

May 2022



MINUTES of the Annual Council Meeting held on Wednesday 11th May 2022 commencing at 7.00pm in the Committee Room of the Festival Hall, Caistor Road, Market Rasen.

Present:

Councillor S. Bunney (Chairman/WLDC/LCC), Councillor M. Lakin - Whitworth (Vice-Chairman), Councillor A. Dale, Councillor F. Easters, Councillor M. Hassan, Councillor J. Pilley, Councillor N. Taylor, Councillor C. Turner, Councillor A. Gray*

In Attendance:

Lucy Waller – Town Clerk and Responsible Financial Officer

Councillor J. Mc Neill (WLDC)

Representative of Market Rasen Mail

Candidate for co-option*.

The Meeting opened at 19:00

1. To ELECT the Town Mayor

Following nominations, proposal, seconding and a vote it was RESOLVED that Councillor S. Bunney be elected as Town Mayor (Chairman) for the municipal year 2022/23.

2. Signing of the Town Mayor's Declaration of Acceptance of Office.

The Declaration of Acceptance of Office was duly signed.

3. To ELECT the Deputy Town Mayor

Following nominations, proposal, seconding and a vote it was RESOLVED that Councillor M. Lakin-Whitworth be elected as Deputy Town Mayor for the municipal year 2022/23.

4. Signing of the Deputy Town Mayor's Declaration of Acceptance of Office.

The Declaration of Acceptance of Office was duly signed.

5. Opening comments (If any).

The Chairman having welcomed all to the meeting , moved this item to a later stage of the meeting, to include reports from the District and County Councillors.

6. To NOTE Apologies for absence and RESOLVE to accept reasons for absence.

Apologies were received from Councillors Smith and Bridger. It was RESOLVED to approve the reasons for absence.

7. To receive any declarations of interest in accordance with the requirements of the localism Act 2011. Members may make any declarations of interest at this point but may also make them again at any time during the course of the meeting.

Councillor M. Lakin-Whitworth declared a pecuniary interest in payment UTB 161– Agenda Item 24 and duly left the room for that item.

8. Co-option

To allow the candidate for co-option to address the council and answer any question from councillors.

Members noted the expression of interest form, and the candidate had no further comments. No questions were raised.

To RESOLVE to co-opt a councillor to the casual vacancy resulting from the resignation of T. Smith.

It was RESOLVED to co-opt Adam Gray as a Town Councillor

Councillor Gray signed the Declaration of Acceptance of Office of Councillor and joined the meeting.

9. Public Participation. To adjourn the meeting for the Public Forum (max 20 minutes).

Members noted:

- An incident of theft in an area in which street lighting was timed to go off. The Clerk was asked to write to Lincolnshire County Council to highlight that the Town Council feel that the street lighting should remain on throughout the night in the whole town.
- Broken windows in the former bank buildings had been reported to the relevant developer.
- A school crossing patrol was to be introduced near the primary school in a location yet to be decided.

10. To RESOLVE to approve the draft minutes of the last meeting, held on 13th April 2022.

It was RESOLVED to approve the draft minutes of the last meeting, held on 13th April 2022, as a correct record.

11. To NOTE any update on Action Points

Members noted the report.

12. To RESOLVE to adopt the amended West Lindsey Code of Conduct.

Members noted the supporting documentation and guidance and RESOLVED to adopt the amended West Lindsey Code of Conduct.

13. Members present to sign receipt of the code of conduct for elected / co – opted parish councillors form and re-affirm the Declaration made when accepting the Office of Councillor /Co-Opted Member that they will abide by the Code adopted by the Parish Council.

Members present duly signed the above proforma.

14. To REVIEW and RESOLVE adoption of the below policy and governance documents:

- **Standing Orders**
- **Financial Regulations**
- **Complaints**
- **Communications (Press /media)**
- **Freedom of information & Data Protection policies (Freedom of Information, Data Breach, Data Protection, Privacy Notices, Subject access procedure)**
- **Employment Policies (Health & Safety Policy, Anti-bullying & harassment policy, Capability procedure, Disciplinary policy, Grievance policy, Lone worker policy, Overtime policy, Performance improvement policy, Sickness & absence policy, Training policy.)**
- **Safeguarding Policy.**
- **Risk Management policy**
- **Retention Policy.**
- **Legionella policy.**

Members noted the officer report and RESOLVED to adopt the below policies unchanged:

- **Communications (Press /media)**
- **Freedom of information & Data Protection policies (Freedom of Information, Data Breach, Data Protection, Privacy Notices, Subject access procedure)**
- **Employment Policies (Health & Safety Policy, Anti-bullying & harassment policy, Capability procedure, Disciplinary policy, Grievance policy, Lone worker policy, Overtime policy, Performance improvement policy, Sickness & absence policy, Training policy.)**
- **Safeguarding Policy.**
- **Retention Policy.**

