



16th June 2024

Dear Councillor,

I hereby summon you to attend a meeting of **Peterlee Town Council** on  
**Monday, 22nd July 2024** In the **Council Chamber, Shotton Hall,**  
**Peterlee, SR8 2PH** at **6.30pm**

Mr I Hall  
Town Clerk

Members of the public are very welcome to attend our meetings. We have a limited number of designated public seating in our Council Chamber and so any members of the public wishing to attend to observe the meeting are advised to contact the Council in advance so that we can reserve a seat for you: [council@peterlee.gov.uk](mailto:council@peterlee.gov.uk) or (0191) 5862491.

## AGENDA

### 1. Apologies for Absence

### 2. To receive declarations of interest

Members are reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. Please seek advice from the Town Clerk or Deputy Town Clerk **prior to the meeting** if in doubt. Members are reminded that they can check their published declaration of interests here: <https://bit.ly/2wVyeLA>

### 3. Public Participation

Members of the public will have an opportunity to put questions to the Council. This item of business to last no more than 15 minutes, as per Council Standing Orders.

- i. Matthew Tough, HMO presentation
- ii. Youth Rehabilitation Home in Shadforth Close

### 4. Minutes

To approve the Minutes of the following meetings:-

Council held on 24<sup>th</sup> June 2024

Community & Environment Committee held on 8<sup>th</sup> July 2024

### 5. Code of Conduct Complaint

Report of Town Clerk

### 6. Civility & Respect Pledge

Report of Town Clerk

**7. Review of Policies**

To review the following policies which are attached

**a. Risk Management Policy**

Only minor editorial changes are suggested to this policy.

**b. Assets & Investment Policy**

A new paragraph has been included to clarify that the Financial Services Compensation Scheme does not apply to Peterlee Town Council as its annual budget is above 500,000 euros. (See para 26)

**c. Use of Reserves Policy**

This is a new policy document based on previous reports of the Town Clerk.

**8. Request to Look at Options for Locking Gates Woodhouse Park**

Report of Town Clerk

**9. Request for a Meeting Room Storage Facility at Woodhouse Park**

Report of Acting Neighbourhood Services Manager

**10. Exclusion of Press and Public**

To resolve that in view of the confidential nature of the items to be discussed, the committee pass the formal resolution to exclude the press and public from the meeting, pursuant to the Public Bodies (Admissions to Meetings) Act 1960 & the Local Government (Access to Information) Act, Part 1, due to the commercial and personal information contained in the report

**11. Disposal of land at Lowhills Road**

Report of Town Clerk

## PETERLEE TOWN COUNCIL

Minutes of the **Annual Town Council** meeting held on **Monday, 24<sup>th</sup> June 2024** at 6.30pm in the Council Chamber, Shotton Hall, Peterlee.

**Present:** Councillor D. Howarth (Mayor) and Councillors J. Black, R. Burnip, D. Hawley, A. Laing, M. McCue, R. Moore, R. Scott and S. Simpson.

**Also Present** Ian Hall, (Chief Officer and Town Clerk) and David Anderson (Locum Democratic Services Manager)

1 members of the public was in attendance.

### **C.23/24 APOLOGIES FOR ABSENCE**

Apologies for absence were offered from Councillors M. Cartwright, K. Duffy, T. Duffy, B. Fishwick, K. Hawley, K. Liddell and S. Meikle

**RESOLVED:** That the apologies be noted.

### **C.24/24 DECLARATIONS OF INTEREST**

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise and also to update their declaration forms on an annual basis.

No interests were declared.

### **C.25/24 PUBLIC PARTICIPATION**

No questions were raised during public participation.

### **C.26/24 MINUTES**

- a. Chief Officer Appointments Panel, 15<sup>th</sup> May 2024
- b. Finance Sub-Committee, 20<sup>th</sup> May 2024
- c. Annual Council, 20<sup>th</sup> May 2024
- d. Resources Committee, 10<sup>th</sup> June 2024

In respect of the minutes of Annual Council held on 20<sup>th</sup> May 2024, although Councillor K Duffy was unable to attend the meeting, she had requested an amendment by email to Minute No C.1/24. The Locum Democratic Services Manager read out the email for members consideration.

Councillors agreed unanimously that the minute reflected the discussion on that item.

**RESOLVED:** That the Minutes of the above meetings be approved as a correct record and recommendations contained therein be adopted.

### **C.27/24 INTERNAL AUDITOR'S REPORT 2023/24**

Consideration was given to the Internal Auditor's report, which had previously circulated, covering audits undertaken during the 2023/24 financial year.

**RESOLVED:** That the Internal Auditor's Report be accepted

**C.28/24 2023/24 FINANCIAL YEAR – END YEAR BUDGET SUMMARY REPORT**

In accordance with Financial Regulations, consideration was given to a report of the Town Clerk, which had previously been circulated, setting out a budget summary for the 2023/24 financial year.

**RESOLVED:** That the budget summary for 2023/24 financial year be agreed.

**C.29/24 ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN 2003/24**

Consideration was given to the Annual Governance and Accountability Return (AGAR) for 2003/24, together with the period for the exercise of public rights.

