disqualification from Appointment

Environment Act 1995 Schedule 7 para 7 (1)

A person is disqualified from becoming or remaining as a Member of a National Park Authority if that person holds any paid office or employment appointments which are made or confirmed by:

- (a) the National Park Authority
- (b) any Council appointing local authority members to the National Park Authority (see below)
- (c) any committee or sub committee of the Authority or of any such Council
- (d) any joint committee on which the Authority or any such Council is represented
- (e) any Parish Council for, or any Parish Meeting of, a parish the whole or part of which lies in the National Park
- (f) any committee or sub committee of any such Parish Council or Parish Meeting
- (g) any joint committee on which any such Parish Council or Parish Meeting is represented

(h) any person holding an office of employment which disqualifies them from becoming a member of the Authority

Local Government and Housing Act 1989 section 1 (as applied by Schedule 7, Environment Act 1995)

A person is disqualified from becoming or remaining as a member of a local authority (whether by election or otherwise) if he holds a politically restricted post under that local authority or any other local authority in Great Britain.

Department of the Environment Circular 12/96 'Environment Act 1995. Part 3, National Parks'

The Secretary of State has stated in this Circular that he does not propose to appoint as a Parish Member anyone who is a serving councillor of a principal authority appointing members to the National Park Authority.

April 2023

Lake District National Park Authority

APPOINTMENT OF PARISH MEMBER – NORTH DISTINCTIVE AREA 2023

NOMINATION FORM

Please complete this form in **BLOCK CAPITALS OR TYPESCRIPT** and email to office@calc.org.uk by no later than **noon Friday 26th May 2023**

SECTION 1: CANDIDATE'S DETAILS (to be completed by the candidate)

Surname _____ Title (eg Mr, Mrs, Ms, Dr) _____

Forenames (in full) _____

Address _____

_____ Postcode _____

Contact telephone number _____ and email address _____

I am a member of _____ Parish Council **OR**

I am the Chairman of _____ Parish Meeting

I confirm that I wish to serve as a Parish Member of the Lake District National Park Authority under the terms of the "Guidance Notes" which I have read. I confirm that I can commit around 50 days per year to this work.

I have completed the sections overleaf.

I confirm that I am eligible for appointment and I am not disqualified from being appointed by any disqualification set out in Schedule 7 of the Environment Act 1995. I do not hold a politically restricted post with any local authority as defined in the Local Government and Housing Act 1989. I am not a serving councillor of a County or District Council appointing members to the National Park Authority.

Signature _____

Date _____

SECTION 2: NOMINATING PARISH DETAILS (to be completed on behalf of the nominating Parish Council or Parish Meeting)

I confirm that the candidate whose details are given above was nominated for appointment as a Parish Member of the Lake District National Park Authority by _____ Parish Council/Meeting

at a meeting held on _____ 2022.

Signature on behalf of the Parish Council/Meeting _____

Name (please print) _____

Position held (eg Clerk, Chairman) _____

Contact telephone number _____ and email _____

Date _____

PTO

NAME OF CANDIDATE (in full)

Please complete in BLOCK CAPITALS OR TYPESCRIPT keeping to a single page.
This page will be copied and circulated with the Ballot Papers.

1. Reasons for Applying

Please say why you are interested in becoming a Parish Member of the Lake District National Park Authority.

2. Relevant Skills, Knowledge and Experience

Please say what skills, knowledge, experience and qualities you would bring to the Lake District National Park Authority, if appointed.

NB: Do not continue on a second page. Only this first page will be circulated with the Ballot Papers.

KESWICK TOWN COUNCIL

18 MAY 2023

CLERK'S REPORT

Environmental letters

We have received a number of letters from St Herbert's School following them learning about sustainability and plastic waste.

These are too numerous to attach to this agenda, so I would like to suggest that the Environmental Working Group take a look at these at their first meeting.

The Big Switch Off – Keswick

We have received a letter from Keswick Tourism Association (enclosed), seeking support from Keswick Town Council to promote a Big Switch Off initiative in Keswick. This would be to switch off lights in Keswick, to aid stargazing, but also having an energy saving element to it.

I would recommend that the Town Council support this initiative.

Freedom of Keswick

In March 2023, the Town Council agreed to grant Kerry Irving the Freedom of Keswick. This is the highest order of merit the Town Council can give. Freedom of the Town is given to someone who has, in the opinion of the Council, are persons of distinction and persons who have, in the opinion of the council, rendered eminent services" to the local area. There is no material honour or special privilege attached (historically there were, but these are now symbolic rather than material).

I have been in contact with Kerry, and we have agreed to hold the ceremony for this on Friday 26 May 2023, at 1.30pm by the Max statue in Hope Park. There will be a short Council meeting there to confirm that the Council will confer the honour, and then the Mayor will present Kerry with the Freedom Scroll, and there be a short speech. As it is a Council meeting, I would ask that as many people as possible be present.