The Standing Orders were adopted subject to the below amendments:

- **Removal of standing order 12 E.**
- **Inclusion of 4 F - “In the event that a member of a council committee is unable to attend a meeting, they may source and nominate a substitute attendee, for that meeting only, from the membership of the council. This is subject to written notification of the substitution having been received by the Town Clerk at least two working days prior to the meeting. A duly nominated substitute will have full voting rights.”**

The Financial regulations were adopted subject to the below amendments:

4.4 In cases of extreme risk to the delivery of council services, or in the case of urgent Health and Safety concerns the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement, or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1500.

5.5

c) fund transfers within the councils banking arrangements to cover outgoing costs up to the sum of £10,000, provided that a list of such payments is included within the council's cashbook.

6.4

Cheques in accordance with the schedule as presented to council or committee shall be signed by two members of council. Orders for electronic payment drawn on the bank account in accordance with the schedule presented to Council or Committee shall be authorised electronically by two members of council. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.

6.5

To indicate agreement of details shown on the cheque/order for payment with the counterfoil and the invoice or similar documentation, signatories shall initial the cheque counterfoil or in the case of electronic payment the payment record provided by electronic banking records for the authorising councillors. By authorising the payment, the Councillors are acknowledging they have checked all proposed invoices and agree with the details provided in the email from the RFO containing copy invoices of all proposed payments to be made and the schedule of payments presented to council.

The complaints policy was adopted subject to the below amendments:

Market Rasen town Council only consider complaints from residents of the parish of Market Rasen or non-resident service users, where the complaint relates to a chargeable council service.

It was RESOLVED to adopt a vexatious complainant policy. (Appendix A)

A new Risk Management policy and risk register were adopted (Appendix B)

The council thanked the Community Manager for the work on the draft Legionella Policy and approved the process laid out within, it but felt that only the process and compliance with current legislation were necessary. It was RESOLVED not to adopt a Legionella Policy.

Action Point: Clerk to update policies as per resolution.

15. Council committees 2021/2022

- **To REVIEW the current committee structure.**

Members reviewed the committee structure, and it was RESOLVED to maintain the current structure. It was RESOLVED to appoint representatives to the community Environmental group rather than have a separate working group.

- **To RESOLVE to adopt committee Terms of Reference including any necessary alterations for:**
 - **The Finance Committee**
 - **The HR Committee**
 - **The Properties Committee**
 - **The Planning and Development Committee**

It was RESOLVED to adopt the current terms of reference with the following amendments:

- All committees – addition of. “In the event that a member of the committee is unable to attend a meeting, they may source and nominate a substitute attendee, for that meeting only, from the membership of the council. This is subject to written notification of the substitution having been received by the Town Clerk at least two working days prior to the meeting. A duly nominated substitute will have full voting rights.”
- **To APPOINT Members to:**

- **The Finance Committee**
- **The HR Committee**
- **The Properties Committee**
- **The Planning and Development Committee**

It was RESOLVED appoint Members to the Committees as shown in the table appended to these minutes. (Appendix C)

- **To ELECT A Chairman and a Vice-Chairman for each of:**
 - **The Finance Committee**
 - **The HR Committee**
 - **The Properties Committee**
 - **The Planning and Development Committee**

It was RESOLVED to elect the Chairmen and Vice Chairman of the Committees as shown in the table appended to these minutes. (Appendix C)

16. Appointments:

To RESOLVE the appointment of the Parish Champion.

It was RESOLVED to appoint Councillor M. Lakin -Whitworth as Parish Champion.

To RESOLVE the appointment of a Safeguarding Lead.

It was RESOLVED to appoint Councillor C. Turner as Safeguarding Lead.

17. To REVIEW the inventory of land and other assets including buildings and office equipment.

Members reviewed and RESOLVED to approve the asset list.

18. CONFIRMATION of arrangements of insurance cover in respect of all insurable risks.

Members noted the report and RESOLVED to accept the insurance quotation provided by Zurich of £4042.32. Members additionally RESOLVED to instruct

suitably qualified professionals to undertake insurance valuations of The Festival Hall, Council Office, Old Police Station, and the War memorial and to accept any resulting increase in insurance cost. It was highlighted that specialist valuations would be required for the Old Police Station and the War Memorial due to the Grade II listing.

Action: Clerk to instruct Zurich and arrange / research suitable valuations.

