** MINUTES FOR THE COUNCIL MATTERS COMMITTEE**

**MONDAY 10TH SEPTEMBER 2018 AT THE GUILDHALL TOTNES**

Present: Councillor T Whitty, Cllr R Adams, Cllr Simms, Cllr E Price, Cllr J Westacott MBE, Cllr P Paine, Cllr J Hodgson

Apologies: Cllr M Adams and Cllr J Sweett

In Attendance: Catherine Marlton (Town Clerk), 1 member of the press.

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| **No** | **Subject** |  |
|  1 | To receive apologies and to confirm that any absence has the approval of the Council. | Apologies were received from Cllrs J Sweett and M Adams and these were **AGREED.** |
| *The Committee adjourned for the following item:* |
| Public Question Time: A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Committee or other items that affect Totnes. | None. |
| *The Committee will convened to consider the following items:* |
| 2 | To discuss any matters arising from the minutes of:1. Council Matters 9th July 2018

(already agreed through Full Council) | No matters arising. |
| 3 | To consider the working framework for the Council Matters committee | The attached working framework was **AGREED.** |
| 4 | To consider the budget monitor and any virements needed. | The budget monitor and notes were **AGREED**. The Town Clerk was thanked for the clear format of presentation. |
| 5 | To receive a report on Town Ranger activities and street scene improvements required | Councillors were very supportive of the works being undertaken by the Town Ranger. It was **AGREED** that the Town Clerk would continue to progress public realm improvement projects and further details would come back to Council Matters for consideration.It was **AGREED** that the Town Ranger should liaise with Cllr Hodgson regarding the implementation of seagull deterrents in the Market Square.On the matter of the Shady Garden bin, Councillors **AGREED** that the bin should remain and that the fly tipping be closely monitored and reported to SHDC, with those responsible being pursued their enforcement team. |
| 6 | To consider a timeline for the Cemetery path tender process | The tender specification and timeline was **AGREED.** The Town Clerk was asked to liaise with Cllr Simms, Cllr Paine and the Town Ranger regarding potential laying of water pipes and the time of excavation of the paths near the cemetery. |
| 7 | To consider how to respond to the Environment Agency regarding Totnes floodgates | It was **RECOMMENDED** to Full Council that the Town Council should not take on the commitment to coordinate the opening and closing of the floodgates due to the details of liability outlined in the draft Memorandum of Understanding and the concerns about the reliability and availability of volunteers. |
| 8 | To consider the risk assessment completed on the Town Council assets in relation to lightning protection | It was **AGREED** that lightning protection is clearly needed on all 3 Council properties and the Town Clerk was asked to obtain 3 quotes for consideration by Council Matters. |
| 9 | To note the delay to the SHDC JLP and the date of the next NP meeting | This was noted. |
| 10 | To consider a draft CCTV Policy | It was **RECOMMENDED** to Full Council that the attached policy be adopted. |
| 11 | To consider draft staffing policies:a) Flexible Working Policyb) Recruitment and Retention Policyc) Office Management in times of leave | It was **RECOMMENDED** to Full Council that the attached policies be adopted. |
| 13 | To note the date of the next meeting: **Monday 8th October 2018 at 7pm**. |
| *The Committee* ***RESOLVED*** *to exclude the press and public “by reason of the confidential nature of the business” to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960.* |
| 14 | To consider and agree the bank and petty cash reconciliations (confidential as contains personal information of payees). | These were **AGREED.** |
| 15 | To consider alternative options for the Town Council alarm monitoring and maintenance contract | It was noted that the Town Clerk is costing up alternative providers. |
| 16 | To consider a staffing review and recruitment process following a resignation | The Council Matterscommittee **AGREED** as outlined in the Town Clerk’s report:a) the Civic Hall Administrator recruitment timeline and processb) the minor changes to the Job Description and minor staffing restructure resulting.c) that the interview panel should consist of the Clerk, Deputy Clerk and Cllr Price. |
| 17 | To confirm the staffing for the Community Arts Workshop and Christmas Light Switch on | The proposal for office staff allocation was **AGREED.** |
| 18 | To note the overtime and sickness records of staff | These were noted.  |