Vivien Little
10 May 2023



Keswick Tourism Association
50 Main Street
Keswick
Cumbria
CA12 5JS

Email: info@keswick.org
Tel: 017687 75738

FAO: Keswick Town Council

09/05/2023

Dear Councillors,

The Big Switch Off – Keswick

I have been speaking to Jack Ellerby, the Dark Skies Cumbria Officer about Keswick getting involved in the “Big Switch Off” next year. I’m not sure if you are aware of this, but for a few years Ambleside and Grasmere have been taking part and you can find more information here - <https://www.friendsofthelakedistrict.org.uk/news/the-big-switch-off-be-star-struck>.

Essentially, on a chosen evening in February, homes and businesses are encouraged to switch off their lights. In addition, the streetlights are also turned off. This not only aids star gazing (on a clear night) but also has an energy saving impact. We are very keen to get Keswick involved and hope that Keswick Town Council will support this. We envisage that for the first year, we would only “switch off” a specific area of the town such as the area closest to Crow Park. This would be promoted to both residents but also to visitors.

We already have the support of Sustainable Keswick and are also seeking the support of Cumberland Council. Once we have this, we can set a date and move forward.

I look forward to hearing back from you and hope that Keswick Town Council feel that this is something they can support. If you have any questions at all, please don’t hesitate to contact me.

Yours sincerely,

Vanessa Metcalfe
Tourism Manager

[Home](#) > [Introduction of a use class for short term lets and associated permitted development rights](#)

[Department for Levelling](#)

[Up.](#)

[Housing & Communities](#)

Open consultation

Introduction of a use class for short term lets and associated permitted development rights

Published 12 April 2023

Applies to England

Contents

[Scope of the consultation](#)

[Basic information](#)

- [1. Introduction](#)
- [2. Introduction of a short term let use class](#)
- [3. Register of short term lets](#)
- [4. New national permitted development rights](#)
- [5. Flexibility to let out your own home](#)
- [6. Planning application fees](#)
- [7. Existing permitted development rights](#)
- [8. Local and neighbourhood plans](#)

9. Comment on the proposed planning changes

10. Public Sector Equality Duty and Impact Assessments

About this consultation

Personal data



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This publication is available at <https://www.gov.uk/government/consultations/introduction-of-a-use-class-for-short-term-lets-and-associated-permitted-development-rights/introduction-of-a-use-class-for-short-term-lets-and-associated-permitted-development-rights>

Scope of the consultation

Topic of this consultation:

This consultation contains proposed changes to the Town and Country Planning (Use Classes Order) 1987, as amended and the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, and the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, as amended. It covers the following areas:

- The introduction of a new use class for short term lets
- The potential introduction of a new permitted development right for the change of use from a dwellinghouse to a short term let
- The potential introduction of a new permitted development right for the change of use from a short term let to a dwellinghouse
- How a flexibility for homeowners to let out their home for a number of nights in a calendar year could be provided through either changes to the dwellinghouse use class or an additional permitted development right
- The introduction of a planning application fee for the development of new build short term lets

Scope of this consultation:

To address concerns in certain areas about the increase in the numbers of short term lets and the impact this can have on the sustainability of communities and the availability and affordability of homes for local people, this consultation seeks views on proposals in respect of use classes and permitted development rights for short term lets.

We are consulting on the introduction of a short term let use class. The consultation also seeks views on the introduction of new permitted development rights to provide flexibility where short term lets are not a local issue, and which allows for this flexibility to be removed where there is local concern. We are additionally seeking views on how homeowners might be provided with flexibility to let out their sole or main home for a number of nights in a calendar year. Finally, we are seeking views on the planning application fee required where permission is required for the development of a new build short term let.

Subject to the outcome of the consultation and any necessary clearances, any changes would be brought forward as amendments to the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (secondary legislation). The planning application fee would be brought forward as an amendment to the Town and Country Planning (Fees for Applications, Deemed

Applications, Requests and Site Visits) (England) Regulations 2012, as amended, at the earliest opportunity.

Geographical scope:

These proposals relate to England only.

Impact assessment and Public Sector Equality Duty:

The consultation seeks views on any potential impacts on businesses, local planning authorities and communities from the proposed measures. The government is mindful of its responsibility to have regard to the potential impact of any proposals on the Public Sector Equality Duty, and therefore views are additionally sought on whether there are any impacts arising from these measures on those with a protected characteristic.

Basic information

Body/bodies responsible for the consultation:

Department for Levelling Up, Housing and Communities.

Duration:

This consultation will run from 12 April 2023 to 7 June 2023.

Enquiries:

For any enquiries about the consultation please contact:

short.term.lets.consultation@levellingup.gov.uk

How to respond:

You may respond by completing an [online survey](https://consult.levellingup.gov.uk/planning-development-management/short-term-lets-use-class-and-pdrs/) (<https://consult.levellingup.gov.uk/planning-development-management/short-term-lets-use-class-and-pdrs/>).