19. To PRE-APPROVE automated and regular contractual payments for the Municipal year 2022/23.

Members resolved to approve the automated and regular contractual payments for the Municipal year 2022/23 as below:

Payee	Contractual payment	Payment method
PWLB	Market Place purchase	Direct Debit
Business Rates WLDC	Business rates Festival Hall	Direct Debit
Business Rates WLDC	Business rates Council Office	Direct Debit
Business Rates WLDC	Business rates OPS	Direct Debit
Business Rates WLDC	Business rates Market Place	Direct Debit
Total Gas & Power	Electricity Festival Hall	Direct Debit
Total Gas & Power	Electricity Council Office	Direct Debit
Total Gas & Power	Electricity Market Place	Direct Debit
Total Gas & Power	Electricity Old Police station	Direct Debit
Wave (Formally Anglian Water Business)	Water Festival Hall / Council Office	Direct Debit
Wave (Formally Anglian Water Business)	Water Old Police station	Direct Debit
SSE Gas	Gas Festival Hall	Direct Debit
SSE Gas	Gas Old Police station	Direct Debit
WLDC	Waste & recycling	Direct debit
Now Pensions	Monthly Service Fee	Direct Debit
Now Pensions	Employer/ Employee contributions	Direct Debit
BT	Internet / Phone	Direct Debit
EE	Mobile Phones	Direct Debit
Rentokill	Hygiene contract	Direct Debit
Lloyds Bank	Payment of Unity Multipay card expenditure & fee	Direct Debit
Payroll	Salaries	BACS
HMRC	PAYE/ NI	BACS
Pestcotek	Mole contract	BACS
Sparkle	Office Cleaning	BACS
A J Williams	Grass services contract	BACS

20. To REVIEW the Council's expenditure incurred under s.137 of the Local Government Act 1972.

Members noted the report highlighting the S137 spend of £187.00 for 2021-22 which was confirmed to be within the legal limit of £8.41 per elector. The expenditure on donations (£20.00 & £150.00) and a Poppy Wreath £17.00 were confirmed to be of

proportionate benefit to some or all of the residents of Market Rasen. Members noted the 2022/23 S137 limit was £8.82 per elector.

21. To REVIEW the Council's and/or staff subscriptions to other bodies.

Members Reviewed the current subscriptions and RESOLVED to continue to subscribe to Lincolnshire Association of Local Councils (LALC) and Clerk Membership of the Society of Local Council Clerks (SLCC) It was also RESOLVED not to pay further subscriptions for Rural Market Town Group (RMTG).

However, it was requested that the Clerk write to the Member of Parliament highlighting the below issues impacting rural areas and Market Rasen's Town Council's request that the M.P support action on these matters.

- ***Government grant to principal councils has become totally unfairly (lower by 28.7 % per head of population for people living in rural areas and rural towns when compared per head to people living in urban areas) -- over the last four years that difference has on average been increasing.***
- ***Even grants in relation to adult social care provision (a massive current problem area) are 12.8% lower when compared to urban areas and again the difference has been significantly increasing over these last four years.***
- ***Consequently, hard pressed local authorities in rural areas have had to increase council tax so that some more limited services can continue, and these council taxes are now 20.5% higher than council tax in urban areas per head of population.***
- ***Even so rural councils have available to spend a third of the money (per head of population) available for discretionary services when compared to the per head calculation for urban areas. That is a truly massive difference.***
- ***The higher council tax in rural areas must be paid for out of the 10% lower workplace - based earnings in rural areas when compared to urban areas.***

22. To RESOLVE the date and place / method of meetings for the municipal year 2022/2023

As legislation on longer allows for electronic meetings there was no need to resolve the method of meetings, as these must be in person.

It was RESOLVED to set the below meetings for the municipal year:

Full Council 7pm -to be held in the Festival Hall Committee room:

2022

June 8th

July 13th

August – no meeting

September 7th

October 12th

November 9th

December 14th

2023

Jan 11th

Feb 8th

March 8th

April 12th

May TBC dependant on election dates (Annual Town Council Meeting)

Town Meeting

Annual Town Meeting - TBC (Between 1st March and 1st June 2023 – Avoiding any restricted period due to elections)

Committee Meetings - dates and times to be confirmed:

Properties Committee to meet in October to inform Budget.

HR Committee to meet in October to inform Budget.

Planning & Development to meet in October to inform Budget.

Finance Committee to meet in the month following each quarter end, July, Nov (adjusted to meet precept requirements) Jan, April.

Other meetings to be called on an ad-hoc basis in accordance with each committee's terms of reference.

Agenda Item 5, Opening remarks continued:

Members noted information on the below:

Cllr J McNeill WLDC:

- WLDC code of conduct.
- Selective Licensing Scheme reformulation.
- New recycling scheme (introduction of new "purple bins").

