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**MINUTES of the Full Council Meeting held on Wednesday 13th April 2022 at 7pm
in the Main Hall of the Festival Hall, Caistor Road, Market Rasen.**

Present:

Councillor S. Bunney (Chairman/LCC/WLDC), Councillor M. Lakin - Whitworth (Vice-Chairman), Councillor K. Bridger, Councillor F. Easters, Councillor M. Hassan, Councillor J. Pilley, Councillor J. Smith, Councillor C. Turner, Councillor N. Taylor

In Attendance:

Lucy Waller – Town Clerk & R.F.O
A representative of the Rasen Mail

The meeting opened at 19:00

1. Opening remarks.

The Chairman welcomed all present to the meeting highlighting that the meeting was the last of the municipal year and the May meeting would be the Annual Council Meeting.

2. To NOTE apologies for absence and to RESOLVE to approve the reasons for absence.

Members noted Councillor A. Dale was unable to attend.
Apologies were noted from Councillor J McNeill of West Lindsey District Council.

3. Public Participation (max 20 minutes)

None

4. To receive any declarations of interest in accordance with the requirements of the localism Act 2011 and to consider any applications for dispensations in relation to Disclosable Pecuniary Interests. 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.

Agenda item 10 item - Councillors Bunney and Taylor declared a pecuniary interest in regard to payment TP88 & TP87 respectively and Councillor Lakin-Whitworth declared pecuniary interest in payment UTB 119. Councillor Lakin-Whitworth abstained from the vote on this item.

5. To RESOLVE to approve the draft minutes of the last meeting, held on March 9th, 2022

It was RESOLVED to approve the draft minutes of the last meeting, held on, held on March 9th, 2022, as a correct record.

6. To note any update on Action Points.

Members noted the report, and it was requested that an outstanding item relating to allotments be removed, as this was now being pursued by a community environment group.

7. **Committees**

- **To NOTE the draft minutes of the Properties Committee on the 22nd March 2022.**

Members noted the draft minutes of the Properties Committee on the 22nd March 2022. It was highlighted that work had begun on an overarching and prioritised maintenance plan.

8. **To receive the report of the District & County Councillor.**

Councillor Bunney having spoken at the Annual town Meeting had no further report to deliver.

9. **To NOTE the Officer's reports including the finance report.**

Members noted the officer's reports including the finance report. It was highlighted that training would be arranged for either the 9th or 22nd June dependant on trainer availability and that the Clerk & community Manager would be requested to attend.

The Community Manager was requested to continue to pursue the warranty for the Festival Hall Roof repairs, to ensure that Legionella checks included the requisite running of all taps weekly to clear pipes and to arrange for the repair of the hook to hold back the Festival Hall door.

Action Point – Clerk to arrange training date. Community Manager to action maintenance requests.

10. **Accounts for payment:**

- **To RESOLVE to approve the accounts for payment.**

Members RESOLVED to approve the following accounts for payment and where appropriate payment by electronic transfer:
(Councillor Lakin-Whitworth abstained from the vote on this item.)

Market Rasen Town Council Accounts for payment April 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		£57.38		£57.38
DD	WLDC	Non Domestic rates FH	£548.00			£548.00
DD	WLDC	Non Domestic rates Office		£274.30		£274.30
DD	WLDC	Non Domestic rates OPS		£163.75		£163.75
DD	Total	Electricity OPS 01/02 - 28/02		£20.93	£1.05	£21.98
DD	Total	Electricity FH 01/02 - 28/02	£171.18		£34.20	£205.38
DD	Total	Electricity MP 04/02 - 03/03		£10.09	£0.51	£10.60
DD	Total Connect	Electricity Office 01/02 - 02/03		£175.02	£35.00	£210.02
DD	Now Pensions	Employer service Charge		£12.50	£2.50	£15.00
DD	Now Pensions	Employer / Employee contributions		£498.34		£498.34
DD	Crown Gas and Power	Gas FH 31/01/ - 28/02	£417.29		£83.46	£500.75
DD	Crown Gas and Power	Gas OPS 31/02 - 28/02		£236.81	£47.36	£284.17
DD	Crown Gas and Power	Gas FH 28/02-21/.03	£260.84		£43.47	£304.31
DD	Crown Gas and Power	Gas OPS 28/02-01/04		£170.40	£8.52	£178.92
DD	Wave	Water FH 05/12-04/03	£147.55			£147.55
DD	BT	Telephone/ Broadband		£49.20	£9.84	£59.04
Sub totals			£1,607.69	£1,668.72	£265.91	£3,542.32

Payments for Authorisation by Full Council (Authorised for electronic payment where required)						
UTB 90	Town Band	sponsorship 2022 / 2023		£500.00		£500.00
UTB 91	WLDC	Contribution to CCTV 01/04/21-31/03/2022		£6,000.00		£6,000.00
UTB 92	Lincs Heating Ltd	Call out fee FH boiler	£60.00		£12.00	£72.00
UTB 93	Lincoln & Lindsey Blind Society	S137 Grant (21/22)		£150.00		£150.00
UTB 94-95	Payroll x 6	6x salaries Feb 2022		£7,028.59		£7,028.59
UTB 100	HMRC	PAYE/Ni etc		£2,064.06		£2,064.06
UTB 101	Lincoln Web Design	Mailboxes, laptop leases x 3, various set ups		£596.00		£596.00
UTB 102	LALC	Internal auditor fees		£256.50	£51.30	£307.80
UTB 103	Amazon (Various)	Dish washer detergent, bins, sign, first aid refills,		£89.26	£17.85	£107.11
UTB 104	LALC	Training Scheme 22/23		£150.00	£30.00	£180.00
UTB 105	Pestcotek	Mole inspections March		£100.00	£20.00	£120.00
UTB 106	Microshade VSM	Citrix hosting 1 month		£85.50	£14.10	£102.60
UTB 107	Konica Minolta	printer lease 03/036 -02/06		£143.64	£28.73	£172.37
UTB 108	Konica Minolta	printer usage 03/12 - 02/03		£70.00	£14.00	£84.00