We strongly encourage responses via the online survey, particularly from organisations with access to online facilities such as local authorities, representative bodies, and businesses. Consultations on planning policy receive a high level of interest across many sectors. Using the online survey greatly assists our analysis of the responses, enabling more efficient and effective consideration of the issues raised for each question.

Alternatively, you can email your response to the questions in this consultation to: short.term.lets.consultation@levellingup.gov.uk

If you are responding in writing, please make it clear which questions you are responding to.

Written responses should be sent to:

Planning Development Management
Department for Levelling Up, Housing and Communities
Planning Directorate
Short term lets consultation
3rd Floor, North East
Fry Building
2 Marsham Street
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When you reply it would be very useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including post-code),
- an email address, and
- a contact telephone number.

1. Introduction

1. As set out in the National Planning Policy Framework, planning has a clear and important role in supporting sustainable development and communities, with local plans providing a framework for addressing local housing need, including for long term rent or to buy. Through the Levelling Up and Regeneration Bill and other measures we are modernising the planning system for the 21st century, and building the right homes in the right places with the right infrastructure.

2. In some areas, delivering for local housing needs is challenged by high demand for visitor accommodation. The scale and nature of England's guest accommodation offer has changed significantly over the last 10 to 15 years. In particular, we have seen the growth of innovative platforms that provide new opportunities for guest accommodation and more choice for consumers. Short term lets can play an important part in supporting the visitor economy, for example where there is less hotel or bed and breakfast accommodation available or in the period around certain major tourist events. The recent Department for Culture Media and Sport (DCMS) [call for evidence on a tourist registration scheme \(https://www.gov.uk/government/consultations/developing-a-tourist-accommodation-registration-scheme-in-england/developing-a-tourist-accommodation-registration-scheme-in-england-call-for-evidence\)](https://www.gov.uk/government/consultations/developing-a-tourist-accommodation-registration-scheme-in-england/developing-a-tourist-accommodation-registration-scheme-in-england-call-for-evidence), set out the government's ambition to ensure that we

sustainably reap the benefits of short term and holiday lets, whilst also protecting the long-term interests of holidaymakers and local communities.

3. The sharing economy can bring benefits both to individuals and to the tourism sector. It can bring benefits for homeowners to have some flexibility to let out their home or part of their home, for short periods. Such lettings help to support the visitor economy, such as around major sporting or musical events, such as Eurovision.

4. The rise in the number of short term lets in certain areas has however prompted concerns. High concentrations of short term lets in areas such as coastal towns, national parks and some cities is reported as impacting adversely on the availability and affordability of homes to buy or to rent for local people and on the sustainability of communities more broadly.

5. In recent [parliamentary debates \(https://bills.parliament.uk/bills/3155\)](https://bills.parliament.uk/bills/3155), several MPs have warned of the 'hollowing out' of communities, with the viability of local shops, schools and other local services impacted by the lack of a permanent population and properties being left vacant over winter. The [analysis of responses to the DCMS call for evidence \(https://www.gov.uk/government/consultations/consultation-on-a-registration-scheme-for-short-term-lets-in-england\)](https://www.gov.uk/government/consultations/consultation-on-a-registration-scheme-for-short-term-lets-in-england) noted that **'many respondents felt that short-term lets had negatively impacted the social dynamics and economic trajectory of local communities, in part by limiting the available housing stock and pricing residents out of the communities.'** Some councils have reported that local employers are facing difficulties filling vacancies owing to a lack of housing for local people, including in the health and education sectors. Other concerns have been raised about the increase in [temporary overnight accommodation \(https://hansard.parliament.uk/Commons/2022-12-09/debates/9CEF7388-4625-4D6D-824F-6B367F78E41C/Short-TermAndHoliday-LetAccommodation\(Licensing\)Bill\)](https://hansard.parliament.uk/Commons/2022-12-09/debates/9CEF7388-4625-4D6D-824F-6B367F78E41C/Short-TermAndHoliday-LetAccommodation(Licensing)Bill), such as on home sharing digital platforms, putting pressure on the [housing rental market \(https://www.propertymark.co.uk/resource/the-impact-of-short-term-lets.html\)](https://www.propertymark.co.uk/resource/the-impact-of-short-term-lets.html) and, in some cases, impacts on neighbours from noise and traffic etc. The government response noted that 39% of members of the public and 50% of other organisations that responded considered noise, anti-social or other nuisance behaviour from short term and holiday lets to be a major problem.

6. Estimates of the volume and growth of the sector vary, reflecting the variation in definition of what comprises a 'short term let' and the lack of a single robust source of data, as noted in a recent House of Commons [briefing paper \(https://commonslibrary.parliament.uk/research-briefings/cbp-8395/\)](https://commonslibrary.parliament.uk/research-briefings/cbp-8395/). This report noted an estimate that 148,000 properties in England were being used for short term lettings in September 2021 via online platforms. It also noted that in Cornwall, short-term listings had increased 661% in the 5 years to September 2021. The DCMS call for evidence noted a 33% increase in Airbnb listings in the UK between 2017 and 2018, with 223,000 listings in 2018. The analysis of responses to the DCMS call for evidence notes that 'one plausible estimate for the total number of short-term and holiday lettings in England in 2022 is 257,000'.