Cllr S Bunney WLDC/LCC:

- Heritage trails - potential inclusion of two further trails (Churches & architectural).
- The formation of a Town Scene Heritage Group – to include supporting the area around the Market Rasen Market Place.
- Potential development of a local recycling scheme at a later date.
- Update of Jubilee Events.

23. To NOTE the Clerk's report and the Community Manager's report.

Members noted the reports.

It was requested that:

- cleaning of the auction shed be regularly scheduled, and that the gutters be cleaned.
- That the condition of all gutters and gullies be regularly checked.
- That in the community manager's absence the Clerk contact the Project Manager of the Festival Hall roof works to stress the council's dissatisfaction with the lack of receipt of the warranty and to urge action on this matter.
- That a session with councillors be held to feed into the review of the staffing structure.

It was highlighted that a full review of the Council's Market provision was required following the completion of a similar piece of work by WLDC which would include information pertinent to the Market Rasen markets provision.

Action points:

- ***Clerk - to pursue Festival Hall roof warranty. Organisation of a councillor session to feed into the staff structure review.***
- ***Community Manager- to schedule regular cleaning of the Auction Shed. (In conjunction with the Maintenance Operative) ensure regular checking of gutters and gullies of all council properties takes place.***

Councillor Lakin-Whitworth left the room.

24. To RESOLVE to approve the accounts for payment.

Members noted the accounts, and it was RESOLVED to approve the below accounts for payment:

Market Rasen Town Council Accounts for payment May 2022						
Ref	Payee	Description	F/Hall £	General £	VAT £	Total £
pre-authorised automated payments since the last meeting - To note						
DD	WLDC	Refuse & Recycling	£62.83			£62.83
DD	WLDC	Non Domestic rates MP		£56.00		£56.00
DD	WLDC	Non Domestic rates FH	£549.00			£549.00
DD	WLDC	Non Domestic rates Office		£279.00		£279.00
DD	WLDC	Non Domestic rates OPS		£162.00		£162.00
DD	Total	Electricity OPS 01/03 - 31/03		£28.41	£1.42	£29.83
DD	Total	Electricity FH 01/03 - 31/03	£132.91		£6.99	£139.90
DD	Total	Electricity MP 04/03 - 03/04		£10.83	£0.54	£11.37
DD	Now Pensions	Employer service Charge		£12.50	£2.50	£15.00
DD	Now Pensions	Employer / Employee contributions		£509.45		£509.45
DD	SSE	Gas FH 21/03-01/04	£168.57		£33.71	£202.28
DD	EE	Mobile Phones		£195.70		£195.70
DD	Lloyds bank	Charge card fee		£3.00		£3.00
DD	BT	Telephone/ Broadband		£49.20	£9.84	£59.04
Sub totals			£913.31	£1,306.09	£55.00	£2,274.40
Payments for Authorisation by Full Council (Authorised for electronic payment where required)						
UTB 130	AJ Williams	Grass cutting		£502.00	£100.40	£602.40
UTB 131	Bridge McFarland	Preparation of lease OPS		£600.00	£120.00	£720.00
UTB 132	Buildbase	Materials for Market Place		£58.13	£11.63	£69.76
UTB 133	Buildbase	materials for market place		£25.45	£5.09	£30.54
UTB 134	Buildbase	OPS materials		£27.50	£5.50	£33.00
UTB 135	Buildbase	materials OPS car park		£58.17	£11.63	£69.80
UTB 136	Buildbase	materials Market Place		£62.50	£12.50	£75.00
UTB 137	Equip	safety boots		£49.95		£49.95
UTB 138	Pestcotek	mole inspections		£100.00	£20.00	£120.00
UTB 139	Rase Appliance	Henry vacuum cleaner	£115.83		£23.17	£139.00
UTB 140	Rialtas	Year end online closedown		£558.00	£111.60	£669.60
UTB 141	Rilmac	Management survey (divided equally FH OPS)	£325.00	£325.00	£130.00	£780.00
UTB 142	Stance security	security pop up market		£121.68	£24.34	£146.02
UTB 143-145	Hirer deposits	damage deposit returns	£200.00			£200.00
UTB 146	Amazon	Legionella Kit (£226.80) Batteries (£13.30) Paper (£34.99)		£229.24	£45.85	£275.09
UTB 147	Amazon	folders		£7.72	£1.54	£9.26
UTB 148	Amazon	Jubilee Items		£29.16	£10.79	£64.87
UTB 149	Equip	threetread step stool		£64.90	£12.98	£77.88
UTB 150 - UTB 155	Payroll	Salaries April 2022		£6,536.73		£6,536.73
UTB 156	HMRC	PAYE/ NI		£1,770.57		£1,770.57
UTB 157	Lincoln Web design	Software/ support /laptop leases		£326.00		£326.00
UTB 158	SLCC	Membership fee (Clerk) 01/06/2022 - 31/05/2023		£270.00		£270.00
UTB 159	Sparkle	Office cleaning April		£125.00		£125.00
UTB 160	Microshade	Citrix hosting		£85.50	£17.10	£102.60
UTB 161	Mr. Lakin-Whitworth	Refund expenses (Flowers/Plants)		£17.80		£17.80
Sub totals			£640.83	£11,951.00	£664.12	£13,280.87
Payment Totals			£1,554.14	£13,257.09	£719.12	£15,555.27
Town Partnership Expenses - to be paid by MRTC as administrators (Please note due to current banking constraints these are paid from MRTC Funds which are then refunded by bank transfer) April						
REF	Payee	Description	Total £			
TP90	MR services	excavate & cast 2 concrete bases, & bolt down 2 x benches (De Aston field)	£550.00			
Total Expenditure			£550.00			
Total Transferred to refund MRTC			£550.00			