UTB 109	Push creativity	Work for the Wolds Women of Influence project (from EMR)		£1,806.10	£361.22	£2,167.32
UTB 110	Buildbase	decorating materials		£48.33	£9.67	£58.00
UTB 111	avica	Various cleaning products (3 invoices) £94.08 & £26.78 & £20.59	£117.88		£23.57	£141.45
UTB 112	Citizens advice Lindsey	Grant (agreed Feb 2021)		£150.00		£150.00
UTB 113	Push Creativity	Additional GDPR work to Heritage Trail / WWOI website		£300.00	£60.00	£360.00
UTB 114	Buildbase	Maintenance items (Lock / Oil)	£17.55	£3.92	£4.29	£25.76
UTB 115	Bridgewater glass	Polycarbonate for repairs Defib Kiosk		£75.55	£15.11	£90.66
UTB 116	Buildbase	Maintenance Items post mix / drain unblocker		£11.20	£2.24	£13.44
UTB 117	Equip	Cable ties		£31.00	£6.20	£37.20
UTB 118	Equip	Lamps		£11.96	£2.39	£14.35
UTB 119	M. Lakin Whitworth	Flowers War Memorial		£22.80		£22.80
UTB 120	Sparkle	Office cleaning March		£100.00		£100.00
UTB 121	Stance Security	Market Place Closure 25/03		£116.00	£23.20	£139.20
UTB 122	A J Williams	Grass Cutting contract 15/3 & 29/3		£502.00	£100.40	£602.40
UTB 123	EE	Mobile phones (direct debit set up too late)		£149.39	£29.88	£179.27
UTB 124	Buildbase	Paint/ drain rods		£88.54	£17.71	£106.25
UTB125-126	Festival Hall refunds	1x £50 , 1x£100	£150.00			£150.00
UTB 127	Amberol	6 self watering hanging baskets & carriage charge		£248.66	£49.73	£298.39
UTB 128	Rasen Appliance	Bag and filter for hoover		£14.96	£2.99	£17.95
UTB 129	Lincs Heating Ltd	Repair works FH boiler	£1,450.00		£290.00	£1,740.00
Sub totals			£1,795.43	£20,913.96	£1,186.58	£23,898.97
	Payment Totals		£3,403.12	£22,582.68	£1,452.49	£27,441.29

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 £
TP85	MRTC	Contribution to GDPR work to Heritage Trail / WWOI website	300.00
TP86	MRTC	Contribution to hanging baskets	248.66
TP87	N Taylor	refund expenses	39.96
TP88	S Bunney	refund expenses	1,307.48
TP89	zest	Leaflet printing	229.00
Total Expenditure			£2,125.10
Total Transferred to refund MRTC			£2,125.10

It was also RESOLVED to authorise the use of the council charge card for a payment of £ 540.38 on behalf of the Town Partnership.

11. **To RESOLVE to approve expenditure for the installation of solar powered vehicle activated speed signs near DeAston School as per the transport restriction order paper approved at the last meeting.**

It was RESOLVED to purchase two solar powered speed signs at £3500 each. The purchase to be funded by year end surplus with the remainder to be taken from general reserves.

Action Point – Clerk to arrange purchase and installation.

12. **To RESOLVE to accept the circulated plan for the management of the Market Place.**

Members noted the circulated notes, following discussion, it was RESOLVED:

- To allow trading on the Market Place, subject to permission, on any day other than Christmas day.
- To allow a local business the use of a small area of the Market place adjacent to the business for outdoor dining, on a trial basis in return for maintenance of the area used.
- To replace signage with appropriate updated signage.
- To mark out parking bays using studs.
- To have restrictions on the permitted length of time for parking, the specific restriction to be agreed although 1 hour was suggested.
- To approach a private company to discuss enforcement of restrictions.
- To install (subject to relevant permissions) clear signage to other car parks within the town at appropriate locations.
- To include within the Caretaker's job description / expected continuous duty, regular and reactive maintenance checking, litter picking, sweeping of bird faeces and emptying of any full bins. It was noted that West Lindsey District Council will empty the bins regularly also.

13. **Proposed by Councillor F. Easters that the Council consider video recording future public meetings to be posted on the council website and social media where the meeting is not confidential.**

It was RESOLVED in principle to record meetings and place them on YouTube and links on the council website, subject to approval of the method to be used and the alteration of standing orders to allow for the recordings to be retained.

Action Point – Clerk to produce method statement for approval.

14. **To RESOLVE any response to the consultation on the Central Lincolnshire Local Plan.**

It was noted that members could submit individual responses should they wish and that if any members of the Planning Committee wished to formulate a Council response to discuss this with the chairman of the Planning Committee.

15. **To NOTE any update on events for 2022.**

Members noted that prior to the Annual Council Meeting on the 11th May (at 18:45) there would be opportunity for a council photograph.

It was noted that it was likely that the Remembrance Day Parade may be subject to enhanced safety measures and security changes due to changes to national and local policies, the Community Manager was requested to seek information regarding any changes required and report to council.

Action Point – Community Manager to seek information and report to council.

16. Any items for the next agenda.

Management plan of DeAston Field

17. Risk Management.

It was highlighted that disappointingly, despite previous requests the no dogs signs in Mill Road Playing Field had not been repaired or replaced. It was further noted that safety signage was required for the newly installed outside fitness equipment. It was RESOLVED to ask the Community Manager and relevant maintenance staff to address the above risks as a matter of priority

18. To RESOLVE that under the public bodies (admission to meetings) act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

The above RESOLUTION was passed.

The public and press left the meeting at this stage.

19. Staffing update

Members noted a confidential staffing update.

Members noted that a member of staff was subject to the second stage of performance improvement measures in line with the Councils agreed HR policies and procedures. It was noted that due to an upcoming period of staff absence the Assistant Clerk would increase her hours to two full days a week. However, it was highlighted that this would still result in a significant reduction in officer availability and capacity, therefore workload would have to be prioritised and there may be some delays actioning requests. The Council thanked the Assistant Clerk

The council also noted thanks to the Maintenance Operative and Councillor N Taylor for their hard work installing gates in the Market Place.