**RESOLVED:**

1. That the Annual Audit Report (page 3 of the AGAR) be noted.
2. That the Annual Governance Statement (page 4 of the AGAR) be approved.
3. That the Accounting Statement (page 5 of the AGAR) be approved.
4. That the period for the Exercise of Public Rights for the year ending 31<sup>st</sup> March 2024 commence on 26<sup>th</sup> June 2024 and end on 6<sup>th</sup> August 2024.

**C.30/24 EDEN HILL SKATEPARK PROJECT, REQUEST FOR STAGED PAYMENTS**

Consideration was given to a report of the Town Clerk, which had previously been circulated, detailing a request from the contractor that had been allocated work to install a skatepark at Eden Hill, to be paid in stages.

Members noted that it was usual practice for the Council to pay for a project after its satisfactory completion, and that there was a degree of risk should be Council agree a staged payments. The contractor had however advised that they would not be able to undertake the work without staged payments.

On balance Members felt that agreeing staged payments would put public money at risk.

**RESOLVED:** That the request from the contractor for staged payments be refused due to the associated risks.

**C.31/24 SERVICE REVIEW**

Consideration was given to a report of the Town Clerk, which had previously been circulated, detailing a timeline of key activities provided by NEREO for the review of the Council's vision, services and subsequent staffing review.

**RESOLVED:** That the timeline of key activities be agreed.

**C.32/24 REVIEW OF PETERLEE MAGAZINE**

Consideration was given to a report of the Town Clerk, which had been circulated at the meeting, regarding a review of the Peterlee Magazine.

The Town Clerk advised that due to limited staff resources the Autumn edition of the magazine could not be published.

Detailed discussion took place on the pros and cons of the magazine. It was suggested that the magazine could be published on a bi-annual basis to reduce costs.

It was felt that the future of the magazine should be considered at part of the Service Review.

**RESOLVED:** That the future of the Peterlee magazine be considered as part of the Service Review.

DRAFT

## PETERLEE TOWN COUNCIL

Minutes of the meeting of the **Community & Environment Committee** on **Monday, 8<sup>th</sup> July 2024**  
at 6.30pm in the Council Chamber, Shotton Hall, Peterlee.

**Present:** Councillors R Burnip, M Cartwright, T Duffy, B Fishwick, S Franklin, K Hawley, D Howarth, A Laing, M McCue, R Moore, R Scott and S Simpson.

**Also Present** Ian Hall, (Chief Officer and Town Clerk) and David Anderson (Locum Democratic Services Manager)

No members of the public were in attendance.

**CE.1/24 APOLOGIES FOR ABSENCE**

Apologies were noted from Councillors J Black, K Duffy, D Hawley, K Liddell, S Meikle, M Sanderson and A Stockport

**CE.2/24 DECLARATIONS OF INTEREST**

No interests were declared.

**CE.3/24 EDEN HILL SKATE PARK PROJECT - UPDATE**

Consideration was given to a report, which had previously been circulated, detailing a request from the contractors for a two-part payment and to consider the implications of a £20,000 funding shortfall.

Following a detailed discussion, it was proposed that the skatepark project no longer go ahead due to the additional funding required from council reserves and the financial risk of a staged payment. Members also commented that the young people of the area no longer wanted a skate park.

**RESOLVED:** That the skate park project no longer go ahead.

**CE.4/24 COUNCIL USE OF GLYPHOSATES**

Consideration was given to a report, which had been previously circulated, proposing glyphosates be re-introduced to select areas, such as tarmac car parks or driveways to prevent further damage to council property.

It was proposed and seconded that the council continue with the ban on glyphosates. An amendment was moved and seconded to defer the decision for three months to allow alternatives to be researched.

On a vote being taken, the substantive motion was agreed.

**RESOLVED:** The council continue with the ban on using glyphosates.

**Report to:** Peterlee Town Council

**Date:** 22<sup>nd</sup> July 2024

**Report title:** Code of Conduct Complaint

**Report of:** Ian Hall, Town Clerk

**Report Purpose:** To inform members on the result of an investigation by the Monitoring Officer into a Code of Conduct complaint against a Town Councillor. The investigation has concluded that no further action is to be taken by the Monitoring Officer.

**Background:** The Town Council's Standing Orders require that all Code of Conduct investigations by the Monitoring Officer relating to Town Council Members be reported to the Council for information.

The Town Clerk has been notified by the Monitoring Officer at Durham County Council that a complaint had been made by a member of the public alleging that a Peterlee Town Councillor is engaging in race and gender discrimination under the Equality Act 2010. The complainant also claimed that the Councillor treated him less favourably due to his disability.

Following an investigation the Monitoring Officer issued a Decision notice on 4<sup>th</sup> July 2024 concluding that 'no further action' be taken.

The Monitoring Officers Decision Notice explains in detail his reasoning in respect of each aspect of the complaint. In conclusion the Governance Lawyer has decided that it would not be proportionate to take any further action in relation to this complaint.

The Monitoring Officer has sent copies of her report to the complainant and the Member against whom the complaint was made.