25. To consider the provision of parking on the Market Place and RESOLVE any action.

Following discussion, members agreed to the below in principle, pending further decisions on details:

- To restrict parking to short term during the day.
- To approach an enforcement company to facilitate short term parking.
- Introduction of appropriate signage.
- Signs throughout the town highlighting alternative parking.
- Disabled bays

26. Items for the next agenda

None

27. Risk Management

Queries were raised regarding a damaged piece of play equipment that had been removed.

Action point: Clerk to investigate and report back.

The meeting closed at 20:50.

APPENDIX A

Market Rasen Town Council

VEXATIOUS COMPLAINTS POLICY (POLICY FOR DEALING WITH HABITUAL OR VEXATIOUS COMPLAINANTS)

Introduction

This document sets out guidance and procedures to help deal with people who repeatedly complain to the Council or who complain in an unreasonable way. There are times when nothing further can be done to solve a real or perceived problem and continual contact with the person complaining is time consuming and costly for the Council. This document explains how to decide if a complaint should be classed as habitual or unreasonable. It then gives advice about how the complaint should be recorded. Finally, options are listed to help process such complaints or cease contact with complainants.

Definitions

In this policy the term HABITUAL means 'done repeatedly or as a habit'. The term VEXATIOUS can be defined either as "causing or tending to cause annoyance, frustration, or worry" or, by its legislative definition "denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant" in the Town Council context behaviours meeting either definition will be considered vexatious. It is recognised that complainants can use repeated FOI or Subject Access Requests as a means of perpetuating a complaint which has been determined and therefore the term COMPLAINT in this policy includes submitted complaints and requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998 as well as those made under the Council's complaints procedure. For the purpose of this policy the following definition of HABITUAL OR VEXATIOUS COMPLAINANTS will be used "The repeated and/or obsessive pursuit of: (i) unreasonable complaints and/or unrealistic outcomes; and/or (ii) reasonable complaints in an unreasonable manner."

Criteria for Determining Habitual or Vexatious Complainants

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows that they meet one of the following criteria, where complainants:

- Persist in pursuing a complaint where the Council's Complaints Procedure has been fully and properly implemented and exhausted.
- Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. (Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints).
- Are repeatedly unwilling to accept documentary evidence given as being factual or deny receipt of an adequate response despite correspondence

specifically answering their questions, or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.

- Repeatedly do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts of the Council to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.
- Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what is a trivial matter can be subjective and careful judgement will be used in applying this criterion.
- Have, during addressing a registered complaint, had an excessive number of contacts with the Council – placing unreasonable demands on staff or members. For the purposes of determining an excessive number, a contact may be in person, by telephone, letter, or e-mail. Discretion will be used in determining the precise number of excessive contacts applicable under this section, using judgement based on the specific circumstances of each individual case.
- Have threatened verbally or used physical violence towards employees or members at any time. This will cause personal contact with the complainant and/or their representative to be discontinued and the complaint will, thereafter, only be continued through written communication. A complainant who threatens either verbally or in writing or uses actual physical violence towards an employee or member will be regarded as a vexatious complainant. The complainant will be informed of this in writing together with notification of how future contact with the Council is to be made. It should also be noted that Market Rasen Town Council in consultation with the affected individuals will refer any actual or threatened verbal or physical abuse to Lincolnshire Police for investigation.
- Are known to have recorded meetings or face to face/ telephone conversations without the prior knowledge and the consent of other parties involved.
- Make unreasonable demands on the customer/Council relationships and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the Council's Complaints Procedure or normal recognised practice.