The meeting closed at 20:22

Action Log

Action Point	Owner	Notes	Status
Full Council 13th October 2021			
<i>Environmental group once formed to consider dog fouling solutions.</i>	<i>Environmental group</i>	Environment Committee/ Working group to consider.	Outstanding
Full Council 9th February 2022			
<i>OPS- arrange maintenance & legal works required.</i>	<i>Community manager</i>		<i>Completed – tenants now moved in.</i>
Full Council 9th March			
<i>Sign up to the pesticide free pledge</i>	<i>Clerk</i>	The pledge needs a councillor to sign up on behalf of the Town Council – Volunteer required	In Progress
Full council 13th April			
<i>Clerk to arrange training date.</i>	<i>Clerk</i>		<i>Completed see Clerks report</i>
<i>Community Manager to pursue the warranty for the Festival Hall Roof repairs, to ensure that Legionella checks included the requisite running of all taps weekly to clear pipes and to arrange for the repair of the hook to hold back the Festival Hall door.</i>	<i>C.M</i>	See Community Manager Report for update.	<i>In progress/ completed</i>
<i>Clerk to arrange purchase and installation of 2x solar powered speed signs</i>	<i>Clerk</i>		<i>In progress</i>
<i>Clerk to produce method statement regarding recording of meetings for approval.</i>	<i>Clerk</i>		<i>Outstanding – delayed due to illness</i>
<i>No dogs signs in Mill Road Playing Field to be repaired or replaced</i>	<i>C.M</i>	See C.M report	<i>In progress</i>
<i>safety signage to be placed for the newly installed outside fitness equipment at Mill Road</i>	<i>C.M</i>	Signage ordered	<i>In progress</i>



Members' and Co-opted Members Code of Conduct

Adopted by Council – 1 November 2021

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Joint statement

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

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations. Importantly, we should be able to undertake our role as a

1 councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance.

West Lindsey District Council resolved on 1 November 2021 to adopt the LGAs model Code in its entirety.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of their Model Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation.

West Lindsey District Council will consider any the recommendations from any such reviews and adopt any changes it considers appropriate through its governance processes.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

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

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

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

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

12 General principles of councillor conduct

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

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

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

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

In undertaking my role:

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

Application of the Code of Conduct

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

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

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

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

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

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

13

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

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

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

General Conduct

1. Respect

As a councillor:

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

Respect means politeness and courtesy in behaviour, speech, and in the written word.

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

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

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

2. Bullying, harassment and discrimination

As a councillor:

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

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

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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

3. Impartiality of officers of the council

As a councillor:

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

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

4. Confidentiality and access to information

As a councillor:

- **I do not disclose information:**
 - a. **given to me in confidence by anyone**
 - b. **acquired by me which I believe, or ought reasonably to be aware, is of confidential nature, unless**
 - i. **I have received the consent of a person authorised to give it;**
 - ii. **I am required by law to do so;**
 - iii. **the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. **the disclosure is:**
 - 1. **reasonable and in the public interest; and**
 - 2. **made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. **I have consulted the Monitoring Officer prior to its release.**
- **I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

15 **I do not prevent anyone from getting information that they are entitled to by law.**

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

5. Disrepute

As a councillor:

- **I do not bring my role or local authority into disrepute.**

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

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

6. Use of position

As a councillor:

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

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

7. Use of local authority resources and facilities

As a councillor:

- **I do not misuse council resources**
- **I will, when using the resources of the local authority or authorising their use by others:**
 - a. act in accordance with the local authority's requirements; and**
 - b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

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

Examples include:

- 16:
- office support
 - stationery
 - equipment such as phones, and computers
 - transport
 - access and use of local authority buildings and rooms.

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

8. Complying with the Code of Conduct

As a Councillor:

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

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

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

- **I register and disclose my interests**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

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

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

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

10. Gifts and hospitality

As a councillor:

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

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

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

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

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty

Holders of public office should be truthful.

Leadership

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

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Appendix B Registering interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the

matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which affects -

- 8.1. your own financial interest or well-being;
- 8.2. a financial interest or well-being of a relative or close associate; or a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

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

9. Where a matter (referred to in paragraph 8 above) affects the financial interest or well-being

- 9.1. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- 9.2. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

21 Table 1: Disclosable Pecuniary Interests

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council - (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge) - (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where - (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either - (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

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

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

Table 2: Other Registrable Interests

You must register as an Other Registerable Interest

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - a. exercising functions of a public nature
 - b. directed to charitable purposes or
 - c. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which you are a member or in a position of general control or management

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Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

24 **Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Policies for Review at Annual Council

Author : L Waller Clerk/RFO

All policies can be viewed electronically on the MRTC Website @ <https://market-rasen.parish.lincolnshire.gov.uk/council-business/policies-procedures/1>

Or copies can be requested from the Clerk.

Policy	Reviewed / Last reviewed	Changes needed?
Standing Orders	Clerk Reviewed -against current Model. Last reviewed by Council 2021	Yes to allow for retention of meeting recordings.
Financial Regulations	Clerk Reviewed -against current Model. Last reviewed by Council 2021	Detailed on report below
Complaints	Last reviewed by Council 2021	Detailed on report below: Outside of Parish? Vexatious complainers?
Communications (Press /media)	Clerk reviewed – no changes to legislation. Last reviewed by Council 2021	No
Retention policy	Last reviewed by Council 2021	No
Freedom of information & Data Protection policies:		
Freedom of Information Data Breach Data Protection Privacy Notices Subject access procedure	Last reviewed by Council 2021- Clerk reviewed – no changes to legislation.	No
Employment:		
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	All reviewed / introduced using the newly introduced models in FEB 2020 following HR Committee reviews – No changes to legislation since. Last reviewed by Council 2021	No changes required.
Safeguarding policy	Last reviewed by Council 2021- Clerk reviewed – no changes to legislation.	No
RISK MANAGEMENT	Last reviewed and altered by Council 2021	Detailed on report below: Changes to JPAG recommended practice / Cilca identified need for strategy statement.

Legionella Policy (Draft)	New draft policy	To be considered for adoption (Appendix C)
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NOTES ON RECCOMENDED CHANGES

Standing Orders

~~12 E)~~

~~Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.~~
To be removed

Financial Regs suggested update (additions in red)

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 ~~£500.~~ **£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.** ~~shall be submitted to the next appropriate meeting of council or finance committee.~~

(This is as per the previous resolution of the Finance Committee approved by Full council in order to maintain the majority of funds in the interest paying savings account , moving funds over to the Current account to cover costs and maintain a balance of approx. £30,000)

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 **via email response by** ~~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 ~~provide an email response 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.

Complaints

The council may wish to add to the existing policy that it will only consider complaints from residents of the parish of Market Rasen or non-resident service users when the complaint relates to the chargeable council provided service. In order to satisfy Cilca requirements the Clerk drafted the below Vexatious complainant policy (**appendix A**) it is recommended that this is adopted and referenced in the main complaints policy.