**Recommendation:** Members are asked to note the contents of this report and the 'no further action' conclusion.

**Appendix 1: Implications**

**Finance** – no direct implications

**Staffing** – no direct implications

**Risk** – no direct implications

**Equality and Diversity, Cohesion and Integration** – no direct implications

**Crime and Disorder** – no direct implications

**Consultation & Communication** – no direct implications

**Procurement** – no direct implications

**Legal** – Code of Conduct complaints are governed by the provisions set out in the Localism Act 2011.



**Report to:** Peterlee Town Council

**Date:** 22<sup>nd</sup> July 2024

**Report of:** Ian Hall, Chief Officer & Town Clerk

**Subject:** **Civility & Respect Pledge**

**Report Purpose:** To consider adopting the Civility & Respect Pledge developed by National Association of Local Councils (NALC), One Voice Wales (OVW) and the Society of Local Council Clerks (SLCC). (See sample at Appendix 2)

**Detail:** Throughout the public sector, there are growing concerns about the impact bullying, harassment, and intimidation are having on local (parish and town) councils, councillors, clerks and council staff and the resulting effectiveness of local councils.

To address this, the National Association of Local Councils (NALC), One Voice Wales, the Society of Local Council Clerks (SLCC) and county associations have set up the Civility and Respect Project.

The aim of this is to put civility and respect at the top of the agenda and start a culture change for the local council sector.

There is no place for bullying, harassment and intimidation within our sector. The pledge is intended to demonstrate that Councils are committed to standing up against poor behaviour across our sector and to driving through positive changes which support civil and respectful conduct.

Councillors and council staff have the right to carry out their civic duties and work without fear of being attacked or abused, and without any encroachment into their personal lives.

We should treat everyone with courtesy and respect and ask for the same in return. The intimidation, abuse, bullying and harassment of councillors, clerks and council staff, in person or online, is never acceptable, whether by councillors, clerks, council staff, or members of the public.

There is a huge difference between scrutinising and holding people to account those in public office and harassing or intimidating them. Any behaviour, whether that be verbal, physical, in writing, over the phone or on social media, which causes either councillors or council staff to feel uncomfortable, embarrassed, or threatened, is totally unacceptable.

By signing the Pledge, the council is agreeing that the council will treat councillors, clerks, employees, members of the public, and representatives of partner organisations and volunteers with civility and respect in their roles and that it:

- Has put in place a training programme for councillors and staff  
Note: All Members and staff will be offered related training organised via the Civility & Respect Project, Durham & Cleveland Training Partnership, in house or other appropriate providers.
- Has signed up to the Code of Conduct for councillors  
Note: Durham County Council's model Member's Code of Conduct has been agreed by the Council. Members declare to abide

by the Code of Conduct when they sign a Declaration of Acceptance of Office as a Councillor.

- Has good governance arrangements in place including staff contracts and a dignity at work policy  
Note: All staff have contracts of employment. The Council has agreed a Mutual Respect and Dignity Policy which was last reviewed on 27<sup>th</sup> November 2023.
- Will seek professional help at the early stages should civility and respect issues arise
- Will commit to calling out bullying and harassment if and when it happens
- Will continue to learn from best practices in the sector and aspire to be a role model/champion council through for example the local Local Council Award Scheme
- Supports the continued lobbying for change in legislation to support the Civility and Respect Pledge including sanctions for elected members where appropriate

It is suggested that all Members of the Council and the Town Clerk be invited to sign the pledge

- Recommendations:**
1. That Peterlee Town Council formally adopt the Civility & Respect Pledge
  2. That all Members of the Council and Town Clerk be invited to sign the pledge to demonstrate their commitment to its principles.

**Appendix 1: Implications**

**Finance** No direct implications

**Staffing** No direct implications

**Risk** Pledge aims to eliminate bullying and harassment thereby minimising potential allegations.

**Equality and Diversity, Cohesion and Integration** – No direct implications

**Crime and Disorder** – no direct implications

**Consultation & Communication** – The pledge, if agreed, will be communicated to all members, staff and the public.

**Procurement** No direct implications.

**Legal** No direct implications

# SAMPLE



**This is to certify that**

**XXXX Council  
has signed up to the Civility & Respect Pledge**

XXX Council believes now is the time to put Civility and Respect at the Top of the Agenda and start a culture change for the local council sector.

Certificate number: xxxx

XXXX Council will:

- Treat all councillors, clerk and all employees, members of the public, representatives of partner organisations and volunteers with civility and respect in their role.
- Put in place a training programme for councillors and staff.
- Sign up to Code of Conduct for councillors.
- Have in place good governance arrangements in place including, staff contracts, and Dignity at Work Policy.
- Commit to seek professional help at early stages should civility and respect issues arise.
- Commit to calling out bullying and harassment when it happens.
- Continue to learn from best practice in the sector and aspire to being a role model / champion council e.g., via Local Council Award Scheme.
- Support the continued lobbying for the change in legislation to support the Civility and Respect Pledge including sanctions for elected members where appropriate.