Considerations prior to acting under the policy

Different considerations will apply depending on whether the investigation of the complaint is ongoing or whether it has been concluded. To some extent the latter is easier to deal with. It is in effect the complainant simply refusing to take no for an answer, and the Council has the option of ending all communication with the complainant, and where appropriate referring the complainant to the Ombudsman. However, where the complaint is ongoing there needs to be some continuing contact with the complainant.

The decision to designate someone as a habitual and vexatious complainant is onerous and could have serious consequences for the individual. Before deciding whether the policy should be applied Councillors should be satisfied that:

- the complaint is being or has been investigated properly.
- any decision reached on it is the right one.

- communications with the complainant have been adequate.
- the complainant is not now providing any significant new information that might affect the Council's view on the complaint or that the way in which the complainant has acted is unreasonable.

Courses of Action.

Where complainants have been identified as habitual or vexatious in accordance with the criteria set out above, the options below can be used singularly or in combination depending on the circumstances of the case and whether the complaint process is ongoing or completed:

1. Written notification to the complainant informing them why they have been identified as a habitual or vexatious complainant and setting out responsibilities for the parties involved if the Council is to continue processing the complaint.
2. Written notification to complainant that the Council has responded fully to the points raised and has tried to resolve the complaint but that there is nothing more to add and that continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a persistent or vexatious complainant and as such the Council does not intend to engage in further correspondence dealing with the complaint.
4. The complainant will be informed that the Council may seek legal advice on unreasonable or vexatious complaints.
5. In the case of an ongoing complaint. Written notification to complainant that the Council declines contact with the complainant, either in person, by telephone, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that only one named person will be nominated to maintain contact (and a named deputy in their absence). The complainant will be notified of these persons.
6. The Council will suspend all contact with the complainant about the issues relating to the complaint being considered habitual and/or vexatious, while seeking advice or guidance from a solicitor or other relevant agency.
7. The complainant will be notified of the contact details of the local Government ombudsman and invited to contact that office if they wish to take the matter further.

Withdrawing habitual or vexatious status once a complainant has been determined to be habitual and /or vexatious.

The complainant's status will be kept under review. There will be an opportunity, if they subsequently demonstrate a more reasonable approach or if they submit a further complaint for which the normal complaints procedure would appear appropriate, to have their status revoked and for normal channels of communication to be resumed.

APPENDIX B

RISK MANAGEMENT STRATEGY

1. Introduction

1.1 This document forms Market Rasen Town Council's Risk Management Strategy. It sets out:

- What risk management is.
- Why the Town Council needs a risk management strategy.
- The Town Council's philosophy on risk management.
- The risk management process.
- Roles and responsibilities.
- Future monitoring.

1.2 The objectives of this strategy are to:

- Further develop risk management and raise its profile across the Town Council.
- Integrate risk management into the culture of the organisation.
- Embed risk management through the ownership and management of risk

as part of all decision-making processes; and

- Manage risk in accordance with best practice.

2. What Risk Management is

2.1 *"Risk is the threat that an event or action will adversely affect an organisation's ability to achieve its objectives and to successfully execute its strategies. Risk management is the process by which risks are identified, evaluated, and controlled. It is a key element of the framework of governance together with community focus, structures and processes, standards of conduct and service delivery arrangements."* Audit Commission, *Worth the Risk: Improving Risk Management in Local Government*, (2001: 5)

2.2 Risk management is an essential feature of good governance. An organisation that manages risk well is more likely to achieve its objectives. It is vital to recognise that risk management is not simply about health and safety but applies to all aspects of the Town Council's work.

2.3 Risks can be classified into various types, but it is important to recognise that for all categories the direct financial losses may have less impact than the

indirect costs such as disruption of normal working. The examples below are not exhaustive:

Strategic Risk – Long-term adverse impacts from poor decision-making or poor implementation. Risks damage to the reputation of the Town Council, loss of public confidence, in a worst-case scenario Government intervention.

Compliance Risk – Failure to comply with legislation, laid down procedures or the lack of documentation to prove compliance. Risks exposure to

prosecution, judicial review, employment tribunals and the inability to enforce contracts.

Financial Risk – Fraud and corruption, waste, excess demand for services, bad debts. Risk of additional audit investigation, objection to accounts, reduced service delivery, dramatically increased Council Tax levels/impact on Town Council reserves.

Operating Risk – Failure to deliver services effectively, malfunctioning equipment, hazards to service users, the general public or staff, damage to

property. Risk of insurance claims, higher insurance premiums, lengthy recovery processes.

2.4 These risks can be broken down further into specific areas which could impact on the achievement of the Town Council's strategic objectives and day-to-day

delivery of services:

Political – Those associated with the failure to deliver local, regional, or national policy.

Financial – Those affecting the ability of the Town Council to meet its financial commitments; failure of major projects; internal and external audit

requirements: failure to prioritise and allocate resources effectively; poor contract management; initiative overload.