7. The government has already taken steps to help manage such uses. For example, from April 2023 we have tightened requirements so that properties must

be available to let for 140 days or more in the previous and current year and actually be let for 70 days or more in the previous 12 months to qualify for business rates. HMRC has also set stringent conditions that properties must meet to qualify for the income tax regime covering Furnished Holiday Lets (which is more generous than that for long-term lets), including that properties must be available for commercial let for at least 210 days and actually let commercially for at least 105 days of the year. Through the Levelling Up and Regeneration Bill we will also be introducing a registration scheme for short term lets and are consulting on the detail of how that will operate.

Using the planning system to manage short term lets

8. There is a wider public interest in supporting sustainable communities and providing homes to rent or to buy. We consider therefore that there is a clear rationale for planning changes to give local communities greater ability to control the number of short term lets in their area and support the retention of existing dwellinghouses to buy or to rent, and to facilitate where possible short term lets returning to such use. Where particular areas want to use these planning tools to effect change, they will be able to do so, where it is justified locally. In those other areas where there is no local issue, the planning changes should not adversely impact on existing flexibilities for use of a dwellinghouse.

9. Short term lets, particularly where there is a concentration of such uses, may be considered to impact on the character of the premises and the area: the premises may be left vacant for part of the year, fewer of the premises are available for the local community for long term rental or to buy, those who use the premises for short periods do not contribute to the community, nor do they access local services which can impact adversely on local services such as schools, health and public transport. Such properties may also attract business rates rather than Council Tax.

10. Individual properties, particularly those used as temporary overnight accommodation can have particular impacts arising from the churn of people, such as noise and traffic from the arrivals and departures, the storage and handling of waste, noise from parties and the inconvenience to neighbours and the burden on local authority resources. These impacts may be amplified where there is a concentration of short term lets in an area.

11. Where there are issues with individual short term lets local authorities have a range of powers in respect of statutory nuisance and anti-social behaviour. Local authorities can for example determine whether an issue such as noise constitutes a 'statutory nuisance', and if necessary, serve an abatement notice.

12. This consultation seeks views on proposed planning changes to use classes and permitted development rights as a further step to help give local communities greater ability to control the number of short term lets in their area and support sustainable communities. We consider that this provides a proportionate and balanced approach.

13. Subject to the outcome of the consultation, the changes would be introduced through secondary legislation and would apply in England only.

Planning background

14. The [Town and Country \(Use Classes\) Order 1987](http://www.legislation.gov.uk/uksi/1987/764/contents) (<http://www.legislation.gov.uk/uksi/1987/764/contents>), as amended, (the UCO) groups uses of land and buildings into various categories known as 'Use Classes'. What are generally referred to as 'homes' typically fall within the 'C3 Dwellings' use class in Schedule 1 of the UCO. This use class makes no distinction between whether the dwellinghouse is used as a sole or main home, for personal or commercial use, or its tenure (rental or home ownership). Use classes apply nationally.

15. Section 55 of the Town and Country Planning Act 1990 sets out that planning permission is required for development, including the material change of use. The planning system allows for local consideration of the merits of individual cases "as a matter of fact and degree" as to whether there is a material change of use requiring planning permission. This gives rise to existing properties being used in a variety of ways. For example, a homeowner may be able to let out a room to boost their household income. In other cases, the whole property may be let out for a two week holiday period while the owner is away. Other properties however may be let out as a series of short term lets, over all the holiday periods or for several weekends. Planning permission will be required in respect of any such cases where there has been a material change of use.

16. Permitted development rights (PDRs) are a national grant of planning permission by the Secretary of State, including for the material change of use. These rights are set out in the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](http://www.legislation.gov.uk/uksi/2015/596/contents) (<http://www.legislation.gov.uk/uksi/2015/596/contents>), as amended, (the GPDO). These permitted development rights can rely on the use classes, including those that provide for the change of use to residential (C3). Local planning authorities may remove a permitted development right by making an Article 4 direction in line with national policy set out in paragraph 53 of the National Planning Policy Framework.

17. Through the Greater London (General Powers) Act 1973, as amended by the [Deregulation Act 2015](https://www.legislation.gov.uk/ukpga/2015/20/section/44/enacted) (<https://www.legislation.gov.uk/ukpga/2015/20/section/44/enacted>) in London, households that pay council tax may let out their home for up to 90 nights in a calendar year for temporary sleeping accommodation. Letting for more than 90 nights constitutes a material change of use and planning permission is required. The analysis of responses to the DCMS call for evidence shows it is difficult to police or enforce the 90 night limit without having a means of knowing the location of short term lets.