Signed on behalf of the Council by:



# RISK MANAGEMENT POLICY

July 2024

## SUMMARY

This Risk Management Policy sets out the Council's approach to managing risk. It was initially adopted by the Council in April 2020 and has been reviewed on an annual basis alongside the annual review of the Corporate Risk Framework.

**Ian Hall**

Chief Officer & Town Clerk

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## Peterlee Town Council Risk Management Policy

### Introduction

Peterlee Town Council recognises that Risk Management is an essential part of effective corporate governance. The Council has a statutory duty to have in place arrangements for managing risk as per the Accounts & Audit Regulations 2015:

*A relevant authority must ensure that it has a sound system of internal control which—*  
*(a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;*  
*(b) ensures that the financial and operational management of the authority is effective; and*  
*(c) includes effective arrangements for the management of risk.<sup>1</sup>*

In March 2020 the Town Council's internal auditors carried out a formal review of the Town Council's approach to risk management and provided a 'substantial assurance' opinion with two medium priority actions including a recommendation that the Council develop and adopt a Risk Management Policy.

This Risk Management Policy sets out the Council's approach to managing risk. It was adopted by the Council in April 2020 and will be reviewed on an annual basis alongside the annual review of the Corporate Risk Framework.

### Definition

For the purposes of this policy, Risk is defined as the chance or possibility of loss, damage, injury or failure to achieve the Council's policies and objectives caused by an action or event for which the Council may be unprepared.

Risk management is the process of identifying those risks which could either threaten the Council through affecting governance, finance, people, buildings or other forms of well-being, and wherever possible reducing (mitigating) such risks to the lowest possible level.

### Legal Requirements

Peterlee Town Council will make best efforts to comply with all legal requirements relating to risk, and in particular:

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Accounts & Audit Regulations 2015

### Policy Statement

Peterlee Town Council has acknowledged through its Standing Orders, Financial Regulations and other core policies that it has a responsibility to manage its risks effectively in order to protect its

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<sup>1</sup> The Accounts & Audit Regulations 2015, part 2, regulation 3  
<http://www.legislation.gov.uk/ukxi/2015/234/regulation/3/made>

employees, assets, liabilities and community against potential losses and to minimise any impact of unforeseen problems that could occur.

The Council is aware that not all risks can be eliminated fully, however it will put in place a planned and focussed approach to managing risk.

The Council expects all Members and employees at all levels to make best efforts to understand the nature of any risks present in decisions and activities that they are involved in and accept responsibility for risks that exist within their area of authority, as follows:

**Councillors** - To set the overall policy approach to risk and oversee effective management of risk by council staff;

**Senior Officers** - To ensure that the Council manage risk effectively through the development and delivery of the risk management process; and

**Employees** - To manage risk effectively within their roles.

### Objectives

The Town Council will:

- i) Ensure that Risk Management forms an integral part of the Council's procedures;
- ii) Manage any risk in accordance with best practice;
- iii) Anticipate and respond to changing social, environmental and legislative requirements;
- iv) Identify risks and the impact of those risks when adopting policies and making operational decisions; and
- v) Positively and actively promote an awareness of risk management across all council services and activities.

### Implementation

The Town Council will:

- i) Establish clear roles, responsibilities and reporting lines within the Council's committee and staffing structures;
- ii) Inform relevant Committees of the Council of potential risks identified by including risk assessments as a standard part of committee reporting;
- iii) Maintain a Corporate Risk Register and review this formally at least once a year;
- iv) Provide training of staff in risk management procedures and ensure that they have the knowledge and ability to identify and raise concerns where working practices or issues have led to increased risk or they have concerns that risks and or actions to mitigate need to be improved;
- v) Carry out risk assessments in all relevant areas of the council's activities;
- vi) Continue to monitor procedures and assessments periodically;
- vii) Prepare contingency plans for potential risks which could have a significant effect on the Council and or the community;
- viii) Include risk management as a subject for review in the annual Internal Audit programme.



## Risk Assessments

Risk assessments will be carried out for all significant projects, functions and services. Risks will be determined according to the impact of the risk on the project, function or service and the likelihood of it occurring.

From the risk assessments an Action Plan will be produced if required. Where relevant, the Risk Assessment and Action Plan will be reported to the responsible Committee, along with any mitigation proposals and financial consequences that may require funds to achieve.

Risk assessments will be monitored and reviewed at appropriate points, either during the progress of a particular project, or in the case of functions and services provided by the Town Council, whenever there is any significant operational or legislative change impacting on that function or service. Every report requiring action submitted to Council committees for decision will contain a paragraph entitled Risk Assessment, wherein the risk of any proposal will be assessed and mitigation proposals suggested where appropriate.