Risk Management

Due to changes to JPAG guidance on risk management changes 2021 the previous risk assessment is not considered adequate as it does not numerically grade risk. MRTC also do not have an adequate written risk management strategy. In order satisfy Cilca requirements the Clerk drafted the below Risk Management strategy in line with best practice and the attached Risk Management table (**Appendix B**). It is recommended that MRTC adopt these.

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

DRAFT 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

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

N o	Item	Hazard	Those in Danger	Impa ct 1- 4	Likeliho od 1-4	Ris k Rat e	Measures / comments	Res ult
1	Recreational Areas Mill Road Bell Park & De Aston Field	Play Equipment Vandalism Cost of Replacement	Injury to people using Play Equipment	3	3	9	Twice Weekly in depth recorded inspection of Play area/equip ment by	A

							Staff. Additional weekly visual checks. Annual inspection carried out by ROSPA Dated Insurance including Public Liability.	
2	Trees on Council land	Falling Branches/ Debris	Injury to Pedestrians , pets and vehicles	3	3	9	Visual inspection of trees by staff. Regular tree inspection by suitably qualified professional Dated Insurance including Public Liability	A
3	Gates and Fencing on Council land	Vandalism Repair costs Cost of Replacement	Pedestrians	2	1	3	Repair cost Dated insurance including Public Liability	T
4	Street Furniture owned / maintained by the Council	Vandalism Impact Damage Cost of Replacement	Pedestrians	2	4	8	Dated insurance, including Public Liability Make contingency provision in Council Reserves	T

5	Festival hall	Cost of repairs Potential danger to service users	Service users	3	3	9	Dated insurance, including Public Liability Adequate Checking and reporting systems in place Fully separately risk assessed, and copies of service user required documents held.	A
6	Market place	Cost of repairs Potential danger to service users	Service users	3	3	9	Dated insurance, including Public Liability Adequate Checking and reporting systems in place Fully separately risk assessed, and copies of service user required documents held.	A
7	War Memorial	Cost of repairs Cost of replacement Damage to Memorial Vandalism	Loss of Heritage	1	4	4	Dated insurance, including Public Liability Make contingency	T

							provision in Council Reserves	
8	Office I.T Equipment	Cost of replacement Repair cost Accidental Damage	Staff Councillors Parishioners	3	4	12	Dated Insurance Including Public Liability Leased equipment eliminates most risk.	A
9	Failure to attract sufficient candidates for Member vacancies or elections	Reduced representation of neighbourhoods. Lack of resource Possible meeting inquorate	Members	1	3	4	Actively publicise Council activities seek candidates amongst friends and colleagues publicise elections & vacancies on notice boards publicise elections & vacancies in Parish Newsletter and website publicise elections & vacancies in local newspapers	A
10	Failure to achieve quorum at meetings	Business not transacted Decisions not made	Members Clerk	2	1	3	issue annual meeting calendar to all members issue meeting agendas promptly record attendance contact members	T

							who fail to attend meetings	
1 1	Lack of public consultation by Council	Decisions not based on evidence People disenfranchised	Members	2	3	4	ensure meetings publicised on notice boards use Annual Parish Meeting place articles in local newspaper include public participation on all agendas ensure seating available at meeting for public provide advice for members of the public attending publish agendas and minutes on website	T
1 2	Failure to respond to electors wishing to exercise right of inspection	Complaints received Not transparent Non compliance	Clerk	1	2	2	Clerk to advertise facility, and respond to requests	A
1 3	Members acting alone outside meetings	Members outside compliance Indemnities invalid Personal risk	Members	3	2	6	'Good Councillor Guide' available to all councillors Councillors to avoid making commitments on behalf	A

							of the council Councillors encouraged to attend relevant training courses	
1 4	Council decisions not implemented	Confidence undermined Reputation risk arises Possible losses	Clerk / staff	1	1	2	Action log maintained and noted each month	A
1 5	Inaccurate, untimely, improper minutes	Poor decisions in future Poor evidence for decisions	Clerk	2	2	4	Clerk to check minutes with Chairman not more than 7 days after meeting. Minutes circulated to all members with next agenda	A
1 6	Inadequate document control	Poor evidence Poor support to Members	Clerk	2	2	4	Established electronic filing and retrieval system Clerk to enforce document version control	A
1 7	Failure to recognise and address conflict of interest	Lack of transparency Open to complaints of fairness or bias	Members Clerk	1	2	3	Members to review adopted code of conduct	A
1 8	Incomplete/inaccurate register of Members' interests	Lack of transparency Open to complaints of fairness or bias	Members	1	2	3	Members to comply with legislation / code of conduct	A

19	Failure to complete/submit Annual Return on time	Poor Auditors report Public confidence suffers	Clerk	1	1	2	Clerk to comply with required dates.	A
20	Improper contracting procedures	Possible losses Poor levels of service Possible increased costs	Clerk/staff	1	3	4	Model adopted, separate financial regs Clerk adequately trained	A
21	Loss of data	Interruption to effective administration Possible financial loss	Clerk/ Staff	3	1	4	Cloud based storage used.	A
22	Loss of services of key staff	Interruption to effective administration	Members Clerk	3	3	9	Multiple staff trained to undertake wide range of financial and administrative tasks. Locum Panel of experienced Parish and Town Clerks provided by the Society of Local Council Clerks able to assist in an emergency	A
23	Lack of professional advice	Poor decisions Costs and waste Possible noncompliance	Clerk Members	2	2	4	Maintain membership of LALC (which includes NALC) and SLCC	A

2 4	Lack of defined objectives or strategy	Resources not directed Poor performance Risks not base lined	Members	2	2	4	Council to produce an agreed 3-year strategy. Attend training sessions if practicable.	A
2 5	Failure to correctly identify local needs or wishes	Council does not represent the people Resources not applied Democratic deficit	Members	2	2	4	maintain close contact with local residents advertise meetings to obtain residents' feedback use questionnaires to identify local wishes publicise plans and invite comments use events to seek views and feedback	A
2 6	Financial	Misappropriation of Council Funds Financial loss	Public Services	2	1	3	All Banking Arrangements and changes to banking services approved by the council and recorded in the minutes. Internet Banking two Councillors to authorise online. Quarterly	A

							reconciliation of Accounts viewed as part of internal control checks by a member of the finance committee. Quarterly scrutiny of all Financial Records by finance committee & twice a year by internal auditor. External Auditor to advise Clerk of the Council. All changes in banking instructions, mandates etc. to be in writing and copies saved. Keep cash payments to a minimum and avoid if possible.	
27	Income Ensuring that all requirements are met under custom & excise regulations	Unable to fulfil responsibilities	Public Service	2	1	3	Ensure Council understands and complies with current VAT legislation	A