2. Introduction of a short term let use class

18. To allow for greater local control where in future additional dwellinghouses seek to become used as a short term let, we propose to introduce a new use class for short term lets. This would also allow local planning authorities to consider planning applications for new build short term lets and grant permission conditioned to the new class where appropriate.

Q.1 Do you agree that the planning system could be used to help to manage the increase in short term lets?

Yes/No/Don't know.

Please give your reasons.

Q.2 Do you agree with the introduction of a new use class for short term lets?

Yes/No/Don't know.

Please give your reasons.

19. The term "short term let" can encompass a range of activity associated with a dwelling. Some short term lets may be let out for a limited period while the owner themselves go on holiday. Others may be properties that provide for a series of lets for holidays etc or very short term overnight sleeping accommodation including renting an individual bedroom while the owners are in situ. Business rates, council tax for second homes, HMRC and the proposed DCMS registration scheme take differing approaches to their definitions of this use of property.

20. We want to ensure that the definition of a short term let use class for planning purposes captures the range of activities above. We propose therefore the following definition for the use class under the description "C5 Short Term Let":

" Use of a dwellinghouse that is not a sole or main residence for temporary sleeping accommodation for the purpose of holiday, leisure, recreation, business or other travel."

Q.3 Do you agree with the description and definition of a short term let for the purpose of the new use class?

Yes/No/Don't know.

Please give your reasons.

21. When the use class comes into effect existing properties would fall into the short term let use class (referred to as C5) where they met the definition or remain as C3 dwellinghouse. Any re-classification is not considered development and so property owners should not need to apply for planning permission where they meet the definition of short term let. They would be classified as such and would not require planning permission. The use class of some premises may be unclear because of their individual circumstances, where this is the case owners can apply for a lawful development certificate to confirm the lawfulness of the use for planning purposes.

22. Some homeowners let out a room within their house to boost their income and for some to help with rising costs. The creation of the new use class may provide greater clarity about whether permission is required for a change of use to a short term let. The proposed structure of the new use class means the letting out of a room or rooms, for example to a lodger, within a 'sole or main' dwellinghouse will be unaffected by the introduction of the new class.

23. 'Second homes' that are additionally let out for part of the year will fall into the C5 short term let use class where they meet the definition.

24. The existing primary legislation would mean that homes in London where council tax is paid could continue to be let out for up to 90 nights in a calendar year. Planning permission is required for the material change of use if a property in London is let out for more than 90 nights.

25. Once the new use class is introduced planning permission could be granted for new development conditioned as C3 dwellinghouses or C5 short term lets as appropriate, in line with any development plan policy.

Q.4 Do you have any comments about how the new C5 short term let use class will operate?

Yes/No/Don't know

Please make your comments here

26. Consideration is being given to whether there will be any impact on certain types of housing from the introduction of the proposed short term let use class and the permitted development rights mentioned below, and therefore whether specific arrangements are required. This could include student accommodation, where it sits in C3, that is traditionally only occupied for part of the year, or which

alternatively may additionally be let out over holiday periods when students are not in residence. There may be others.

Q.5 Do you consider there should be specific arrangements for certain accommodation as a result of the short term let use class?

Yes/No/Don't know.

Please give your reasons here. If yes, please say what these should be.

3. Register of short term lets

27. The register of short term lets, to be introduced through the Levelling up and Regeneration Bill, will help to provide local planning authorities with information about which properties are being let out in their area. This could provide valuable information to help them apply and enforce the use class changes.

28. The current DCMS consultation sets out 3 high level possible approaches to a registration scheme and asks a range of more detailed questions on scheme design, including the types of information the register will collect such as property address, whether it is the whole or part of the property that is let out, how many nights it is available to let, and whether planning permission has been granted or is not required. The responses to the DCMS consultation will inform decisions on final design of the registration scheme. Please respond to the [DCMS consultation \(https://www.gov.uk/government/consultations/consultation-on-a-registration-scheme-for-short-term-lets-in-england\)](https://www.gov.uk/government/consultations/consultation-on-a-registration-scheme-for-short-term-lets-in-england) if you wish to share your views on the short term lets registration scheme.

29. DCMS and DLUHC are working closely together to ensure that different measures being considered across government that apply to the short term lets sector are proportionate, complementary and easy to understand.

4. New national permitted development rights

30. High volumes of short term lets are concentrated in some locations and are not considered to be problematic in all areas. Therefore, we are considering whether to introduce new national permitted development rights to provide flexibility where short term lets are not a local issue, and areas would only see a change where the rights have been removed by making an Article 4 direction. This model will provide local areas with tools that they can apply, or not, depending on local circumstances. We do not want to add unnecessary process, and therefore in many areas the changes will appear seamless and people will not see a change unless an Article 4 direction is in place to remove one or more of the permitted

development rights. Separately, we are considering confirming on all homeowners (C3 dwellinghouse) a limited flexibility to let out their home (set out from paragraph 40 below).