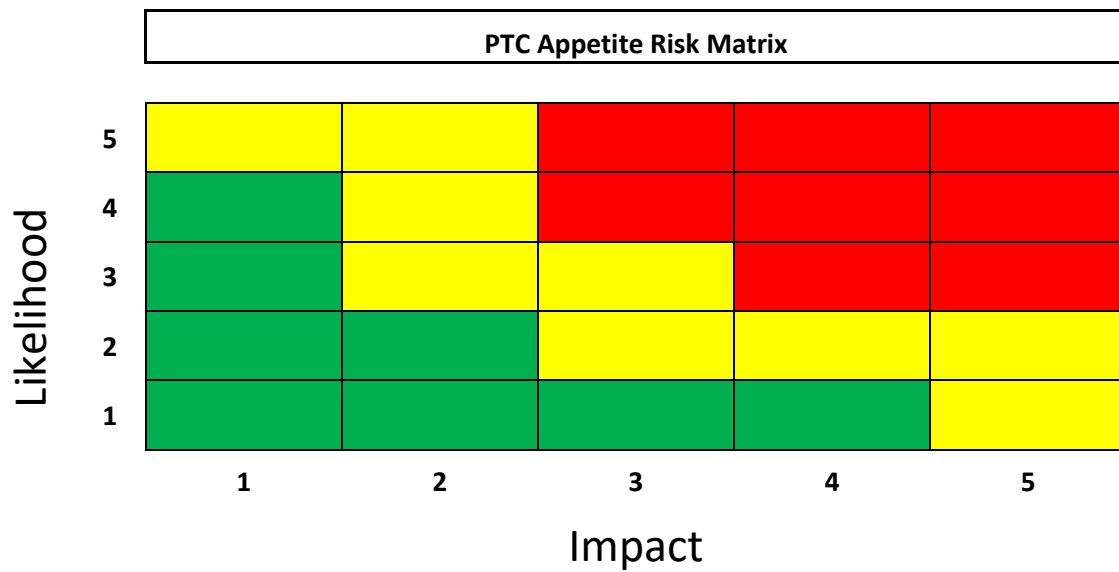
Level of Risk Impact will be viewed in terms of the consequences of the identified risk on the Service, (i.e. the extent to which it may cause failure or unavailability). Impact will be classified using the following criteria:

- Extreme (5) e.g. total failure of process
- Very High (4) e.g. serious disruption to the process
- Medium (3) e.g. disruption to the process
- Low (2) e.g. some minor impact to the process
- Negligible (1) e.g. annoyance but does not disrupt the process.

An assessment of the likelihood of the identified risk occurring within a relevant timeframe will be carried out using the following classification:

- Almost Certain (5)
- Likely (4)
- Moderate (3)
- Unlikely (2)
- Rare (1)

Based on the above, each level of impact will be multiplied against each level of likelihood, providing a 'risk rating' score and enabling the council to set out a general 'risk matrix' as follows:

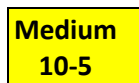


### Prioritisation of Risk

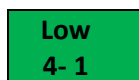
Using the table and the results of the risk ratings, all the identified risks will be categorised into three levels. This will enable attention to be focused on the highest priority area.



Risks requiring immediate response, active monitoring and management



Risks requiring management and monitoring



Risks which do not require specific management attention but may be monitored, as appropriate

### Delivery of this Policy

This policy will be implemented by the Council's Chief Officer and Senior Management Team and will be reviewed on a regular basis by Council.



# PTC ASSET & INVESTMENT POLICY

## SABSTRACT

“Local Councils are required to maintain an asset register to ensure fixed assets are appropriately safeguarded. This includes items of a capital nature where values tend to be high and which have a useful life of more than one year.”

**Ian Hall, Town Clerk**

**July 2024**

**Item No 7b**

## Introduction

1. Peterlee Town Council acknowledges the importance of managing its tangible and intangible assets well and for the benefit of the local community. Two important elements of this management approach are the treatment of fixed assets and cash investments by the Town Council. This policy sets out the Council's approach to managing fixed assets and investments in line with national guidance and advice from the Council's internal auditors.

## Fixed Assets Policy

2. Local Councils are required to maintain an asset register to ensure fixed assets are appropriately safeguarded. This includes items of a capital nature where values tend to be high and which have a useful life of more than one year. The following items are included in the Council's asset register, whether purchased, gifted or otherwise acquired, together with their holding location:
  - Land and buildings held freehold or on long term lease in the name of the Council
  - Community assets
  - Assets considered to be portable, attractive or of community significance
3. The values indicated in the asset register will inform the 'Total Fixed Asset' section of the Council's Annual Return.
4. The following items fall outside the definition for inclusion and are therefore excluded from the Council's asset register:
  - Assets rented or loaned to the Council
  - Assets owned by charitable trusts where the Council is the trustee
  - Items held for resale, i.e. stock
  - Consumable items or items with a useful life of less than a year
  - Cash and short term investments
  - Intangible assets
5. In accordance with good practice, the Council has set a de minimus level of £1,000 below which expenditure will not generally be capitalised. All capital expenditure on assets above the de minimus level will be deemed capital expenditure and added to the fixed asset register.
6. An annual inspection of the fixed asset register will be conducted by the Town Clerk/RFO or other senior managers of the Council to ensure that all items can be physically verified. Discrepancies between the physical verification process and the register will be investigated promptly by the Town Clerk/RFO. Any assets which cannot be located after investigation will be removed from the asset register and recorded in the schedule of disposals. Any new assets identified will be added to the register. Any such amendments to the Asset Register will be reported to the Council's Resources Committee at the next available meeting.
7. The asset register and schedule of disposals will be reviewed annually by the Resources Committee prior to approval by Council as part of the annual financial processes.