28	Orders for Work, goods and services Monitoring of performances against agreed standards under partnership agreements	Unable to fulfil responsibilities	Public Service	2	2	4	Reviewed at internal audit Purchase order system used	A
29	Lack of public participation at meetings	Public voice not heard Potential lack of interest in vacancies Lack of transparency	Members	1	2	3	Ensure meetings publicised on notice board include public participation on relevant agendas ensure seating available at meeting for public provide advice for members of the public attending publish agendas and minutes on website	A
30	Allegations of libel or slander	Potential for litigation Costs of investigation Reduces confidence	Members	2	3	6	Clerk / chairman to intervene at meetings. Clerk to review all press releases before release Adequate Insurance Cover	A
31	Bad publicity	Reduces confidence	Members Clerk	2	2	4	Clerk to review all press releases or	A

							newsletter articles before release manage press relations	
3 2	Accidental damage to fixed assets	Costs of repair Loss of service until repaired	Clerk Members Service users	1	3	4	Maintain insurance Inspection regime established for all service areas / assets	A
3 3	Vandalism to fixed assets	Costs of repair Loss of service until repaired	Clerk Members Service users	1	3	4	Maintain inspection regimes Maintain insurance Liaison with Police	A
3 4	Loss to third parties	Possible litigation Costs/damages	Clerk	3	3	9	Review health & safety ensure adequate insurance check contractors' insurance	A
3 5	Inadequate insurance	Balance of costs to be found	Clerk Public service	3	1	4	Council to review annually or if circumstances change	A
3 6	Failure to calculate/submit precept on time	Inadequate resources to meet commitments Costs of re-billing	Clerk Public service Members	4	1	4	Clerk to respond to WLDC notices set process via committees and Full Council for Members to consider and approve.	A

3 7	Inadequate annual precept and unsound budget	Inadequate resources to meet commitments	Public service Members	4	1	4	Clerk and Members to build sound budget, using risk register and known commitments. Members to consider Reserves Policy built into Financial Regulations Start consideration of need at least 4 months prior to submission date.	A
3 8	Failure to account for and recover VAT	Wasted resources	Clerk	2	1	3	Clerk to review Internal auditor to check	A
3 9	Failure to stay within agreed budgets	Inadequate control Potential wasted resources	Members Clerk	2	1	3	Finance Committee/ Clerk review quarterly and recommend any action to Council. Internal auditor to check Reserves to mitigate short-term impact of loss.	
4 0	Holding excessive or inadequate reserves	Auditors report Poor use of resources Inability to	Members	2	1	3	Clerk to review as part of budgeting	A

		meet commitment s					General Reserves set to JPAG guidance Council to review size of Reserves	
4 1	Fraud by Clerk/staff	Reputation Costs, Litigation	Clerk / staff	2	1	3	Adequate internal audit Regular reporting to members Control systems for managing expenditure	A
4 2	Fraud by Members	Reputation Costs, Litigation	Clerk/Mem bers	2	1	3	Adequate internal audit Regular reporting to members Control systems for managing expenditure	A
4 3	Inadequate awareness of relevant legislation	Failure to comply	Members Clerk	2	2	4	Maintain membershi p of LALC/NALC Clerk to train/qualify	A
4 4	Failure to comply with relevant legislation	Litigation Costs Reputation damage	Members Clerk	2	2	4	Maintain membershi p of LALC/NALC Clerk to maintain training Liaise with internal and external auditors Ensure that all Councillors have copies of Standing Orders.	A

							<p>Highlight essential parts and provide training where possible.</p> <p>Ensure that Standing Orders are produced, understood by councillors, and reviewed at least once per year.</p> <p>Regular reference to appropriate regulations in agenda items.</p>	
4 5	Failure to maintain fixed assets register	Improper control Poor auditor's report	Clerk	2	1	2	Council to review Internal audit to review	A
4 6	Improper financial records	Potential for wasted resources	Clerk	1	2	2	<p>Internal audit to review</p> <p>Ensure all councillors are familiar with current financial regulations and include them in the council's Standing Orders.</p> <p>RFO to ensure that books of account are</p>	A

							formatted in such a way that internal controls are included and activated	
4 7	HMRC requirements not met	Costs Litigation	Clerk	1	1	1	External payroll advisors and Clerk to liaise as necessary	A
4 8	Failure to comply with deadlines for accounts and returns	Poor auditor's report Reduction in confidence	Clerk	1	2	2	Clerk to liaise with internal and external audit	
4 9	Non-compliance with data protection	Litigation Poor reputation	Clerk	2	2	4	Clerk to monitor	A

		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

Risks scoring 12 and above will be subject to detailed consideration and preparation of a contingency/action plan to appropriately control the risk.

Results Key – T = TRIVIAL RISK A = ADEQUATELY CONTROLLED RISK N = NOT ADEQUATELY CONTROLLED U = UNABLE TO DECIDE (MORE INFORMATION REQUIRED)

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Adopted Date.....

Last Reviewed.....

Next Review.....

APPENDIX C

DRAFT LEGIONELLA CONTROL POLICY

What is Legionella?

Legionella is the waterborne bacteria that leads to Legionnaires' disease, a form of pneumonia with a threateningly high mortality rate. Legionnaires' is especially fatal to people who are elderly, ill or have a compromised immune system.

The Legionella bacteria can contaminate various areas and appliances in properties, including water tanks, air conditioners and plumbing systems. It thrives in temperatures between 20-45°C or stagnant water systems.

Policy Statement

The aim is to take adequate steps to mitigate the risk of the growth of legionella bacteria in Council property water systems.

Properties covered by the Policy

- Festival Hall, Caistor Road, Market Rasen, LN8 3HT
- Council Offices, Festival Hall, Caistor Road, Market Rasen, LN8 3HT
- Old Police Station, Dear Street, Market Rasen, LN8 3BH

Key Principles

Market Rasen Town Council aims to have in place all the necessary and appropriate measures for the prevention of the formation of Legionella bacteria, thus offering, as far as reasonably practicable, a high level of protection to all persons who may be affected by the use and distribution of the Town Council's water services.

