

## TOWN CLERK'S REPORT – 26<sup>TH</sup> JANUARY 2021 COUNCIL

**12. COVID19 STANDING ORDERS AND FINANCIAL REGULATIONS** – to consider whether to extend the amendments to Standing Orders and Financial Regulations for a further 3 months.

Background – Standing Orders and Financial Regulations follow current national best practice. In the event of emergencies, delegated authority to make decisions, is given to the Town Clerk / Proper Officer, in consultation with the Mayor. The Cornwall Association of Local Councils (C.A.L.C.) advised in March, that the pandemic might cause sickness to impact those limited number of people. Consequently, it advised approving an extension of the scheme of delegation, so that in the event of sickness, other officers and Councillors might make any necessary decisions in an emergency. The scheme of delegation is as set out below.

### Standing Orders

Note re: a below – The legislation refers to the “Town Clerk / Proper Officer” (Stephen Vinson) being given delegated authority. However, from a Business Continuity perspective, to secure against the impact of possible illness and to take account of the division of responsibilities between staff it is recommended that the delegation be extended to the RFO/ Deputy Town Clerk (Yvette Hayward.) In the terms of area of work responsibility, the Facilities Manager (Jacqui Orange) and TIC Manager (Vicky Cutts) would provide function specific support and decision-making authority should both the Town Clerk and RFO / Deputy Town Clerk be ill.

Scheme of delegation / Business Continuity – “That the Council delegates authority to the Clerk (RFO / Deputy Town Clerk and Facilities Manager depending upon the area of service responsibility and availability through sickness) in consultation with the Mayor (Deputy Mayor and Chair or Vice Chair of the relevant service committee and availability through sickness) to take any actions necessary with associated expenditure to protect the interests of the community and ensure council business continuity during the period of the pandemic Coronavirus, informed by consultation with the members of the council”.

### Financial Regulations

Note re: f below – The current Financial Regulations are 4.1 the Town Clerk or RFO may in consultation with the Mayor or Chair of the appropriate committee approve an item of expenditure £2,500. (Note - possible increase to £5,000) Intended for operating expenditure, perhaps equipment purchase.

Financial Regulation 4.5. In cases of extreme risk to the delivery of council services, the clerk, RFO or Facilities Manager may authorise revenue expenditure on behalf of the council which in their 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 £7,500 (Note – possible increase to £15,000). The Clerk/RFO shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter. For example, this is intended to help authorise immediate works to a threatened Council building to hopefully avoid a higher bill by delayed decision making. Council may wish to adopt the new figures of £5,000 and £15,000 pending guidance further advice from Government.

**RECOMMENDATION: That the Council approves a 3 month extension of the scheme of delegation / business continuity modifications to Standing Orders and Financial Regulations.**

### **13. COMMITTEE MEETINGS – MINUTES AND MOTIONS ARISING**

a) Communications & Engagement Committee 12th January 2021. Motions: Minute 332/20 Recycling Survey – That the Council RESOLVES to ADOPT the actions:

a) This including the recommendations set out in below and that Esther O'Bearagh, Waste and Recycling Community Engagement Team Leader at Cornwall Council is invited to attend the 23rd February 2021 Council meeting.

The recommendations were:

- 1) The results are being shared with Esther O'Bearagh, Waste and Recycling Community Engagement Team Leader at Cornwall Council and she is being invited to the Communications and Engagement meeting where this report is being discussed.
- 2) It is recommended that the results of the survey and proposed actions are shared publicly, and information is included in response to some of the issues raised, for example, how to get replacement recycling bags and boxes, how to get seagull-proof bags and that food waste will be included in the new contract.
- 3) The issue of communal wheelie bins is raised with Biffa to see if it would be possible to incorporate them in the new contract.
- 4) The town council tries to engage with local landlords and building owners around storage space for recycling and space to put it out. The aim would be to find some willing landlords to explore how to make changes and then publicise the good practice. Cornwall Council runs a responsible landlord scheme so it would be worth asking them for the landlords in Liskeard and for their advice on communicating with landlords. Local letting agencies would also be a way to communicate with landlords.

**RECOMMENDATION: That the Council resolves to adopt the actions.**

**14. PERSIMMON HOMES – Transfer of the freehold ownership of a piece of land to the Town Council to provide allotments to approve the transfer of the ownership of the land subject to it meeting the agreed requirements.**

Background – a condition of a planning consent obtained by Persimmon Homes is that they are to provide allotments. An initial meeting has been held with Persimmon Homes to discuss the freehold transfer of a suitable piece of land to the Town Council. The attached plan (14) indicate the location of the allotments relevant to the rest of the Persimmon development.