**Item No 7b**

8. Once recorded on the fixed asset register, the value of assets will not change from year to year until disposal. Concepts of depreciation and impairment adjustment are not appropriate for Local Councils (Governance and Accountability for Local councils: A Practitioner's Guide (England) March 2018).
9. Assets will be valued by one of the following means based on available information:
  - Actual purchase price (where known)
  - Proxy (estimated purchase price) value, where actual purchase price is not known
  - Nominal value of £1. This should be used for assets gifted or transferred to the Council
10. The fixed asset register will be used to inform the insurers of Council assets. For the purposes of insurance, the value to be used is the replacement value of the item, not the purchase price or market value.
11. The Council should ensure assets are valued accurately for insurance purposes to avoid under (or over) insuring. Assets should therefore be valued every five years to ensure the appropriate level of insurance is held.

## Investment Policy

12. Peterlee Town Council acknowledges the importance of prudently investing any temporary surplus funds held on behalf of the community. In preparing an investment strategy the council is required under Section 15(1) of the Local Government Act 2013 to have regard to such Guidance as the Secretary of State may issue. Investments Guidance Note (3<sup>rd</sup> edn)<sup>1</sup> remains in force has therefore been used in the preparation of this policy.
13. The Guidance Note makes the distinction between investments that are:
  - a) high security and high liquidity (specified investments); and
  - b) those with potentially greater risks and lower liquidity (non-specified investments).

The guidance note also requires the Council to prioritise investments in the following order of importance:

  - Security – protecting the sum investment from loss;
  - Liquidity – ensuring that the sums invested are available for expenditure when; and
  - Yield – the generation of revenues from the investment.
14. A 'specified investment' is one which is made in sterling, is not long term (less than 12 months), not defined as capital expenditure and is placed with a body which has a high credit rating or made with the UK Government, a UK Local Authority or a Parish or Community Council. Any other type of investment is considered 'Non-Specified Investment' to which there can be greater risk and where professional investment advice might be sought.

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/678866/Guidance\\_on\\_local\\_government\\_investments.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/678866/Guidance_on_local_government_investments.pdf)

**Item No 7b**

## Investment Objectives

15. Peterlee Town Council's priorities will be on the security of reserves (protecting the capital sum from loss) and then the liquidity of its investments (keeping cash readily available for expenditure when needed).
16. All investments will be made in Sterling.
17. The Department for Communities and Local Government maintains that borrowing of monies purely to invest, or to lend and make a return, is unlawful and Peterlee Town Council will not engage in such activity.
18. If external investment managers are used, they will be contractually required to comply with this policy.

## Specified Investments

19. Specified Investments are, by definition in the Guidance Notes, those offering high security and high liquidity, made in sterling and with a maturity date no longer than a year. Such short-term investments made with the UK Government or a Local Authority to Town/Parish Councils will automatically be Specified Investments, as will those with bodies or investment schemes of 'high credit quality'.
20. For the prudent management of its treasury balances, maintaining sufficient levels of security and liquidity, the Council will use deposits with UK banks, UK building societies, UK local authorities or other UK public authorities. Peterlee Town Council will initially hold investments and its day-to-day banking with The Cooperative Bank Plc.

## Non-Specified Investments

21. These investments have greater potential risk – examples include investment in the money market, permanent interest bearing shares from building societies and corporate stocks and shares. Given the unpredictability and uncertainties surrounding such investments, the Council will only use this type of investment following a suitability and risk assessment and with the express agreement of full Council.

## Liquidity of Investments

22. Subject to retaining no less than three months' average working capital requirement in the current and deposit facilities giving immediate access, the Town Clerk, as the Council's Responsible Financial Officer, will determine the amounts and maximum period for which funds may be prudently invested, in accordance with paragraph 3 and 10 above, so as not to compromise liquidity. Any material changes to current and deposit facility investments will be reported to Resources Committee at the next available meeting.
23. All delegations are subject to the safeguard arrangements in place within the Council's Financial Regulations, including payment signatory authorisations, reconciliations and reporting to Council, as appropriate.

## Long Term Investments

24. Long term investments are defined in the Guidance Notes as greater than 12 months and require that, should any Council wish to invest for periods greater than 12 months, it must identify procedures for monitoring, assessing and mitigating the risk of loss of invested sums.

**Item No 7b**

25. The Town Council does not currently hold any funds in long-term investments, however the Council will continue to assess the potential for long term investment of funds provided that such investment does not contradict the requirements of this investment policy.

### Financial Services Compensation Scheme

26. The Financial Services Compensation Scheme (FSCS) was introduced by the Government to protect savers if a financial firm fails. The FSCS only covers local councils with an annual budget up to the equivalent of 500,000 euros. Peterlee Town Council is therefore not protected under the scheme.

### End of Year report

27. Investment forecasts for the coming financial year will be included in the Council's annual budget setting process. Following the end of the financial year, the Town Clerk will report on investment activity to the Resources Committee or full Council as required.
28. The Investment Policy will be reviewed annually by the Resources Committee, and any amendments will be approved by full Council prior to adoption.
29. Council will be able to amend or make variations to the Strategy at any time.