**Future meetings agenda items:**

* Update Statement of Internal Control
* To review a summary of the required actions resulting from the Risk Assessment programme
* Grants Award Policy - October
* Councillor Allowance Policy
* Investment options for general reserve – October
* Play Parks
* To review various staffing policies – Capability Procedure, Dignity at Work Policy, Equal Opportunities Policy, Grievance Policy, Lone Working Policy, Disciplinary Procedure, Managing Attendance
* To note sick leave and overtime balances
* To note the outcome of the appraisal process

**Committee Members – quorum is 5 members**

* Cllr Whitty (Chair)
* Cllr Simms (Deputy)
* Cllr M Adams
* Cllr R Adams
* Cllr Sweett
* Cllr Price
* Cllr Westacott MBE
* Cllr Paine
* Cllr Hodgson

Catherine Marlton - Town Clerk

**ITEM 3 – Working Framework**

**Council Matters Working Framework September 2018-May 2019**

**A reminder of what was agreed in Standing Orders July 2018**

**1. Authority**

The Council Matters Committee is a Principal Committee of the Town Council and its membership is appointed by the Town Council annually. The Committee’s remit is defined and agreed by the Full Council. These powers will be exercised in accordance with any policy adopted or directions given by the Town Council and subject to the Council’s Standing Orders, Standing Orders on Contracts and Financial and Administrative Regulations and Personnel Policies. Meetings of the Council Matters Committee will be held monthly.

**2. Membership**

The Committee will consist of no fewer than 8 elected Town Councillors and a maximum of 10, and its membership and the Chair will be elected by the Full Council annually. Both the Chair and Committee members will be re-elected each year in March/April. A Deputy Chair can be elected by the committee to fulfill the role of the Chair in their absence (if both are absent then any elected member can take the chair by agreement of the committee).

The ***quorum*** will be a minimum of 5 elected committee members.

**3. Responsibilities**

The Council Matters Committee will act as the Scrutiny Committee of the Council, monitoring the operational, civic, administrative, staffing and financial responsibilities as well as the assets of the Council. The day to day management of Council matters rests with the Town Clerk. The Council Matters Committee will be responsible for initiating, developing and monitoring any policies required for the Town Council to carry out its functions.

The Committee will be responsible for all staff appointments; annual appraisal; training and development; the setting of staff salaries, hours of work and all matters relating to their individual contracts; sickness and staff welfare issues; and grievance and disciplinary matters.

The Committee must ensure that matters relating to the personal matters of staff are not published and that all staff records are held securely.

**4. Operating Principles**

The Council Matters Committee will meet monthly to accept reports, raise issues and act as a conduit to the Full Council on all of its responsibilities.

**The Committee will be able to recommend the creation of subcommittees which need to be constituted to aid the work of the Committee. Membership of the subcommittee would come from the membership of the Council Matters Committee. However, it is envisaged that most work will be done by the Committee itself, as it is from the Committee that recommendations to Full Council need to emerge.**

**The Committee may, of course, ask individual members to undertake any work which needs to be undertaken in relation to the workings of the committee e.g. developing a proposal, implementing tasks, working with the Clerk etc.**

The Council Matters Committee may also recommend establishing Working Groups to undertake specific tasks within the responsibilities of the Committee (or across committee responsibilities) as defined within Standing Orders. W**orking groups are constituted with fixed terms of reference, and are time limited to the Council year they are constituted in. If they are to continue they will need to be reconstituted. Working groups may include Councilors not on the Council Matters Committee and members of the public, and their membership will be agreed at Full Council. They may be a task and finish group, or have a broader remit e.g. cemetery.**

**All committees, subcommittees and working groups are subject to the Town Council Standing Orders. The quorum for subcommittees and working groups would be 50% of the membership and in no case less than 3.**

Prior to the commencement of the Committee meeting members of the public will have the opportunity to speak to the Committee, as defined within Standing Orders. With the agreement of the Committee, the Chair may suspend Standing Orders, if appropriate; to enable any interested parties to speak on a particular issue during the meeting.