Who does the Policy apply to?

The Policy applies to employees of Market Rasen Town Council and its contractors and councillors.

Review of the Policy

The policy will be reviewed as necessary, subject to the requirements of Market Rasen Town Council or any new legislation; or changes in case law; or new or changes to British or European standards; or changes to or new Codes of Practice; or new or changes to relevant Guidance Notes; which require immediate amendment.

Protection from Hazards

The Town Council will do all that is reasonably practicable to protect employees, contractors, visitors, tenants, councillors, and hirers from hazards arising from the use and distribution of water services in all Town Council owned premises.

The Town Council will achieve this through full compliance with all statutory requirements of current relevant legislation.

Risk Assessment

To achieve the effective implementation of this Legionella Control Policy, the Town Council will carry out a basic Risk Assessment for the operation of the water services present.

The Town Council will instruct a suitable qualified contractor to carry out a full Risk Assessment for the operation of the water services every **2 years** in the Council Properties listed on p1. Should there be any legionella concerns prior to the testing date, then this will be reviewed by the Community Manager.

The Town Council will ensure that any Legionella risks are either prevented or adequately controlled.

The Town Council will take action where the level of control requires improvement.

The Risk Assessment will be reviewed regularly; or whenever there is any reason to suspect that it is no longer valid .

The Town Council will follow the below emergency shut down procedure when required :

LEGIONELLA INSPECTION REGIME

Emergency Shut Down Procedure

In the event of a suspected contamination of Legionella bacteria, the following must be carried out:

- a) Shut down any processes, which are capable of generating and disseminating airborne water droplets and keep them shut down until sampling procedures and any remedial cleaning or other works has been done. Final clearance to restart the system may be required.
- b) To take water samples from the system before any emergency disinfection being undertaken. This will help the investigation of the cause of the illness. The investigating officers from the local authorities may take samples or require them to be taken.
- c) To provide staff health records to discern whether there are any further undiagnosed cases of illness and to help prepare case histories of the people affected.
- d) To co-operate fully in an investigation of any plant that may be suspected of being involved in the cause of the outbreak. This may involve for example:

- Tracing of all pipe work runs
- Detailed scrutiny of all operational records
- Statements from plant operatives and managers
- Statements from water treatment contractors or consultants

Any infringements of relevant legislation may be suspect to a formal investigation by the appropriate enforcing authority.

If a water system is implicated in an outbreak of Legionnaires Disease, emergency treatment of that system should be carried out as soon as possible.

Control Action

The Town Council will consider the removal or replacement of equipment or facilities that may present a Legionellosis risk, as preventative action. Any installations, alterations and maintenance shall only be carried out by a competent person.

Where it is impracticable to eliminate all risk by the removal or replacement of the equipment or facility, the Town Council will implement suitable precautionary measures.

The Town Council will document and regularly monitor these measures to ensure the risks are minimised. The testing carried out by the Town Council will be as follows:

- Running or flushing of outlets – WEEKLY
- Temperature Control – MONTHLY
- Cleaning and Disinfection of taps etc – QUARTERLY
- Checking of water tanks for condition, temperature, and visual quality – SIX MONTHLY
- Emergency shut down procedure and log are in place– see above procedure.

Legal Responsibilities and Training

The Town Council will ensure that all employees and contractors are aware of their legal responsibilities and duties.

The Town Council will arrange for training to be provided to ensure that this awareness is communicated.

The implementation of this Policy is a mutual objective for management and all employees in Town Council owned premises.

References

- Health and Safety at Work Act 1974 (HSWA)
- Control of Substances Hazardous to Health Regulations (COSHH)

- Management of Health and Safety at Work Regulations (MHSWR)
- Approved Code of Practice and Guidance (L8) – ‘ Legionnaires Disease – the control of legionella bacteria in water system

Committees Report

Author: L Waller Clerk/RFO

Meeting: Market Rasen Town Council Annual Council Meeting 11th May 2022**Background:**

Late in 2020 the council, on the recommendation of the Proper Officer and Internal auditor reviewed its committees and introduced the Finance (quarterly) and the Properties (ad hoc) committees alongside the ad hoc Planning and HR committees. The Finance and Facilities monthly committee was disbanded. It is a requirement that the Council consider its committee structure at the annual meeting, appoint members to the committees and adopt Terms of Reference (TOR)

Summary:

The current Committees and Membership numbers as per TOR are:

Planning & development 6 members (Including Mayor ex -officio)

HR 5 members (including the Mayor, Chair of Planning and Chair of Finance and Facilities ex-officio)

Finance 5 Members (including the Mayor and Deputy Mayor ex-officio) NOTE: the members of the finance committee are the Bank Signatories.

Properties 7 members (including The Mayor, Deputy Mayor and the Chairman of Finance ex -officio)

Should the Council wish to alter the current structure or introduce new committees they should do so during the committee structure review.

Should the Council wish to change membership numbers and ex-officio membership they should do so when reviewing the TOR.

The TOR of committees require the council to appoint the Chair & the Vice-Chairman of the committees. This is due to the ad hoc nature of the committees which could result in no Chair being elected for several weeks / months if not considered at the Annual Council Meeting.

The Current TOR can be viewed at: <https://market-rasen.parish.lincolnshire.gov.uk/council-business/policies-procedures/1>

Or copies can be requested from the Clerk.

There is also the yet to report Environment working group which requires 2 councillor members – Currently only one member is appointed following a resignation.

Recommendation(s):

Subject to any additional Councillor input the current committee structure seems to work effectively, and the ad hoc nature allows for flexibility.

However, it is suggested that to all committees TOR the council add the ability to appoint another councillor as a substitute (subject to 2 working days' notice to the Clerk). This is to avoid non quorate meetings. ***Please note it would be the responsibility of the absent councillor to find a substitute and inform the Clerk of this.***

It is suggested that the TOR of the Planning and development committee be altered to allow decisions by delegated powers for minor internal matters relating to listed buildings – that would normally be considered by planning officer decision.

It is suggested, that as the environmental working group is not active and an active

community environmental group has now been formed the council group be dissolved.