### Freedom of information

30. In accordance with the Freedom of Information Act 2000 this document will be posted on the Council's website under the Policies section.



# USE OF RESERVES POLICY

July 2024

## SUMMARY

Peterlee Town Council is required to maintain adequate Financial Reserves to meet the needs of its operations and to ensure financial security. This policy sets out how the Council will determine and review the level of reserves

**Ian Hall**  
Town Clerk



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## Peterlee Town Council Use of Reserves Policy

### 1. Introduction

Peterlee Town Council is required to maintain adequate Financial Reserves to meet the needs of its operations and to ensure financial security. The purpose of this policy is to set out how the Council will determine and review the level of reserves.

**The Joint Panel on Accountability and Governance Practitioners Guide (JPAG) (March 2024 edition) advises:**

“As with any financial entity, it is essential that authorities have sufficient reserves (General and Earmarked) to finance both its day-to-day operations and future plans.”

“Smaller authorities have no specific right to accumulate funds via the precept. All reserves should be reviewed and justified regularly (i.e. at least annually). It is good practice to transparently publish both the level and rationale of all reserves.”

**Sections 32 and 43 of the Local Government Finance Act 1992** require local authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement. However, there is no specific minimum level of reserves which an authority should hold, and it is the responsibility of the Responsible Financial Officer to advise the Town Council about the level of reserves and to ensure that there are procedures for their establishment and use.

### 2. Types of Reserves

#### General Reserves

General Reserves are funds which do not have any restrictions on their use. They cushion the impact of uneven cash flows, offset budget requirements, if necessary, or can be held in case of unexpected events or emergencies. Setting the level of General Reserves is agreed with the Annual Budget.

The primary means of building General Reserves will be through a reallocation of funds (underspend on a completed project) and allocation from the annual budget. This will be in addition to any amounts needed to replenish reserves which have been spent in the previous year. If in extreme circumstances General Reserves were exhausted due to major unforeseen spending pressures within a particular financial year, the Town Council would be able to draw down from its EMRs to provide short term resources.

**JPAG (March 2024 edition) advises:**

**The generally accepted recommendation with regard to the appropriate minimum level of a smaller authority’s general reserve is that this should be maintained at between three and twelve months of net revenue expenditure**

Peterlee Town Council’s prudent level of general reserves is **£494,500\***, which was calculated using 2023/24 outturn figures, as approximately 3 months of operating costs.

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\* Expenditure net of capital for 2023/24 = £1,978,000

### **Earmarked Reserves ‘EMR’s**

EMRs must be held for genuine and intended purposes and their level should be subject to annual review and justification. They should be separately identified to prevent query from internal and external auditors.

EMRs are held for several reasons and shall only be used for the purpose for which they were created:

- **Renewals** – to enable the planning and financing of an effective program of equipment replacement and property maintenance/refurbishment. The funds required are built up incrementally over several years when considering asset conditions and asset life. They are a mechanism to smooth expenditure without the need to vary budgets.
- **Carry forward of underspend on an uncompleted project** – expenditure committed to a project but not spent in the budget year. Reserves can be used as a mechanism to carry forward those resources.
- **Developers Contributions** – proceeds from developers which can only be used for specified purposes.
- **Other Earmarked Reserves** – these may be set up from time to time to meet known or predicted liabilities.

Where the purpose of an Earmarked Reserve becomes obsolete, or where there is an over provision of funds, the excess may, on the approval of the Town Council, be transferred to other budget headings within the revenue budget, to General Reserves or to one or more other Earmarked Reserves.

EMRs will be established on a “needs” basis in line with anticipated requirements and these are to be reviewed annually when the budget is agreed.

Any decision to set up an EMR must be approved by Council. If the EMRs are used to meet short term funding gaps, they must be replenished in the following financial year. However, EMRs which have been used to meet a specific liability would not need to be replenished, after having served the purpose for which they were originally set up.

### **Useable Capital Receipts**

Proceeds from the disposal of fixed assets by local councils are known as capital receipts and are subject to statutory controls. Such proceeds cannot be used for revenue purposes and can only be used for capital purposes, i.e. the purchase of fixed assets, the significant enhancement of fixed assets, the making of capital grants, or the repayment of long-term loans. Authorities should keep separate records so that they can demonstrate compliance with this requirement.

## **3. Management and Control of Reserves**

Movements in General Reserves and Earmarked Reserves shall be reported to Council as part of the budget monitoring process. The use of Reserves shall be approved by the Town Council.

The level of General Reserves shall be reviewed on an annual basis during the annual budgetary review and agreed by Council. The minimum level of General Reserves shall be recommended to Council by the Town Clerk (who is the Responsible Financial Officer). This will form part of the recommendations for the Annual Budget and Precept request.

Earmarked Reserves shall be reviewed on an individual basis. Approval for the creation, amendment, cessation or continuation of Earmarked Reserves will be agreed by Council.