**5. Delegated Powers**

The Council Matters Committee may approve the income and expenditure of the Council on behalf of the Council, within the remit of existing agreed Town Council financial regulations. On all other aspects of its activity, the Committee does not have delegated authority, and will be expected to make recommendations to Full Council for consideration.

The Council Matters Committee has delegated powers to act on behalf of the Council in all matters relating to staff appraisals, staff appointments, staff grievances, the setting of staff salary scales and staff training.

**6. Records of Proceedings**

Written minutes will be taken to record the Committee’s deliberations and decisions. They will be received at the next Full Council meeting, formally adopted and any matters arising would be brought up at the next Council Matters Committee meeting.

The minutes of any subcommittee will be included into the Council Matters Committee minutes to inform Council of the workings of that subcommittee. Working groups are not required to publish minutes, but are expected to prepare a report for consideration by the Council Matters Committee on completion of their work, and may choose to prepare interim reports if they wish.

Minutes of committees and Full Council will be agreed and signed at the following Full Council meeting.

**7. Administrative Support**

The Town Clerk will be or will nominate an officer to be responsible for the support and administrative duties of that Committee.

**Extracts from Financial Regulations**

**ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING**

* 1. The Clerk/RFO shall formulate and submit proposals for the following financial year to the Council not later than the end of December each year. This will include the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered first by the **Council Matters Committee** and then approved by the Full Council.
	2. The Council shall consider the annual budget proposals in relation to the Council’s three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
	3. The Council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The Clerk/RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
	4. The approved annual budget shall form the basis of financial control for the ensuing year.

**BUDGETARY CONTROL AND AUTHORITY TO SPEND**

* 1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
	+ the Council for all items over £10,000;
	+ Council Matters for items over £5,000; or
	+ the Clerk/RFO for any items below £5,000.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk/RFO, and where necessary also by the appropriate Chair.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

**What that actually means for Council Matters**

The Agreed Terms of Reference are broad and the meeting time relatively short for such a large remit. In order for us to ensure that the committee pays due diligence to its role the meetings I have suggested some standing items and timed agendas.

**Standing items on each agenda in open session**

* To agree apologies
* To agree timings for the agenda
* Public question time
* Operational and Civic Briefing
* Personnel Policies [non-confidential]
* Budget monitoring and virements
* Updates from the Arts Working Group and Council Venues Working Group
* Asset management and development

**Standing items on each agenda in confidential session**

* Bank reconciliations
* Overtime and sickness record update
* Staffing update briefing from the Town Clerk

**Operational and Civic:**

* A briefing from the Clerk on the day to day running of the Council; focusing in particular on interaction with the public, efficiency of servicing of committees, effectiveness of the service offered by employees not based in the Guildhall. The clerk will be asked to highlight positive achievements and feedback as well as any areas of improvements/development required.
* Draft minutes and reports from related committees, relevant link councillor, working groups and the task and finish group
* Periodic verbal updates from the mayor on how the civic function of the council is being received

**Personnel Matters (Non confidential)**

* Ensure that the appropriate committees are established to deliver the Council’s obligations on grievance and discipline
* At least annually receive from the clerk a clear staffing and pay structure with job descriptions and clear performance indicators so that the appraisal system can work effectively
* Receive from the clerk over the course of the year all relevant personnel policies including equal opportunities, bullying and harassment

**Personnel (Confidential)**

* All matters which relate to individual members of staff will be dealt with in Part 2 as confidential

**Finance Matters**

* Receive from the clerk budget monitoring sheets at each meetingfor Council main budget, Civic Budget and Paige Adams
* Receive details from the clerk of the timetable and processes for establishing the budget including the participatory community process, as and when necessary

**Town Council assets**

* Receive from the clerk updates on the state of the TC assets
* Assist the clerk where appropriate in the maintenance and development plan for TC assets

Sub Groups and Working Groups will only be set up in relation to staff grievance and disciplinary in line with personnel policies. All other issues should be covered efficiently in full committee.