Decisions Required:

Committee structure 2022/23

Committee TOR 2022/23

Membership of committees 2022/23

Chairman of each committee 2022/23

Future of Environmental Working Group

Current Cllr Committee Membership:

Finance (5)	Planning (6)	HR (5)	Properties (7)	Environmental WG (2 or more)
Bunney	Turner	Turner	Pilley	Bridger
Taylor	Easters	Pilley	Turner	VACANCY
Lakin-Whitworth	Bridger	Lakin-Whitworth	Smith	
Hassan	Lakin-Whitworth	Taylor	Hassan	
VACANCY	Bunney	VACANCY	Bunney	
	Dale		Lakin-whitworth	
			Dale	

Expressions of interest are particularly welcomed from councillors with the following skills/experience (although this is not essential):

Finance: Financial management, budget monitoring, accountancy, auditing.

Planning: Planning knowledge/experience or willingness to undergo appropriate training.

HR: Staff management, modern HR practices and legislation.

Properties: Asset/ buildings management, project management, tender processes, construction, or related trades.

Regular & Automated Contractual Payments -

Due to the automation of the below contractual payments and the varying of council meeting dates, the timing can vary causing authorisation after the payment has left the bank, causing anomalies in account reporting, it is the recommendation of the both the Internal Auditor and the RFO that these be preapproved for the Council year as is common practice within local councils. In addition, regular non - automated payments for approved regular contracts, at approved values, and salaries have been added, which allows their payment if no meeting is held (e.g., August).

The amount for each payment will be reported at the next available meeting. It is important to note these are all contractual payments that the RFO has power to authorise out of committee as they would lead to the Council entering illegal debt for non-payment.

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
Llolyds 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

Council's expenditure incurred under s.137 of the Local Government Act 1972
 Author: L Waller Clerk/RFO

Meeting: Market Rasen Town Council Annual Council Meeting 11th May 2022

The sum for section 137(4)(a) of the Local Government Act 1972 (the 1972 Act) for parish and town councils in England for 2021-22 was £8.41 per elector.

In Market Rasen's case this was £26,794.26, S137 expenditure during 2021/2022 was £187.00

we have not exceeded our limit for the year.

A/c Code	4200	Section 137				Annual Budget	100
Centre	102	Grants & Donations				Committed	0
Month	Date	Reference	Source	Transaction Detail		Debit	Credit
					Opening Balance	0.00	
4	15/07/2021	BP1217	Cashbook	donation		20.00	
6	21/09/2021	CHQ105618	Cashbook	Poppy Wreath donation		17.00	
12	31/03/2022	412	Journal	grant lynsey blind society		150.00	
		Account	Section 137		Account Totals	187.00	0.00
		Centre	Grants & Donations		Net Balance Month 12	187.00	

Note:

The 2022/23 limit is £8.82 per elector.

Section 137 is a power of last resort, not a budget code, it allows the Council to spend money for which there is no appropriate power or duty under legislation provided the expenditure is of proportionate benefit to some or all of the residents of the Parish. Where a power or duty exists in legislation that is used not S137. S137 expenditure is recorded separately within the accounts and the council must annually confirm any expenditure does not exceed the spending limits and that it met the S137 requirements.

Dear Lucy,

As you will recall the Rural Services Network is a Special Interest Group of the Local Government Association and works as a voluntary body on a not-for-profit basis. We are totally non-political in our operation, and we would emphasise that point. Subscriptions are our modus operandi. We cannot operate without them.

Market Rasen Council have decided to receive a period of free RMTG membership (April 21 – April 22 and now extended to end of June) in relation to the Rural/Market Town Group of the Rural Services Network as opposed to being subscribing members. The rural position has however become even more critical now as we seek to explain here, and we do hope the element we outline can now be considered by the Council and they can fully re-join the Group.

- (1) We are now working with the National Association of Local Councils (NALC) and if your Council are members of your county ALC organisation and through that automatically of NALC we can offer you a 15% annual subscription discount bringing your fee this year down to **£72 for the period 1st July to the 31st of March 2023**. This 15% discount will also remain for future years. NALC argue 'local council'; we argue 'rural'. This is a very useful alliance.
- (2) There is a very important government grant (Funding Distributional) review that the government has announced it would wish to undertake this year (2022-23) and we do need therefore to now demonstrate this particular year the very fullest community backing. The number of RSN and RMTG members we can cite is important. RMTG members spread across the country would be an important weapon. Urban areas can list support from cities who are household names; we can only match that by showing a very long list of Counties, Districts and Towns in support of what we are doing. To successfully argue the rural case the numbers in membership this year, to demonstrate that support, are critical.
- (3) The rural services situation is becoming increasingly dire across rural areas, and we need parliamentarians to be picking up and arguing our case. They will do this if we can show sufficient local support. Below is a summary of the first attachment here - the comparison position between what the average person living in an English rural area (including a rural town) receives annually in services support from Government, compared to their urban counterpart. Remember please this is the per head position so the fact that rural areas having lower populations and lower numerical service demands have already been accounted for here. Its grim reading. We are very much hoping the review will assist this position and showing universal support is vital.

The Choking of Services in Rural Areas

- **Government grant to principal councils has become totally unfairly lower 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 grant in relation to adult social care provision (a massive current problem area) is 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.**

This is not just a technical argument it is a position that directly adversely affects the lives of people in rural areas and rural towns and all need to come together to indicate that this is wrong.

The Rural Services Network have been arguing the rural area and rural town case for coming up to 30 years. Unfortunately, we now, are the only remaining organisation presenting that rural case on a full - time basis. We have started the Rural/Market Group (RMTG) because the wider our membership can be demonstrated to be, the stronger that rural case inevitably becomes. We also believe rural towns themselves need wider support than they have currently received, and a focused Grouping of Rural/Market Towns is in itself necessary. We will prove to your Council and your citizens full benefit from the relatively low RMTG subscription, as a crucial part of England's rurally based network (RSN).

We are certain these statistics would have been still worse had we not been supported and been in operation for the past decades, but they continue to remain very concerning. The outcomes from these statistics will be impacting upon your town economically because they dictate less services and less spend availability. We do need now to demonstrate the fullest possible community backing for our work and our submissions.

There is one point we need to emphasise perhaps. We are not asking the Council to input massively in terms of input hours here - we appreciate how busy people are, but we do need support for our general rural arguments and that comes about by joining this Group. As we will describe this is very much of a numbers game if we are to be persuasive on government. We need to show support from across rural England and importantly from varying forms of Councils in it. Every name on our membership list is vital.