4. **Risk Management**

In order to assess the adequacy of the general fund when setting the annual budget, the RFO will take account of the strategic, operational and financial risks facing the council. The requirement of the level of the general fund balance for the forthcoming year will therefore be based upon a risk assessment of the council's main areas of income and expenditure and take into account any provisions and contingencies that may be required.

5. **Delivery of this Policy**

This policy will be implemented by the Council's Town Clerk and Senior Management Team and will be reviewed on a regular basis by Council.

**Report to:** Peterlee Town Council

**Date:** 22<sup>nd</sup> July 2024

**Report of:** Ian Hall Chief Officer/Town Clerk

**Report Title:** **Options for Woodhouse Park Carpark Gates**

**Purpose:** To provide Members with a number of options for the future arrangements for the opening and closing of the Town Council's Woodhouse Park Carpark Gates.

**Background:** Members will be aware that the Town Council removed the blanket 'dawn to dusk' policy for the parks and play areas in 2017, with a managed approach to enable each park/play area to be opened up.

**Proposal:** The Town Clerk has been approached by a member regarding the current issues of Anti Social Behaviour in the Carpark at Woodhouse Park and been asked to bring options for the council to consider:

- Locking the carpark gates when staff finish which would mean they would be locked over the weekend
- Have staff come back into work to lock them at 8pm and open and close over the weekend which would come at a cost to the council £240 Per Week.
- Contact Phoenix Eye who close the toilets and ask them to lock the gates and open them at a cost of £160 per week
- Continue as normal with staff engaging with the police and warden to do proactive patrols.

**Budget:** There is no budget allocation for any additional cost of locking the gates. Any additional costs would be charged to either staff wages or security.

## **Appendix 1: Implications**

**Finance** – The direct cost of providing a 7 day opening and locking service is an estimated £12,480 per annum, of which doesn't include annum is fuel costs. Extending the contract with Phoenix Eye is £8,320 per annum.

**Staffing** - Staff in the Neighbourhoods Service department have been consulted in the development of these options and the individual staff directly affected by these have been engaged directly.

**Risk** – No direct implications.

**Equality and Diversity / Public Sector Equality Duty** No direct implications.

**Accommodation** - No direct implications.

**Crime and Disorder** - Officers will engage with Police and DCC Neighbourhood Wardens to ensure that any initial increase in complaints of antisocial behaviour, vandalism, etc are quickly responded to and resolved. The individual site risk assessments will include consideration of any specific crime or disorder risks for each site.

**Human Rights** - No direct implications.

**Consultation** - No direct implications.

**Procurement** – No direct implications.

**Disability Issues** – If the option is agreed that the Town Council locks the Carpark gate when they finish work this may have an impact on disabled access to the park.

**Legal Implications** - As a land owner the Town Council has a number of duties relating to health and safety, environmental standards, etc. The Council will continue to discharge those duties through the completion of the individual site risk assessments.

**Data Protection** - No direct implications.

**Report to:** Peterlee Town Council

**Date:** 22<sup>nd</sup> July 2024

**Report of:** Acting Neighbourhood Services Manager

**Report Title:** **Request for a Meeting Room/Storage Facility at Woodhouse Park.**

**Purpose:** This report is intended to provide members with a summary of a request from Peterlee Community Garden Group for a Meeting room/Storage facility in the community garden Woodhouse Park.

**Background:** As members will be aware, the Town Council has a lease, for the land from Durham County Council for Woodhouse Park and the Town Council's Neighbourhood Service department looks after the ground's maintenance and current facility buildings. The current community building to the rear of the park, which is used by the group and other groups is not in good order and with issues around the practicality and its safety to use. The Neighbourhood Services Manager has looked into options on how to improve the area with a feasibility on the building. The findings are that the building is unsafe for use and the group have nowhere to hold meetings, classes and somewhere to get out the rain and have a cuppa.

The Community Garden Group has asked the Acting Neighbourhood Service Manager if they can put a Meeting room/Storage container in the garden as a measure that they can continue to hold meeting and have somewhere to store their equipment. There is a garage and work office on site, however it would mean giving the group keys to access them as they are in the garden 7 days a week and on evenings. This isn't not practical as the Town Council store their supplies and equipment in there and there would be issues on key holders. The community garden group would fully fund the Meeting room/Storage container through funding from local councillors. A location has been agreed with the Acting Neighbourhood Services manager that has no negative impact on the area.

**Budget:** Fully funded by County Councillor Louise Fenwick and Peterlee Town Councillor/County Councillor Diane Howarth.

**Recommendation** Members are recommended to:

- (i) Agree to grant permission for Peterlee Community Garden Group to install the Meeting room/Storage facility at Woodhouse Park.

**Appendix 1: Implications**

**Finance** – No direct implications

**Staffing** - No direct implications.

**Risk** – No direct implications.

**Equality and Diversity / Public Sector Equality Duty** No direct implications.

**Accommodation** - No direct implications.

**Crime and Disorder** - No direct implications.

**Human Rights** - No direct implications.

**Consultation** - No direct implications.

**Procurement** – No direct implications.

**Disability Issues** - No direct implications.

**Legal Implications** - No direct implications.

**Data Protection** - No direct implications.