From the draft outline space for 16 allotments could be accommodated on the land. The Town Council currently has 32 allotments which consistently enjoy high rates of take up. The discussions included the need for there to be no outstanding issues before the transfer of the land to the Town Council. It was felt that there was sufficient merit to ask the Town Council to consider whether it would, in principle, subject to any outstanding issues being resolved before transfer, accept the transfer of the land for the purpose of the provision of allotments.

**RECOMMENDATION: That the Town Council consider whether it would, in principle, subject to any outstanding issues being resolved before transfer, accept the transfer of the land for the purpose of the provision of allotments.**

**15. HEALTH & SAFETY UPDATE – to note the report on the 14th January 2021 virtual inspection by the Town Council’s Health & Safety Consultant Ellis Whittam.**

Liskeard Town Council Annual H&S Review was undertaken by Ellis Whittam on 14th January 2021. The current COVID-19 restrictions meant the meeting was held via Zoom with the Facilities Manager and Town Clerk representing the Town Council. The review noted the following key points:

- The fire safety arrangements have improved. Actions identified in the Fire Risk Assessments have been delivered, including essential fire safety improvements in the Guildhall and fire alarm systems. There is a prioritised action plan relating to further fire safety improvements. Regular (weekly) checks of fire safety systems taking place.
- Asbestos Management Surveys for Guildhall, Public Hall, Foresters’ Hall and Dean Street toilets were completed in 2017. Refurbishment & Demolition Survey was carried out in the Guildhall prior to fire door replacement works.
- The COSHH register has been completed and most staff have undertaken COSHH training. The register will be regularly updated and reviewed annually.

- A risk assessment register has been produced and risk assessments are being drafted as and when required – over the course of the next 12-months the intention is to have all routine tasks/activities assessed. Hirers and contractors are asked to submit a risk assessment as part of their booking/contract. A copy of a valid insurance certificate is also required if appropriate.
- The Safety Media online training has proved useful. Further, training needs have been identified, specifically Sharps Awareness – this was scheduled for November but COVID-19 restrictions have meant that this has had to be postponed.
- It was recommended that the weekly play park inspection are documented using a checklist. The checklist has been drafted and circulated to staff for comment. It was also recommended that a notice is produced for the caretakers to indicate what must be covered as part of the daily site inspections.
- Lone Working was flagged as an area of concern by the Facilities Manager. A draft policy, and risk assessment currently exist and most staff have received training, however, more work is required to bring this together into a comprehensive procedure.
- The new CCTV system throughout the town was noted.
- No accidents or near misses have been logged but we were reminded of the importance of keeping good records.
- The H&S policy is to be checked to ensure that it is up to date and signed.

**RECOMMENDATION: That the update is noted.**

## **16. CORNWALL COUNCIL – CODE OF CONDUCT REVIEW 2020.**

**To support the draft policy and make appropriate proposals by the 18th February 2021 deadline.**

Background – Simon Mansell (Monitoring Officer – Cornwall Council and responsible for the Town and Parish Council sector) has contacted the Town Council with information regarding the Code of Conduct being reviewed in 2020. The information is below and attached as follows.

“The Local Government Association (LGA) was tasked with creating a new model Code of Conduct, this would not be a statutory Code but would be a Code that could act as a guide for Councils. The LGA model was released on 3 December 2020 and is attached as a pdf.

The Standards Committee at Cornwall Council had already set up a Working Group to consider potential amendments to the Code of Conduct which is currently adopted by Cornwall Council, as well as all the Towns and Parishes in Cornwall. The starting point of this process was that the Cornish Code was well understood, it was based on the old statutory Code and therefore there is a wealth of case law to assist with its interpretation and, with the assistance of CALC, it was adopted across Cornwall and therefore there was a consistency in the standards expected of elected members in the County.

However, when they reviewed the LGA model the Working Group did consider that there were some elements of the new model Code that would assist with strengthening the Code in Cornwall and they have therefore set out their proposed amendments to the Cornish Code, as shown by way of track changes, in the attached word document.

The Standards Committee is now commencing a formal consultation on the proposed changes to the Code- please note this does not include sanctions which sit outside of the Code. This will include all members of Cornwall Council, individually and through their groups, all Towns and Parishes, CALC and the Society of Local Council Clerks. The consultation will run until 18 February 2021 and after this time the Working Group set up to consider the Code will review the consultation responses and then recommend a Code to the Standards Committee. The current intention is to ensure that the amended Code can be presented to the last meeting of Cornwall Council prior to the elections and we can then send this out to all Towns and Parishes for adoption, if you wish.

Following this review, once central government put in place the statutory amendments necessary to introduce the final recommendation from the 2019 review of the ethical standards regime there will of course be a need to further update the Code and a future review would be in keeping with the requirement to conduct regular reviews of the Code. A timescale cannot currently be given for this but it is hope this will be within 12 – 18 months of this current review.”

**RECOMMENDATION: That the Town Council support the revised policy as attached.**