31. It is proposed that the GPDO could be amended to introduce permitted development rights to allow:

a. **The change of use from a C3 dwellinghouse to a C5 short term let.** This would allow for continued flexibility to use a property as a home or short term let where there is no local issue

b. **The change of use from a C5 short term let to a C3 dwellinghouse.** This would allow short term let properties to be made available to rent or to buy without the need for a planning application for the change of use.

32. Where there is evidence of a local issue, the permitted development right for the change of use to a short term let (a) may be removed by making an Article 4 direction in line with national policy. This should apply to the smallest geographical area possible and could therefore be focussed on those areas or streets that see the highest numbers of short term lets, or individual properties.

33. A second right, (b) could allow the change of use from a short term let to a C3 dwellinghouse. This would allow those premises that fall into the short term let use class when the changes are introduced to return to use as dwellinghouse for rent or to buy without the need for a planning application. This approach may be important where there are already concentrations of short term lets as it would facilitate their move to provide more sustainable housing for the community. Those areas where there is a local issue may choose therefore to retain this permitted development right, even where they remove the permitted development right for the change of use from a dwellinghouse to a short term let (a).

Q. 6 Do you agree that there should be a new permitted development right for the change of use from a C3 dwellinghouse to a C5 short term let (a)

Yes/No/Don't know.

Please give your reasons.

Q.7 Do you agree that there should be a new permitted development right for the change of use from a C5 short term let to a C3 dwellinghouse (b)

Yes/No/Don't know.

Please give your reasons.

34. To minimise planning requirements where there is no local issue, it is proposed that the rights would not be subject to any limitations or conditions. This means there would be no size limits or exclusions, and the rights would apply to listed buildings, and in National Parks and Areas of Outstanding Natural Beauty etc. As there would be no matters for prior approval there would be no planning process and therefore no fee payable.

35. We propose that the local planning authority should be notified whenever either of the individual rights for the change of use to a short term let (a) or from a short term let (b) are used.

Q.8 Do you agree that the permitted development rights should not be subject to any limitations or conditions?

Yes/No/Don't know.

Please give your reasons

Q.9 Do you agree that the local planning authority should be notified when either of the two permitted development rights for change of use to a short term let (a) or from a short term let (b) are used?

Yes/No/Don't know.

Please give your reasons

36. Where it is necessary to protect the amenity or wellbeing of the area, and there is evidence to support it, an Article 4 direction may be made to remove a permitted development right. We consider that no changes are necessary to paragraph 53 of the National Planning Policy Framework (the NPPF).

37. While this consultation seeks views on the introduction of a new short term let use class, subject to the outcome of the consultation, there may be other planning routes to achieving the same policy aims.

38. For example, rather than introducing a new use class in Schedule 1 of the Use Classes Order, a short term let could be added to the list of uses specified in article 3 (6) as not in a class (commonly known as sui generis). A permitted development

right could also be introduced to allow dwellings to be used for temporary sleeping accommodation. This would not require a new use class to be introduced but risks less flexibility over future use of properties.

39. We would be interested in your views on the merits of these or other approaches.

Q.10 Do you have any comments about other potential planning approaches?

Yes/No

If so, please provide details here.

5. Flexibility to let out your own home

40. It is clear also that some home owners (C3 dwellinghouses) see benefits in letting out their own home for a short time, including to help boost household income to manage the increase in the cost of living. We are therefore seeking views on whether it would be helpful to expressly provide a degree of flexibility for C3 dwellinghouses to be let out for a number of nights. This could for instance be where homeowner is themselves on holiday, or to benefit from where sporting or other events are held locally, or where the owner works away, while retaining its use as a main or sole dwellinghouse. The evidence provided as part of the DCMS Call for Evidence, estimated that on average properties used as short term lets are occupied for a limited period over the year. We therefore propose that a limit of a certain number of nights a year should apply. We are open as to whether this limit should be 30, 60, or 90 nights in a calendar year. Planning permission will continue to be required where a main or sole C3 dwellinghouse is let out for longer than this number of nights in a calendar year where there is a material change of use.

Q.11 Do you agree that we should expressly provide a flexibility for homeowners to let out their homes (C3 dwellinghouses)?

Yes/No /Don't know

Please give your reasons.

Q.12 If so, should this flexibility be for:

- i. 30 nights in a calendar year; or**
- ii. 60 nights in a calendar year; or**
- iii. 90 nights in a calendar year**

Please give your reasons.

41. There are two potential ways this flexibility could be delivered:

i) An additional **permitted development right** could allow the use of a main or sole C3 dwellinghouse for temporary sleeping accommodation for up to a defined number of nights in a calendar year. This would provide a flexibility for homeowners where there is no local issue while setting a limit on the extent of that flexibility. The permitted development right could be removed by making an Article 4 direction. This model would help to avoid any unintended consequences to the operation of other housing models in the C3 Dwellinghouse use class. This approach benefits homeowners while providing flexibility for areas to remove the right and is therefore our preferred option.

ii) The **C3 dwellinghouse use class** could be amended to provide that all homes could be let out for up to a defined number of nights in a calendar year. This flexibility would be built into the use class and would apply nationally. It could not be removed, or amended, by the local planning authority and so would apply irrespective of whether there was a local issue. The use class provides for a range of housing models, including for single households, supported housing, small homes where care is provided etc, and will continue to do so. It would however, introduce a degree of uncertainty into the existing operation of the use class that we would seek to manage by applying the change only to dwellinghouses within C3(a) (a single person or people forming a single household).