Tony Whitty

August 19 2018

**ITEM 5 – Street Scene update**

**Briefing from the Town Clerk – Totnes Town Appearance**

There have been complaints from visitors and residents with regards to the appearance of the town. Our Town Ranger is dealing with a number of issues as outlined further in this briefing.

One area that is attracting fly tipping is around the Shady Garden bin. SHDC would like the Town Council to agree to the removal of this bin to see if the issue resolves. Our Town Ranger agrees with this course of action.

Other problems include condition of the bins and street furniture. SHDC have a very limited district wide budget. Should the Town Council allow for a 2/3 year programme of improvements at precept setting to update and modernise noticeboards, signage, seating and litter bins?

The lack of recycling facilities in the town has been raised again and again. Should the Town Council eneter into talks with SHDC about what can be done? If the current waste provision limits the collection of recyclables should the Town Council look to subsidise any increased cost to enable the service to be improved?

There are weeds growing all over town. It is suggested by the TAT group and the Town Ranger that we implement a ‘Tidy Totnes’ initiative with local businesses, with associated marketing and award scheme to promote the idea of each shop or premises keeping the area directly outside clean and tidy. A small budget would be required and the Town Range could manage the roll out.

A leaflet needs to be sent by SHDC to householders and businesses stating that seagull proof sacks are mandatory and available free of charge from the town council offices. If SHDC are unable to do this, should we roll this into the ‘Tidy Totnes’ project and do this ourselves?

Investigation is needed into locating recycling facilities in Bridgetown, particularly glass and tetra pak. Spar stores area was ruled out for noise but Steamer Quay was mentioned as a possibility. I intend to ask the Town Ranger to pursue this option in liaison with the district councillors.

The Town Ranger is liaising with SHDC about trialling a change to the market and event management in the Civic Square due to ongoing problems with cleanliness and waste being left. The intention is to ensure a member of staff is onsite to oversee market traders leaving and a ‘waste levy’ will be charged to users to cover additional commercial waste collection services. I would encourage Councillors to monitor this area to see if these new measures show improvement.

Other areas to work on and pan for could be budgeting for a grant fund to enable local community groups, such as Totnes Gardens and Totnes against Trash to do more with the volunteers already in place. I would suggest consideration at precept setting.

**List of Town Ranger jobs completed to date:**

**Vire Island**

Removed old post with nails

Redecorate memorial bin graffiti

Fill trip hazards at far end seating

**Victoria street**

Fly tipping removed

Hedge cut back Victoria court tenants could not action

**Dartmouth Inn Square**

One bench replaced with new

one repaired

**Allotments**

Fence repair

Signage corrected

**Market Square**

Pavers and litter

**Riverside walk**

Fly tipping

Bench repairs

One bench replaced with new

**Cemetery**

British rail fence repairs

Smithfields elevation fence repairs

Gate repair

Signage repairs

Smithfields flooding proved to tenants and Liverty homes not being caused by TTC

**St Marys**

Wall repair

Tree works

**Taunton Close**

Cut back hedge allow public access

**Pathfields**

Cut back hedge tenants could not action

**Westonfields**

DCC to cut back hedge to stop St Johns children having to walk in road.

**Shady garden**

Fly tipping

No fly tipping sign

**The Plains**

Decorated bus shelter

**Follaton estate**

Contractors decorate bus shelter

**Denys road**

DCC to clean street drains

**Steamer quay**

Repairs to play boat

Remove broken fence on footpath

**Guildhall**

Building repairs

**Museum**

Building repairs

**Town Marsh**

Weeded

**North Street**

Remove dead tree and replace with new

**Civic Hall**

Building repairs

**Borough park**

Syringe clearing

Play park litter

**CURRENTLY WORKING ON**

SHDC to clear Leechwell foot paths several attempts at getting action – just agreed by SHDC 050918

DCC to clear drains North Street

DCC to increase signage to railway station

Raise canopy of trees on the plains .