Social – Those relating to the effects of changes in demographic, residential, or socio-economic trends on the Town Council's ability to deliver its strategic

priorities.

Technological – Those associated with the capacity of the Town Council to deal with the pace/scale of technological change, or its ability to use

technology to address changing demands. This includes the consequences of internal failures on the Town Council's ability to deliver its objectives.

Environmental – Those relating to the environmental consequences of progressing the Town Council's objectives in terms of energy-efficiency, pollution, recycling, emissions etc.

Partnership/Contractual – Those associated with the failure of partners/contractors to deliver services to an agreed cost and specification and similarly failure of the Town Council to deliver services to an agreed cost and specification; compliance with procurement policies (internal/external); ensuring open and fair competition.

Human Resources – Those associated with the professional competence of staff; training and development; over-reliance on key personnel; ineffective project management; recruitment and selection issues.

Organisational – Those associated with the review of services and delivering continuous improvement.

Health & Safety/Physical – Those related to fire, safety, accident prevention and health & safety which pose a risk to both staff and the public safeguarding and accounting of physical assets.

Reputational – Those associated with the changing needs of customers and the electorate; ensuring appropriate consultation; avoiding poor public and media relations.

Not all of these risks are insurable and for some the premiums may not be cost effective. Even where insurance is available, a monetary consideration

might not be an adequate recompense. The emphasis should always be on eliminating or reducing risk before costly steps to transfer risk to another party

are considered.

2.5 Risk is not restricted to potential threats but can be connected with missed opportunities. Good risk management can facilitate proactive, rather than

merely defensive responses. Measures to manage adverse risks are likely to help with managing positive ones.

3. Why the Town Council needs a Risk Management Strategy

3.1 Risk management will strengthen the ability of the Town Council to achieve its objectives and enhance the value of services provided.

3.2 The Risk Management Strategy will help to ensure that all Committees and service areas have an understanding of risk and that the Town Council adopts

a uniform approach to identifying and prioritising risks. This should in turn lead to conscious choices as to the most appropriate method of dealing with each

risk, be it elimination, reduction, transfer, or acceptance.

3.3 Strategic risk management is an important element in demonstrating continuous service improvement.

3.4 There is a requirement under the Accounts and Audit Regulations 2015 to establish and maintain a systematic strategy, framework, and process for managing risk.

4. Risk Management Policy Statement

Market Rasen Town Council recognises that it has a responsibility to manage risks effectively in order to protect its employees, assets, liabilities and

community against potential losses, to minimise uncertainty in achieving its aims and objectives and to maximise the opportunities to achieve its vision.

The Town Council is aware that some risks can never be eliminated fully and it has in place a strategy that provides a structured, systematic and focussed

approach to managing risk. Risk management is an integral part of the Town Council's management processes.

5. Implementing the Strategy

5.1 Risk Control

Risk control is the process of taking action to minimise the likelihood of the risk event occurring and/or reducing the severity of the consequences should

it occur. Typically, risk control requires the identification and implementation of revised operating procedures, but in exceptional cases more drastic action

may be required to reduce the risk to an acceptable level.

Options for control include:

Elimination – The circumstances from which the risk arises are removed so that the risk no longer exists.

Reduction – Loss control measures are implemented to reduce the impact/likelihood of the risk occurring.

Transfer – The financial impact is passed to others e.g. by revising contractual terms.

Sharing – The risk is shared with another party.

Insuring – Insure against some or all of the risk to mitigate financial impact.

and

Acceptance – Documenting a conscious decision after assessment of areas where the Town Council accepts or tolerates risk.

5.2 Risk Register

The Strategic Risk Register will be regularly refined and updated as part of this Risk Management Strategy. The Town Council also records Health and Safety Risk Assessments.

5.3 Risk Monitoring

The risk management process does not finish with putting risk control procedures in place. Their effectiveness in controlling risk must be monitored and reviewed. It is also important to assess whether the nature of any risk has changed over time. The Risk Management Plan will be reviewed at least annually by the Clerk and then by Full Council.

The information generated from applying the risk management process will help to ensure that risks can be avoided or minimised in the future. It will also inform judgements on the nature and extent of insurance cover and the balance to be reached between self-insurance and external protection.

5.4 Risk Management System

Risk Identification – Identifying and understanding the hazards and risks facing the Town Council is crucial if informed decisions are to be made about policies or service delivery methods. The risks associated with these decisions can then be effectively managed.