Q.13 Should this flexibility be provided through:

i) A permitted development right for use of a C3 dwellinghouse as temporary sleeping accommodation for up to a defined number of nights in a calendar year

ii) An amendment to the C3 dwellinghouse use class to allow them to

be let for up to a defined number of nights in a calendar year.

Please give your reasons.

6. Planning application fees

42. It is proposed that where new build short term lets are developed a planning application fee for each short term let equivalent to that for new dwellinghouses would apply. This would be delivered through a future amendment to the [fees regulations \(https://www.legislation.gov.uk/ukxi/2012/2920/contents\)](https://www.legislation.gov.uk/ukxi/2012/2920/contents). Where the permitted development right has been removed by making an Article 4 direction, the standard fee for a planning application for the change of use would apply.

Q.14 Do you agree that a planning application fee equivalent to each new dwellinghouse should apply to applications for each new build short term let?

Yes/No/Don't know.

Please give your reasons.

7. Existing permitted development rights

43. Dwellinghouses currently benefit from a range of permitted development rights set out in Part 1 of the GPDO: Development within the curtilage of a dwellinghouse. These rights allow for improvements including rear or upward extensions, roof alterations or porches etc. We propose that short term lets should additionally benefit from these rights.

44. Part 2 of the GPDO sets out permitted development rights for minor operations such as putting up a fence and external painting etc. These are not limited to dwellinghouses and will therefore apply to short term lets.

Q.15 Do you agree with the proposed approach to the permitted development rights for dwellinghouses (Part 1) and minor operations (Part 2)?

Yes/ No/Don't know

Please give your reasons.

8. Local and neighbourhood plans

45. The National Planning Policy Framework expects local areas to plan to meet the housing needs of their communities. The loss of existing C3 dwellinghouses to buy or to rent as short term lets can add to the pressure on local housing supply.

46. Local planning authorities and neighbourhood planning groups would in future be able to set out relevant policies in their local or neighbourhood plan the circumstances where they would support, or not, new short term lets as defined by the new class that would achieve the appropriate balance for their area. Any future planning applications for new build short term lets, or for the change of use to a short term let where the permitted development rights have been removed, would be determined in accordance with the development plan and other material considerations.

9. Comment on the proposed planning changes

47. This consultation has set out a range of proposals in respect of a short term lets: a use class, permitted development rights, flexibility for homeowners and application fees. Having now considered them individually we want to provide an opportunity to make any further comments on the proposals or the overall approach.

Q.16 Do you have any further comments you wish to make on the proposed planning changes in this consultation document?

Yes/No

If yes, please provide comments.

10. Public Sector Equality Duty and Impact Assessments

48. We are required to assess these proposals by reference to the Public Sector Equality Duty contained in the Equality Act 2010. A Public Sector Equality Duty

Assessment and an impact assessment will be prepared reflecting the detail of the changes to be made prior to any secondary legislation being laid.

49. We would welcome your comments as part of this consultation on whether the proposed changes could give rise to any impacts on people who share a protected characteristic (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

Q.17 Do you think that the proposed introduction of the planning changes in respect of a short term let use class and permitted development rights could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

Yes/No/Don't know.

If so, please give your reasons.

50. We would welcome comments on whether the proposed changes in respect of use classes and / or permitted development rights could have any impacts on business, local planning authorities or communities. There may be different impacts in particular where one or more of the permitted development rights have been removed by making an Article 4 direction.

Q.18 Do you think that the proposed introduction of the planning changes in respect of a short term let use class and permitted development rights could impact on:

- a) businesses**
- b) local planning authorities**
- c) communities?**

Yes/No/Don't know.

Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 and UK General Data Protection Regulation (UK GDPR). In certain circumstances this may therefore include personal data when required by law.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the information access regimes and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Levelling Up, Housing and Communities and the Department for Culture Media and Sport will at all times process your personal data in accordance with UK GDPR and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included below.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](https://www.gov.uk/government/organisations/departments-for-levelling-up-housing-and-communities/about/complaints-procedure) (<https://www.gov.uk/government/organisations/departments-for-levelling-up-housing-and-communities/about/complaints-procedure>).

Personal data

The following is to explain your rights and give you the information you are entitled to under UK GDPR.