In return we will give you useful information from various sources. For example, we will send out a targeted towns newsletter like this every two months:

<https://mailchi.mp/rsnonline/rural-market-town-group-roundup-april-2022>.

This newsletter covers General Town Matters and News, Climate Change Information, Finance Opportunities and Rural Services Network updates. Its worth the sub on its own.

Rural areas don't come together as naturally as urban communities do, but there is every reason that rural areas and their rural towns do that at this time. Please do examine this attachment carefully. It is worrying.

Markets.

We also attach details of the service we provide as a Group which in themselves give very full value, and we also attach our 2021 Achievements Leaflet. You will note from the services offered leaflet that we wish to see more extensive promotion of both market towns and their markets. We feel a town's market is often the hub stone for its success as a community and we are very keen that both

information is exchanged nationally on the issues surrounding town markets and best practice broadcast about good practice. Town Markets with their ancient charters such as your own are a vital element of the successful economy of rural market towns. We read with interest about your own Market initiatives. We need to work together.

We will extend your free membership to the end of June to assist but can this matter and its attachments, particularly the first attachment, please go before your members at their June meeting in the hope that they can assist and work with us on a subscribing membership basis at this time. We do try to keep the subscription fee affordable.

We do try to keep the subscription fee affordable. However, should there be nerves because of ongoing situations created by the COVID years, please let us know and we will see what we can do. We need to create a really strong group at this critical time, and we are happy to discuss. All in the group currently, as they continue with us, will be registered as Founder Members of the Group

Please can you let us know your council's decision at the end of June. We hope we can work together. Together, we need to improve the rural position and promote town markets and market towns.

Kindest regards

David

The date and place / method of meetings for the municipal year 2022/2023
 Author: L Waller Clerk/RFO
 Meeting: Market Rasen Town Council Annual Council Meeting 11th May 2022

Background: It is required that the Council resolve the place/dates and times of Full Council Meetings for the municipal year as well as the number of “ordinary” meetings of standing committees. Due to the ad hoc nature of our committees only limited “ordinary” committee meetings are included in the TOR and all others are called as needed. Additional ordinary and extraordinary meetings of both council and committees can be called throughout the year.

Summary:

Meetings of Council have this year been on the 2nd Wed of every month (excluding August) The TOR set out the month of some of the committee meetings

Recommendation(s):

Suggested Full Council Meetings:

To start at 7.00pm in the Committee Room of the Festival Hall

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)

Standing committees ordinary meetings as per TOR, (all other meetings on ad-hoc need basis at times and dates 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.

Town Meetings

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

Decisions Required:

To approve Full Council Dates/ times.

Community Manager's Report - May 2022

Festival Hall Roof

There continues to be a delay in receiving the warranty and contacts. The Project Manager was emailed again on 29th April 2022 to chase this documentation. We are awaiting a response.

Servicing – Updates

- Asbestos Survey carried out and report received.
- 5 Yearly Electrical testing booked in for 11th May 2022.

Festival Hall Bookings

Bookings continue to be gratefully received. We have lost a further regular hirer due to the minimum charge of 2 hours for any booking.

Festival Hall Booking Form and Hire Charges are now available on our website for people to download.

Monthly What's On for May has been produced.

New curtains are required for the Festival Hall.

Festival Hall Fire Audit & Fire Risk Assessment

The significant findings raised and feedback from the Fire Audit will continue to be investigated.

A fire drill to be carried out in June.

Legionella

Legionella testing procedure is now in place. Legionella Control Policy to be adopted by the Council.

Lloyds Mobile Bank

Upcoming dates of the Lloyds Mobile Bank are the 6th & 20th May 2022.

These dates have been published.

Market

Market stall interests continue to be received.

A visual daily market inspection has been introduced, this is carried out by the Council Caretaker and recorded.

The Auction Shed has been booked for cleaning on 28th/29th May before Jubilee Weekend.

The Market Regulations will be reviewed shortly.

Old Police Station

New tenants have moved in. It has been brought to our attention that we only have one letter box. We are in the process of applying for Listed Building Consent to fit a wall mounted letter box, Magistrates' side. Planning at West Lindsey District Council have confirmed that a planning application is required.

Heritage displays have been moved into the Court Room.

Work has commenced on the wall. This work should be completed by the end of May.

Tree Survey

The diseased tree at Bell Playing Field was removed successfully on 20th April 2022.

Playing Fields and the Town Green

Progress is being made on the ROSPA actions.

Further to the installation of new fitness equipment at Mill Road Playing Field, safety signage has been ordered for the site.

A brief tree survey has been booked in for Mill Road Playing Field, to reinspect declining trees. This inspection was recommended in our full inspection carried out in December 2021.

Dog signs have been added onto the Maintenance Operative's priority list for repair/replacement.

The skip has been removed from Mill Road Playing Field.

Prices for fencing are still to be explored for Bell Playing Field.

There have been some issues with moles at the Town Green, but this has been addressed by our mole contractor.

Remembrance 2022

Event Management have been contacted regarding any changes in legislation for Remembrance 2022. No response received to date.

Allotments

Allotment requests continue to be received, these are added onto our allotment waiting list.



Clerk's report May 2022

Co-option:

Co-option to the vacancy resulting from the resignation of T. Smith will be considered at this meeting, an additional vacancy remains unfilled.

CIL income:

£2781.48 of CIL income has been received. Total CIL income held stands at £3480.45. As some income will be entering the 3rd financial year* since receipt the council may wish to consider using this income against relevant costs of providing/improving/replacing or operating infrastructure this year.

**CIL income unused within 5 years of receipt can be requested back by the district council.*

Councillor badges:

An order for councillor and staff badges will be placed shortly, please let the Clerk know if you require a badge.

LALC training

The whole council training session is booked in for the evening of the 22nd June (exact timing TBC).

Staffing:

Staffing review meetings with staff are scheduled for W/C 9th May, a full report will be presented to Full Council.

Councillors are reminded that from the 10th May until further notice the office will be operating at reduced capacity (a loss of 22.5 staff hours across the week) which will inevitably lead to some delays in completion of workload. Please note work related to legal and financial compliance, which is particularly heavy at this time of the municipal year, must take priority.

Finance Report:

Due to delays caused by staff illness there is no finance report this month – however a full report will be brought to the upcoming finance committee and circulated by email to all members.