Risk Analysis – Once risks have been identified they need to be systematically and accurately assessed using proven techniques. Analysis should make full use of any available data on the potential frequency of events and their consequences. If a risk is seen to be unacceptable, then steps need to be taken to control or respond to the risk. **Risk Prioritisation** - An assessment should be undertaken of the impact and likelihood of risks occurring, with impact and likelihood being scored

		Impact			
		Negligible (1)	Low (2)	Medium (3)	High (4)
Likelihood	High (4)	4	8	12	16
	Medium (3)	3	6	9	12
	Low (2)	2	4	6	8
	Negligible (1)	1	2	3	4

The scores for impact and likelihood are scored as above. Risks scoring 12 and above will be subject to detailed consideration and preparation of a contingency/action plan to appropriately control the risk.

6. Roles and Responsibilities

6.1 It is important that risk management becomes embedded into the everyday culture and performance management process of the Town Council. The roles

and responsibilities set out below, are designed to ensure that risk is managed effectively right across the Council and its operations, and responsibility for risk is located in the right place. The process must be driven from the top but must also involve staff throughout the organisation.

6.2 Councillors – Risk management is seen as a key part of Councillors 'stewardship role and there is an expectation that Councillors will lead and monitor the approach adopted, including:

- i) Approval of the Risk Management Strategy.

ii) Analysis of key risks in reports on major projects, ensuring that all future projects and services undertaken are adequately risk managed.

iii) Consideration, and if appropriate, endorsement of the Annual Governance Statement; and

iv) Assessment of risks whilst setting the budget, including any bids for resources to tackle specific issues.

6.3 Employees – will undertake their job within risk management guidelines ensuring that their skills, experience, and knowledge are used effectively. All employees will maintain an awareness of the impact and costs of risks and how to feed information into the formal process. They will work to control risks or threats within their roles, monitor progress and report on task related risks to their line manager or the Clerk.

6.4 Clerk – will act as the lead officer on risk management and be responsible for overseeing the implementation of the Risk Management Strategy. The Clerk will:

i) Provide advice as to the legality of policy and service delivery options.

ii) Provide advice on the implications for service areas of the Town Council's strategic aims and objectives.

iii) Update the Town Council on the implications of new or revised legislation.

iv) Assist in handling any litigation claims.

v) In consultation with the Town Council's external advisors as necessary, provide advice on any human resource issues relating to strategic

policy options or the risks associated with operational decisions and assist in handling cases of work-related illness or injury;

vi) In consultation with the Town Council's external advisors as necessary, advise on any health and safety implications of the chosen or proposed

arrangements for service delivery.

vii) Assess and implement the Town Council's insurance requirements.

viii) Assess the financial implications of strategic policy options.

ix) Provide advice on budgetary planning and control.

x) Ensure that the financial information systems and processes allow effective budgetary control.

xi) Ensure the Town Council's Risk Register is maintained;

xii) Effectively manage any Town Council's investments or loans.

6.5 Role of Internal Audit – Internal Audit provides an important scrutiny role by carrying out audits to provide independent assurance to the Town Council that the

necessary risk management systems are in place and all significant business risks are being managed effectively.

Internal Audit assists the Town Council in identifying both its financial and operational risks and seeks to assist the Town Council in developing and implementing proper arrangements to manage them, including adequate and effective systems of internal control to reduce or eliminate the likelihood of errors or fraud.

Internal Audit reports, and any recommendations contained within, will help to shape the Annual Governance Statement.

6.6 Training – The aim will be to ensure that both Staff and Councillors have the skills necessary to identify, evaluate and control the risks associated with the services they provide.

6.7 In addition to the roles and responsibilities set out above, the Town Council is keen to promote an environment within which individuals and groups are

encouraged to report adverse incidents promptly and openly.

7. Future Monitoring

7.1 Review of Risk Management Strategy – This Strategy will be reviewed annually by Full Council.

The adoption of a sound risk management approach should achieve many benefits for the Town Council. It will assist in demonstrating that the Town Council is committed to continuous service improvement and effective

corporate governance.

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Adopted Date.....

Last Reviewed.....

Next Review.....

[Draft amended risk register \(click to view\)](#)

The register is largely based on the SLCC model, and I acknowledge the SLCC copyright of the document. It has been adapted to suit MRTC

APPENDIX C

Finance (5)	Planning (6)	HR (5)	Properties (7)
Bunney	Turner (Vice)	Turner (Vice)	Pilley (Chair)
Taylor (Vice)	Easters	Pilley (Chair)	Turner
Lakin-Whitworth	Bridger	Lakin-Whitworth	Smith (Vice TB)
Hassan (Chair)	Lakin-Whitworth (Chair)	Taylor	Hassan
Gray	Bunney	Dale	Bunney
	Dale		VACANCY*
			Dale

*Councillor Gray was invited to attend the next meeting with a view to being appointed as a member should he so wish.