Note that this section only refers to personal data (your name, contact details and any other information that relates to you or another identified or identifiable individual personally) not the content otherwise of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Department for Levelling Up, Housing and Communities (DLUHC) is the data controller. The Data Protection Officers can be contacted at dataprotection@levellingup.gov.uk or by writing to the following address:

Data Protection Officer
Department for Levelling Up, Housing and Communities
Fry Building
2 Marsham Street
London
SW1P 4DF

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

We will collect your IP address if you complete a consultation online. We may use this to ensure that each person only completes a survey once. We will not use this data for any other purpose.

Sensitive types of personal data

Please do not share [special category](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/#scd1) (<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/#scd1>) personal data or criminal offence data if we have not asked for this unless absolutely necessary for the purposes of your consultation response. By 'special category personal data', we mean information about a living individual's:

- race
- ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetics
- biometrics
- health (including disability-related information)
- sex life; or
- sexual orientation.

By 'criminal offence data', we mean information relating to a living individual's criminal convictions or offences or related security measures.

3. Our legal basis for processing your personal data

The collection of your personal data is lawful under article 6(1)(e) of the UK General Data Protection Regulation as it is necessary for the performance by DLUHC of a task in the public interest/in the exercise of official authority vested in the data controller. Section 8(d) of the Data Protection Act 2018 states that this will include processing of personal data that is necessary for the exercise of a function of the Crown, a Minister of the Crown or a government department i.e. in this case a consultation.

Where necessary for the purposes of this consultation, our lawful basis for the processing of any special category personal data or 'criminal offence' data (terms explained under 'Sensitive Types of Data') which you submit in response to this consultation is as follows. The relevant lawful basis for the processing of special category personal data is Article 9(2)(g) UK GDPR ('substantial public interest'), and Schedule 1 paragraph 6 of the Data Protection Act 2018 ('statutory etc and government purposes'). The relevant lawful basis in relation to personal data relating to criminal convictions and offences data is likewise provided by Schedule 1 paragraph 6 of the Data Protection Act 2018.

4. With whom we will be sharing your personal data

Representations submitted in response to this consultation will with the Department for Culture Media and Sport (DCMS). DCMS are consulting on detail of the register of short term lets and some of the comments made here may be pertinent to the operation of the register. Where information is shared we will ensure that the processing of your personal data remains in strict accordance with the requirements of the data protection legislation. A Data Sharing Agreement will be in place before any data is shared. DCMS may appoint a 'data processor', acting on their behalf to help analyse the responses to their consultation on the register of short term lets. Personal information provided in response to this consultation on use classes and permitted development rights will not be shared with any external data processor.

5. For how long we will keep your personal data, or criteria used to determine the retention period

Your personal data will be held for 2 years from the closure of the consultation, unless we identify that its continued retention is unnecessary before that point.

6. Your rights, e.g. access, rectification, restriction, objection

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you

- b. to ask us to stop using your data, but keep it on record
- c. to ask to have your data corrected if it is incorrect or incomplete
- d. to object to our use of your personal data in certain circumstances
- e. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/> (<https://ico.org.uk/>), or telephone 0303 123 1113.

Please contact us at the following address if you wish to exercise the rights listed above, except the right to lodge a complaint with the ICO:

dataprotection@levellingup.gov.uk

or

Knowledge and Information Access Team
Department for Levelling Up, Housing and Communities,
Fry Building
2 Marsham Street
London
SW1P 4DF

7. Your personal data will not be sent overseas

8. Your personal data will not be used for any automated decision making

9. Your personal data will be stored in a secure government IT system

DLUHC use a third-party system, Citizen Space, to collect consultation responses. In the first instance your personal data will be stored on their secure UK-based server. Your personal data will be transferred to our secure government IT system as soon as possible, and it will be stored there for 2 years before it is deleted.

[↑ Back to top](#)

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This is the Health and Safety Policy Statement of Keswick Town Council

Keswick Town Council recognises and accepts its responsibility for providing a safe and healthy work environment for its members; staff; volunteers; visitors and for anyone affected by its activities.

The Council maintains this policy for the management of health and safety as its top priority and will do all that is reasonably practicable to ensure effective organisation and planning and established and maintained. The Council will also ensure that appropriate and effective audit and review mechanisms are used to inform the work of the Council, which undertakes to commit appropriate resources to manage health and safety.

Our statement of general powers as set out below is based on that required by virtue of the Health and Safety at Work etc. Act 1974.

Our statement of general policy is:

- To provide adequate control of the health and safety risks arising from our activities;
- To consult with our staff on matters affecting their health and safety;
- To provide and maintain safe equipment;
- To ensure safe handling and use of substances;
- To provide sufficient information, instruction and supervision of staff, volunteers and visitors as far as is reasonably practicable;
- To ensure all staff and volunteers are competent in their Council-related activities, and to provide adequate training as far as is reasonably practicable;
- To prevent accidents and activity—related ill health as far as is reasonably practicable;
- To maintain safe and healthy conditions for conducting the Council's business and the public facilities it provides; and To review and revise this Policy as necessary at regular intervals, but at least annually.

Approved by the Council on:

To be review and re-affirmed at the Annual Town Council meeting.

Signed: