

**FLOSTWITHIEL TOWN COUNCIL
Edcumbe House
Fore Street
Lostwithiel
Cornwall
PL22 0BL**

01208 872323

clerk@lostwithieltowncouncil.gov.uk

Dear Councillor,

Councillors are hereby summoned under the Local Government Act 1972 Sch. 12 para 10 (2) b to attend a Meeting of Lostwithiel Town Council to be held at Lostwithiel Library on Tuesday 19 March 2019 commencing at 7.00pm when the following business will be transacted.

S Harris

Mrs S Harris
Town Clerk
13 March 2019



**Lostwithiel Town Council Meeting
will be held at Lostwithiel Library
on Tuesday 19 March 2019 at 7pm**

This meeting is open to the public and as such could be filmed or recorded by broadcasters, the media or members of the public. Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, **the council cannot guarantee this**, especially if you are speaking or taking an active role. The council asks those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings or infringe the core values of the council. This includes refraining from editing an image or views expressed in a way that may ridicule or show lack of respect towards those being filmed or recorded.

Housekeeping – Mayor Jarrett will advise the evacuation routes in case of an emergency and remind all persons present of the following: -

The meeting may be filmed or recorded

Members and Members of the Public are asked to set device ring tones/alerts to silent

Meeting Agenda

1. To receive and accept Apologies of Absence.

If you are unable to attend on Tuesday 19 March 2019 could you please email clerk@lostwithieltowncouncil.gov.uk with your

apologies before midday on 19 March. Thank you to all Councillors who have already advised the office that they are unable to attend the meeting.

2. To receive any Declarations of Interest or written requests for new DPI dispensations from Members.

Members are invited to declare disclosable pecuniary interests and other (non-registerable) interests in items on the agenda as required by Lostwithiel Town Council's Code of Conduct for Members and by the Localism Act 2011.

3. Public Participation - Time allowed for members of the public to address the Council on matters on the agenda – Maximum time allowed 15 minutes
4. To receive the minutes of the extraordinary meeting held on 11 March 2019 having previously been circulated and taken as read.
5. Planning applications –
Both the applications below are for works to trees in a Conservation Area and will be decided by Cornwall Council Officers under delegated authority. There is no need for Lostwithiel Town Council to submit any comments to the local planning authority.

PA19/01835 The Mount Restormel Road Lostwithiel
Sycamore – fell

PA19/01931 Terras House Terras Hill Lostwithiel
T1 – Lime Pollard to a height of 10m
leaving an 8m crown spread.

6. Polling Districts & polling Places Review – to formulate Lostwithiel Town Council’s response to Stage 1 of the consultation.

The review offers two periods of consultation between the following dates:

Stage 1: 4 March to 15 April 2019 – consultation based on the current 122 electoral divisions

Stage 2: 3 June to 15 July 2019 – consultation based on the current 122 electoral divisions and the new 87 electoral divisions that take effect in 2021.

We are inviting comments on the suitability of polling stations and voting arrangements at elections. The review will aim to ensure that voting arrangements for future elections suit the needs of the electors in each area.

Arrangements for current electoral divisions are shown on our website at www.cornwall.gov.uk/review. Schedules listing current polling districts in each current electoral division are listed under the relevant Parliamentary constituency:

- Camborne and Redruth Constituency:
<https://www.cornwall.gov.uk/council-and-democracy/elections/polling-districts-and-polling-places-review-2019/camborne-and-redruth-constituency/>
- North Cornwall Constituency:
<https://www.cornwall.gov.uk/council-and-democracy/elections/polling-districts-and-polling-places-review-2019/north-cornwall-constituency/>
- South East Cornwall Constituency:
<https://www.cornwall.gov.uk/council-and-democracy/elections/polling-districts-and-polling-places-review-2019/south-east-cornwall-constituency/>

- St Austell and Newquay Constituency: <https://www.cornwall.gov.uk/council-and-democracy/elections/polling-districts-and-polling-places-review-2019/st-austell-and-newquay-constituency/>
- St Ives Constituency: <https://www.cornwall.gov.uk/council-and-democracy/elections/polling-districts-and-polling-places-review-2019/st-ives-constituency/>
- Truro and Falmouth Constituency: <https://www.cornwall.gov.uk/council-and-democracy/elections/polling-districts-and-polling-places-review-2019/truro-and-falmouth-constituency/>

(Each schedule contains a link to a map of the current electoral division)

Hard copies of the maps and schedules are available on request.

We aim to complete our review and publish a new register of electors by 1 December 2019. The register will be based on our final recommendations for electoral arrangements in the current 122 electoral divisions. This will facilitate any unitary or parish by-elections that could occur up to November 2020.

We also aim to publish a new register of electors on 1 December 2020. This register will be based on the new electoral arrangements for the 87 electoral divisions that will take effect at the 2021 unitary and parish elections.

We are keen to hear from all town and parish councils because of their local knowledge. We would welcome your response, if only to confirm you are in favour of polling stations and voting arrangements in your area. Please submit your response in writing either

- online via our “Get involved” page at: www.cornwall.gov.uk/review or
- by email to: polling.review@cornwall.gov.uk or

- by post to: Polling Review, Electoral Services, Cornwall Council, 39 Penwinnick Road, St Austell, PL25 5DR

All responses to Stage 1 of the review must be received by **Monday 15 April 2019**.

7. Wildlife & Countryside Act 1981 Section 53 Schedule 14
Application for Modification of Definitive Map & Statement of Rights of Way – to consider if the Town Council has any comments to make to Cornwall Council regarding the addition of alleged Right of Way from Footpath 17 to Footpath 18 at Penknight Lostwithiel.

RECEIVED - 0. MAR 2019



Mrs Sandra Harris
Clerk to Lostwithiel Town Council
Taprell House
North Street
Lostwithiel
Cornwall
PL22 0BL

Your ref:
My ref: CAT/JR/WCA/647
Date: 5 March 2019

Dear Mrs Harris,

**Wildlife and Countryside Act, 1981 Section 53 Schedule 14
Application for Modification of Definitive Map and Statement of Rights of Way**

**Addition of Alleged Right of Way from Footpath 17 to Footpath 18 at
Penknight, Lostwithiel CP**

Cornwall Council is considering an application for an Order under Section 53 of the Wildlife and Countryside Act 1981, to modify the Definitive Map and Statement of Public Rights of Way by the Addition of Alleged Right of Way at Penknight, Lostwithiel CP, shown as route A to B on the attached map.

In accordance with Schedule 14, Paragraph 3(1)(b) of the Act, I am required to consult you regarding this application, and would therefore be pleased to receive your observations. I look forward to hearing from you as soon as possible, but in any case no later than six weeks from the date of this letter (16 April 2019). If I do not hear from you within this time, I shall assume that you have no comments to make.

Modification Orders are about whether public rights already exist, not whether they should be created or taken away. Therefore, only **evidence** either for or against the accrual of public rights may be considered, and in this connection I should be pleased to hear from you regarding whether you are aware of any user or archival evidence. Factors such as the suitability of a way for users who have a right to use it, or the nuisance that they are alleged to cause or likely to cause, the need for public access, desirability of the way, surface conditions, safety factors, or other environmental considerations **are therefore irrelevant**, and cannot be taken into consideration.

Yours sincerely

(On Behalf of Jon Rowell)

Countryside Access Team

Email: [REDACTED]



**The Cornwall Council does not
accept service of any legal
proceedings or process via email
or other electronic device**

Pydar House, Pydar Street
Truro, Cornwall TR1 1XU

Tel: 0300 1234 202 www.cornwall.gov.uk

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To Jon Rowell
Countryside Access Team
Pydar House
Pydar Street
Truro
TR1 1XU

From CC_LOCAL COUNCIL
Mrs Sandra Harris
Clerk to Lostwithiel Town Council
Taprell House
North Street
Lostwithiel
Cornwall
PL22 0BL

**Wildlife and Countryside Act, 1981 Section 53 Schedule 14
Application for Modification of Definitive Map and Statement of Rights of Way**

**Addition of Alleged Right of Way from Footpath 17 to Footpath 18 at
Penknight, Lostwithiel CP**

FILE REFERENCE WCA/647

I acknowledge receipt of your consultation relating to the above Definitive Map Modification Order. I can provide the following information¹:-

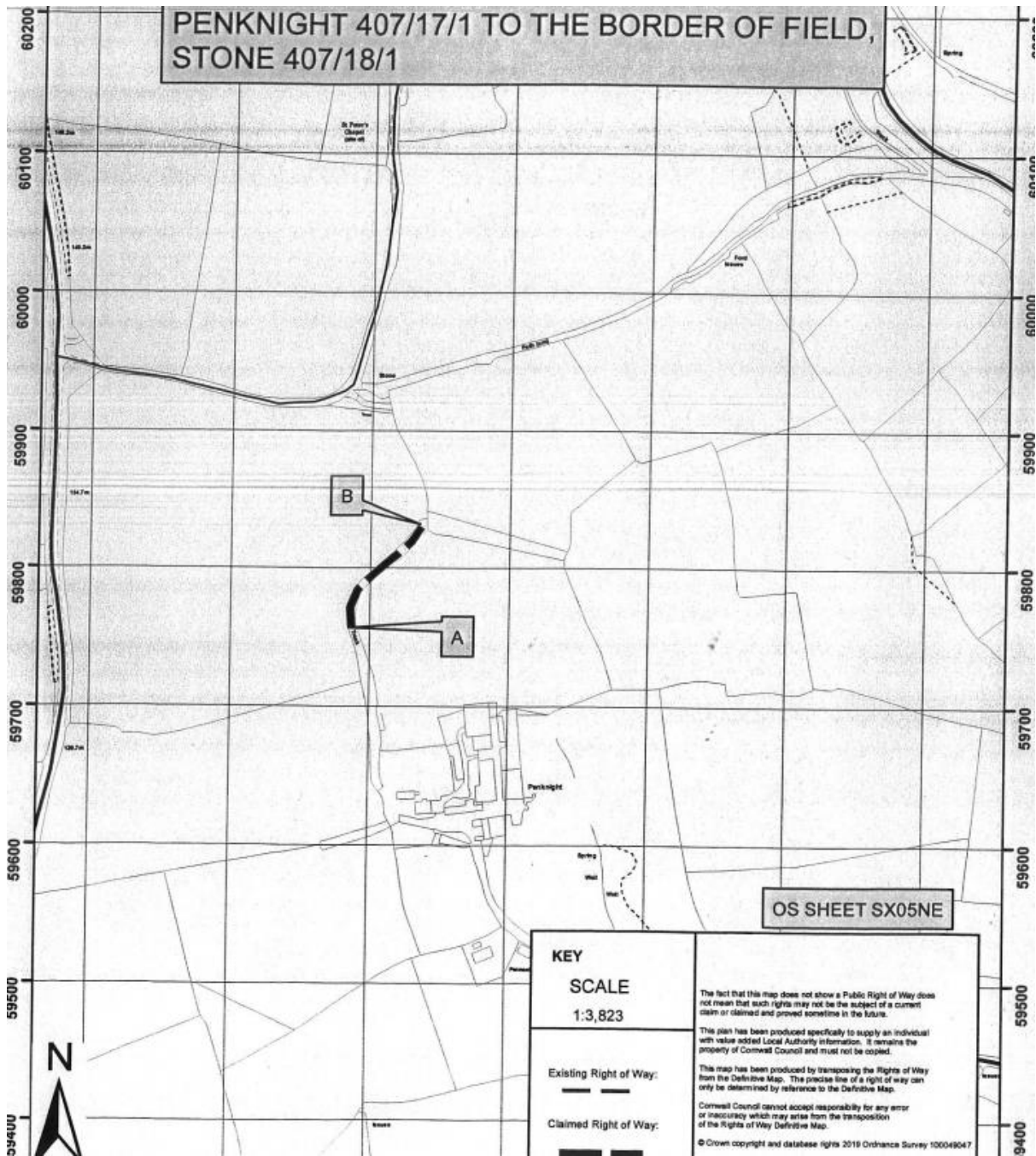
1. The use of the path by the public.....
.....
.....
2. Any actions taken to prevent or deter the public from using the path as a public right of way.....
.....
.....
3. Any documentation recording or relating to the path (please list here and if you have copies include with your reply in the pre-paid envelope enclosed)
.....
.....

Signed:
(PRINT NAME).....
Date:

¹ Please continue overleaf, or on separate sheets if required



Cornwall Council, Countryside Access Team,
Pydar House, Pydar Street, Truro,
Cornwall TR1 1XU



8. Taprell House – to authorise repairs to the chimney stack & the slating over of a missing vent.

Price to be tabled.





9. Taprell House – to note the receipt of the updated Land Charges Registry Title Document.

10. Council Legal Advice Service – to consider renewal at a cost of £1,500 per annum.

Mrs S Harris
Lostwithiel Town Council
Taprell House
North Street
Lostwithiel
Cornwall
PL22 0BL

20 February 2019
Our ref: SSA/L02245-0001/MAC

Direct: 01392 209595
Secretary: 01392 204518

Dear Sandra

Council Advice Service

As you may be aware your advice service retainer expired on 12th January and obviously I very much hope that you will want to renew.



As a loyalty bonus because we greatly value our clients I propose that your subscription reduces by 25% from £2,000 to £1,500 plus VAT.

On the basis that you will want to renew I enclose our invoice. If you don't want to proceed do let me know and I will cancel the invoice.

The agreement between us remains as set out in the original contract agreement supplemented by Tozers Terms of Engagement which I enclose.

I am confident that you will continue to be delighted with our service. However, if you do have any queries or concerns please let me know immediately.

Yours sincerely


Simon Sanger-Anderson


11. Parade blocked flap – to consider authorising the clerk to arrange for the flap to be cleared.



‘Having asked a colleague this flap valve has been blocked for years, perhaps when some flower beds got installed behind the wall? We paint the flap but the drainage into it from the memorial area would be for the town council to maintain. We would have no objection to the town council digging this out to get it working again.’

12. Climate Change & Neighbourhood Planning - to note Councillor Guiterman’s report on a recently attended conference.

**Climate Change and Neighbourhood Planning
Conference Notes; March 9th 2019**

The future of climate change

The amount of energy being added to the Earth is equivalent to 4 Hiroshima bombs per second.

It is regional variability which will prove to be the main problem in the future with some areas being uninhabitable by humans and animals. Areas identified include parts of Africa and Asia. It is worrying that we have not adapted even to the present changes in weather driven by global warming. One degree Celsius warming has already caused enormous changes and it is suggested that it's not possible to adapt to anything over 4°C rise.

The Arctic has warmed much more the models had predicted. In the 'business as usual' scenario the Arctic is likely to warm by 11°C.

The carbon dioxide proportion in the atmosphere is the highest it's been for 23 million years.

Climate sensitivity tries to estimate the climate response to greenhouse gas in the atmosphere. Models predict that when the carbon dioxide rises to 550 ppm, the global average temperature will rise by 3°C. There is a degree of uncertainty in this prediction. The temperature response is unlikely to be less than 3°C but might well be considerably more. It was interesting to note that, looking back at the ancient climate, when the carbon dioxide content was 380 ppm the temperature rose by 4°C. We have already passed 380ppm having reached 400 ppm carbon dioxide content. When we look at past climate data it looks as if the current models fail to predict what is likely to happen.

3°C warming is likely to lead to 25 m rise in sea level; however this could be as high as 70m.

Weather pattern changes.

We are experiencing an increase in weather blocking systems which results in both longer periods of high rainfall and longer periods of dry weather. Winter and summer storms are now moving more slowly so drop more water as they pass. Longer periods of rainfall are likely to lead to increased flooding. Flooding can contaminate land making it permanently unsuitable for farming and agriculture. A lot of the contamination comes from heavy metals such as lead.

Climate emergency

Cornwall Council, on January 22, declared a climate emergency and set itself a target for Cornwall to be carbon neutral by 2030. A substantial number of Cornwall's town and parish councils have done the same.

The town and country planning website has a guide on planning for mitigating climate change. <https://www.tcpa.org.uk/planning-for-climate-change>

To change the Cornwall Council local plan to take into account the latest information on climate change, will take at least three years and cost around £1 million. Strategic policies will need to be updated by 2021.

Energy generation.

75% of greenhouse gas emissions comes from energy generation and 25% from land use.

The cost of renewable energy generation has come down substantially so that it is now economically viable without being subsidised.

Sustainable energy production.

The Centre for Sustainable Energy (<https://www.cse.org.uk/>) will provide free support for the development of 'green' neighbourhood plans.

Wildlife

The Cornwall Wildlife Trust will provide maps of wildlife corridors to groups producing neighbourhood plans. There is a charge for this service.

Energy efficiency.

Local authorities now have the power to specify requirements for energy efficiency in new developments. These requirements can be legally binding.

Quote "we are the first generation to realise the danger the planet is in and the last to be able to do anything about it".

Drainage.

Although Cornwall Council can insist that developers install sustainable drainage systems, if the developer does not comply the Council has no power to require remediation. It also has no power to require ongoing maintenance. There is an option for water companies to adopt drainage systems but this would involve a cost to them. Whilst some water companies are good at doing this, South West Water has a particularly bad record in this respect.

Coastal management. Climate change will increase shoreline erosion. Cornwall Council has a Shoreline Management Plan. This can be viewed on their website;

<https://www.cornwall.gov.uk/environment-and-planning/countryside/estuaries-rivers-and-wetlands/flood-risk/coastal-erosion-and-shoreline-management/shoreline-management-plans/shoreline-management-plan-2011-smp2/>

Lostwithiel comes under the Pencarrow Head To Gribbin Plan; see

https://www.cornwall.gov.uk/media/33386547/pdz2_final_report_intro.pdf


Coastal Change Management Area.

Neighbourhood planning groups in coastal areas are sometimes faced with a situation where they would like to exclude development from an area likely to be affected by sea-level rise but which is not in flood zone 3. Neighbourhood plans do not have the power to exclude development from these areas but there is an interesting workaround. They can declare the area a Coastal Change Management Area. This can be used for preventing such development.

David Guiterman 10/3/2019.

13. Lostfest – to consider the request received to use the Parade and a small part of the South East end of King George V park for Lostfest on Sunday 19 May.

Hire of Town Council Land Application Form

A Premises	
Title of Event	LostFest (Lostwithiel Festival)
Nature of Event	Music, dance, crafts for all the family
Date of Event	19 May 2019
Event Location	Please Tick
King George V Playing Field	Part
Coulson Park	
The Parade	X
Number of People expected to attend the event	? 4,000 ?
Do you intend to charge the public an admission fee to the event	No
B Applicant	
Have you organised a public event before?	Yes
Your full name	Fiona Jane Slade
Title	Miss
Position	N/A
Your private address	

Daytime telephone					[REDACTED]
Evening telephone					[REDACTED]
C Event					
Will any of the following activities take place? (please tick all boxes that apply)					
Sale/Supply of alcohol	X		Sports events		
Music and dancing	X		Plays/Performances		
Music entertainment only			Films		
Late night refreshments			Sale/Supply of food	X	
Any form of Gambling					
What are the proposed times for the event? Please state am or pm. (only use the last 2 columns if there is to be a break in the event)					
Day	From	To	From	To	
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Saturday					
Sunday	0900	2030			
Does the Premises License cover ALL of the activities you wish to hold? (A license is required from Cornwall Council for the sale by retail of alcohol for consumption on/off the premises, the supply of			Yes		

alcohol, the provision of plays, films, indoor sporting events, boxing or wrestling, live music, recorded music, dancing or late night refreshment).N.B. If any proposed activity is not authorised by the Premises License you MUST contact Cornwall Council's Licensing Section as further applications will be needed.		
Please give a contact name and number of the person in charge who can be contacted on site during the event		
Contact Name	Fee Slade	
Contact Number	[REDACTED]	
Please give details of consultations with the Police (if applicable)	We have spoken with a local PCSO on several occasions	
Please provide annotated maps of the proposed use of the site		
Please provide details of any temporary structures or vehicles that will be on the site(s)	2 marquees Catering outlets	
Please attach your deposit cheque calculated from the fee tables below.		

1. When setting fees, the Council distinguishes between events primarily for a commercial purpose and those organised for or on behalf of a charity.
2. For Commercial activities the fees per 24-hour period are:

Area	Less than 2500 m ²	More than 2500 m ²
King George V Playing Field	£200	£400
Coulson Park	£200	£400
The Parade	£100	N/A

Events of 5 days or more will qualify for a 10% discount.

3. For charitable activities the fees per 24-hour period are:

Area	Less than 2500 m ²	More than 2500 m ²
King George V Playing Field	£100	£200
Coulson Park	£100	£200
The Parade	£50	N/A

Events of 5 days or more will qualify for a 20% discount.

4. Council owned land may also be used for sports events, notably football. In this case where matches are for adults and part of a formally constituted sports body a charge of £20.00 will be made per match on the King George V playing field. Junior teams of a formally constituted sports body are not charged.
5. The Council does not issue hire charges for Town Events. A Town Event is an event which is:
 - a) Run by a charity or not for profit organisation based in Lostwithiel; and
 - b) Run for the benefit of the residents of Lostwithiel and/or its primary purpose is to attract visitors to Lostwithiel and
 - c) An event which has been running in Lostwithiel for at least three consecutive years and
 - d) Approved as a Town Event by the Council at its absolute discretion

A list of events currently deemed to be Town Events are listed in Annex 1. The Council may remove the designation of an event as a Town Event at any time and at its absolute discretion.

Those wishing to apply to have their event designated as a Town Event should write to the Town Clerk explaining how the proposed event meets the relevant criteria.

Declaration and Indemnity

I hereby agree to the conditions to which the hiring of Town Council Land is granted. I declare that our club/organisation is insured against third party risks and has obtained all relevant licenses.

Signature 

Print Name FIONA SLADE

Position COORDINATOR

Club/Organisation LOSTFEST

Date 14.3.19

14. Memorial request – to consider the suggestion from Councillor Henderson that the Town Council erects a bench (or something similar) to commemorate former Councillors Mr & Mrs Isaac.
15. Town Council meeting venue – to formally agree to change the Town Council’s meeting venue to Lostwithiel Library.
16. Financial Regulations – to undertake the annual review of the Council’s Financial Regulations and to consider the request from Councillor Guiterman that the Town Council considers revising Financial Regulation 11.2b to read: -

Where it is intended to enter into a contract exceeding £60,000 (currently £5,000) in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms.
17. Annual Policy review – to undertake the annual review of the following policies:
 - a) Anti-Fraud & Corruption
 - b) Internal Control

- c) Investment Strategy
- d) Risk Management

No changes are recommended to the
Investment Strategy Policy 2018
Internal Control Policy 2018
Anti-Fraud & Corruption Policy 2018

a) Anti-Fraud and Corruption Policy

Lostwithiel Town Council
Approved 20 March 2018

1. Statement of Intent

- 1.1 In carrying out its functions and responsibilities the Town Council will promote a culture of honesty, openness and fairness and requires elected members and employees at all levels to conduct themselves in accordance the principles contained in The Relevant Authorities (General Principles) Order 2001 throughout their term of office and employment with the Town Council. The principles contained in the Order are detailed in Appendix 'A'.

Consequently, the Town Council recognises and accepts the need for an Anti-Fraud and Corruption Policy.

The Town Council will not tolerate fraud and corruption in the administration of its responsibilities and will deal equally with offenders whether from inside or outside the Town Council.

- 1.2 Fraud and Corruption are defined as follows:

Fraud is the intentional distortion of financial statements, accounts or other records by persons internal or external to the Council which is carried out to conceal the misappropriation of assets or otherwise for gain or to mislead or misrepresent.

Corruption is the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person to act against the interests of an organisation.

In addition, corruption is hereby defined to also include the deliberate failure to disclose an interest in order to obtain a financial or other pecuniary gain for oneself or another.

This policy identifies a series of measures designed to frustrate fraudulent or corrupt acts and the steps to be taken if such action occurs. The policy is presented as follows:

Section 2 - Culture

Section 3 - Prevention

Section 4 - Deterrence

Section 5 - Detection and Investigation

Section 6 – Awareness and Training

2. Culture

- 2.1 The Town Council promotes a culture of honesty, openness and fairness which supports its opposition to fraud and corruption. The prevention and detection of fraud and corruption of the public purse are the responsibility of everyone. The elected members and employees play an important role in creating and maintaining this culture. All are positively encouraged to raise concerns regarding fraud and corruption in the knowledge that such concerns will wherever possible be treated in confidence.
- 2.2 The Town Council will ensure that any allegations received will be taken seriously and investigated in an appropriate manner. Those who defraud the Town Council or who are corrupt or who instigate financial malpractice will be dealt with firmly. There is however a need to ensure that any investigation process is not misused and, therefore, any abuse may, where appropriate, be dealt with as a disciplinary matter.
- 2.3 Where fraud and corruption has occurred due to a breakdown in systems or procedure, arrangements will be made to ensure that the

appropriate improvements of control are implemented to prevent a re-occurrence.

3. Prevention

3.1. Role of Elected Members

As elected representatives, all members of the Council have a duty on behalf of their electorate to protect the Council from all forms of fraud and corruption. This is reflected through the adoption of this Policy and compliance with the Code of Conduct for elected Members, the Council's Standing Orders and Financial Regulation and all other relevant legislation.

When they take office elected Members are required to sign to the effect that they have read and understood the Code of Conduct. The Code requires elected Members, inter alia, to declare and register interests and to register receipt of gifts and hospitality. In addition, elected Members are given the opportunity to attend periodic update sessions on matters of conduct and standards provided by the Cornwall Council's Monitoring Officer.

3.2. Role of Town Clerk

The Town Clerk is responsible for the communication and implementation of this Policy and ensuring that employees are aware of the Council's Financial Regulations and Standing Orders and that the relevant requirements of each are being met in the day to day conduct of the Council's business.

The Clerk is also expected to strive to create an environment in which employees feel able to approach them with any concerns they have regarding suspected irregularities.

Special arrangements will apply where employees are responsible for cash handling and are responsible for financial systems and systems that generate payments. Checks are carried out on a regular basis to ensure that proper procedures are being followed.

The Council recognises that a key preventative measure in dealing with fraud and corruption is ensuring that effective steps are taken at the recruitment stage to establish, as far as possible, the honesty and integrity of potential employees whether for permanent, temporary or casual posts. This includes obtaining two written references. In addition, where appropriate the relevant Disclosure & Barring Service checks will be undertaken for employees who will be required to work with children or vulnerable people.

3.2.2. Employees

The work of employees is governed by the Council's Standing Orders and Financial Regulations and other relevant policies i.e. Health and Safety etc.

In addition to the above employees are responsible for ensuring that they follow the instructions given to them by the Town Clerk, particularly with regard to the safekeeping of the Council's assets.

Employees are bound by Local Government Act 1972 Section 117 regarding the disclosure of pecuniary interests in contracts relating to the Town Council, and the non-acceptance of any fees or rewards whatsoever other than their proper remuneration.

Employees are expected to be aware of the possibility that fraud, corruption and theft may occur in the workplace and consequently must feel able to share their concerns in accordance with the Council's Whistleblowing Policy.

3.3 Conflicts of Interest

Elected members and employees must ensure that they avoid situations where there is a potential for a conflict of interest. Effective role separation will ensure that decisions made are seen to be based on impartial advice and therefore avoid questions regarding improper disclosure of confidential information. The Council will produce an Officer Member Protocol which provides advice on this and related issues.

3.4 Role of Internal Audit

The Town Clerk, as Responsible Financial Officer, is responsible for ensuring that there is an adequate and effective system of internal audit of the Council's accounting, financial and other systems in accordance with the provisions of the relevant Accounts and Audit Regulations. Internal audit plays a significant preventative role in ensuring that the relevant systems deter fraud and corruption and will work with the Council to identify the procedural changes necessary to prevent the Council from exposure to losses. Internal Audit will also investigate cases of suspected irregularity or fraud.

3.5 Role of External Audit

The external auditor has a responsibility to review the Council's arrangements for preventing and detecting fraud and irregularities and arrangements designed to limit the opportunity for corrupt practices. This responsibility is satisfied by undertaking a number of specific reviews and tests of the adequacy of the relevant financial systems and other arrangements for the prevention and detection of fraud. The outcome of these reviews and tests are reported each year in the Annual Audit letter which is presented to elected members by the external auditor.

4. Deterrence

- 4.1 Fraud, corruption and theft are considered to be serious offences against the Council and employees will face a disciplinary investigation if there is an allegation that they have been involved in any of these activities. Where necessary, disciplinary action will be taken in addition to, or instead of, criminal proceedings depending on the circumstances of each individual case in a consistent manner.
- 4.2 Similarly any elected Member will face appropriate action under this policy if it is shown that they have been involved in fraud, corruption or theft against the Council or have otherwise acted illegally.
- 4.3 The Council will not seek to cover up cases of fraud and corruption but conversely will try to ensure that the results of any action taken, including prosecutions, are notified to the media.

- 4.4 In all proven cases where financial loss has occurred and it is in the public's interest to do so the Council will seek to recover such loss and will give consideration to publishing the fact.
- 4.5 All anti-fraud and corruption activities, including the adoption of this policy, will be publicised to make Members, employees and the public aware of the Council's commitment to taking appropriate action on fraud and corruption when it occurs.

5. Detection and Investigation

- 5.1 Systems of internal control have been established together with Financial Regulations and Standing Orders to deter fraud and corruption. These are complemented by the work undertaken by Internal Audit in the review of systems and financial controls.
- 5.2 In addition it is often the vigilance of employees, Elected Members and members of the public that aids detection. Employees are to be encouraged to raise their concerns without fear of recrimination and the Council's Whistleblowing procedure has been designed specifically to address this matter.
- 5.3 If a Member or an employee makes an allegation of fraud, corruption or theft in good faith which is not confirmed no action will be taken against the Member or the employee. However, if a Member or an employee makes malicious or vexatious allegations Council will take advice and decide the appropriate course of action.
- 5.4 Frauds are in some cases discovered by chance or 'tip-off' and the Council's policy is to follow up any such information.
- 5.5 The Council recognizes that it is essential to ensure that there is consistent treatment of information received suggesting the possibility of fraud and corruption or theft and that the actions laid out in the Whistleblowing policy are implemented.

- 5.7 Following the completion of an investigation, the circumstances will be assessed to determine the need for procedural and system changes to ensure that future risks are eliminated.
- 5.8 Where necessary, following the investigation, the Council's disciplinary procedures will be applied to any employee found to be guilty of improper behaviour.

6. Awareness and Training

- 6.1 The Council recognises that the sustained success of this policy and its general credibility will depend upon the effectiveness of its training programmes and awareness on the part of elected members and employees throughout the organisation.
- 6.2 Employees will be made aware of their responsibilities and the procedures to be followed for the safekeeping of Council's assets and will be advised that failure to adhere to the specified procedures may lead to disciplinary action being taken.

7. Conclusion

The Council has in place a network of systems and procedures to assist in the prevention and detection of fraud and corruption. The Council is determined to ensure that these arrangements will keep pace with future developments in prevention and detection techniques regarding fraudulent or corrupt activity that may affect its operations.

The Town Clerk has day to day responsibility for the successful operation of the relevant systems supported by internal and external audit and will ensure that this policy is reviewed annually in order to be satisfied that the Council's exposure to potential fraud and corruption is minimised.

THE GENERAL PRINCIPLES Appendix 'A'

Selflessness. Members should only serve the public interest and should never improperly confer an advantage or disadvantage on any person or business.

Honesty and Integrity. Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity. Members should make decisions on merit, including when making appointments, awarding contracts or recommending individuals for rewards or benefits.

Accountability. Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness. Members should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.

Personal Judgement. Members should take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for Others. Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or gender disability. They should respect the impartiality and integrity of the Council's officers and its other employees.

Duty to Uphold the Law. Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship. Members should do whatever they are able to do to ensure that they use their resources prudently and in accordance with the law.

Leadership. Members should promote and support these principles by leadership, and by example, should act in a way that secure or preserves public confidence.

b) Statement of Internal Controls

Lostwithiel Town Council

Approved 20 March 2018

1. Scope of Responsibility

Lostwithiel Town Council (the Council) is a local authority funded largely by public money and is responsible for ensuring its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively.

In discharging this overall responsibility, the Council is also responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk.

2. The Purpose of the System of Internal Control

The Council's system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure. It can therefore only provide reasonable and not an absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to

- identify and prioritise the risks to the achievement of the Council's policies, aims and objectives,
- evaluate the likelihood of those risks being realised, and the impact should they be realised
- manage them effectively and economically.

The system of internal control accords with the practices set out in the Governance and Accountability for Smaller Authorities in England (March 2017).

3. The Internal Control Environment

3.1 The Council

The Council reviews its obligations and budgets and the level of precept required for the following year between November and February each year.

The full Council meets at least once a month and monitors progress against its aims and objectives at each meeting by reviewing and ratifying all Committee decisions. The Council carries out regular reviews of its internal controls, systems and procedures.

3.2 Town Clerk/Responsible Financial Officer

The Council has appointed a Town Clerk who acts as the Council's advisor and administrator. The Town Clerk is also the Council's Responsible Financial Officer. The Clerk manages and administers the Council's finances and is responsible for the day-to-day compliance with laws and regulations which the Council is subject to and for managing risks as well as ensuring adherence to the Council's procedures, control systems and policies. The Clerk is supported by one part-time Administration Assistant.

3.3 Payments

The Council has adopted Financial Regulations, based on the National Association of Local Councils model which set parameters for the Council's financial operations. The majority of payments are made by cheques authorised at full Council meetings drawn on a bank account in the name of Lostwithiel Town Council. Three Members of Lostwithiel Town Council must sign every cheque, check the invoices and initial the cheque counterfoil. No officer of Lostwithiel Town Council can sign cheques from the Council's bank account.

3.4 Risk Assessment

Lostwithiel Town Council reviews its Risk Management Policy annually and regularly reviews its systems and controls.

3.5 Internal Audit

The Council has appointed an independent, competent internal auditor who reports to the Council on the adequacy of its systems and procedures, internal controls and risk management.

3.6 External Audit

The External Auditor is independently appointed and is currently PKF Littlejohn LLP. The External Auditor examines the Annual Return and other documents specifically requested.

4. Effectiveness

The Council has responsibility for conducting an annual review of the effectiveness of the system of internal control. The review of the effectiveness of the system of internal control is monitored by:

- The Council
- The Town Clerk/RFO who has responsibility for the design and maintenance of the internal control environment and managing risk.
- The independent internal auditor who reviews the Council's systems.
- The external auditor who makes a final check using the annual return.
- The external auditor in their annual report.

Appendix 1

The Council is required to review at least annually the effectiveness of its system of financial control.

On the recommendation of the Town Clerk and in accordance with the Council's Financial Regulations on the adoption of this policy a Councillor will undertake random inspections/checks and provide a written report to Council.

The first inspection/check to be undertaken immediately and preferably bi-monthly but at least quarterly thereafter of all items listed below: -

- The last review date of the Council's Standing Orders
- The last review date of the Council's Financial Regulations
- The last review date of the Terms of Reference for Committees or the last review date of the Terms of Reference for Portfolio Holders
- Evidence that quarterly budget monitoring reports have been presented to Council
- Evidence of quarterly bank reconciliations (checked back to original bank statements in accordance with Financial Reg. 2.2)
- Data Protection – that the Council is protecting data in accordance with current Data Protection legislation and the General Data Protection Regulation (May 2018)
- Transparency Code – that the Council has up to date financial information displayed on the website.

c) Investment Strategy 2018

Lostwithiel Town Council

Approved 20 March 2018

Introduction

Lostwithiel Town Council acknowledges its responsibility to the community and the importance of prudently investing reserves held by the Council.

The Investment of surplus funds by local authorities is governed by the Local Government Act 2003, section 15(1)(a) and Guidance issued by the Secretary of State under that Act.

Investments below £10,000 are not subject to the Guidance but for investments between £10,000 and £500,000 the council is required to make a formal decision on the extent to which it would be reasonable to adopt the Guidance either in part or in full.

The Guidance recommends that a council produces an Annual Investment

Strategy which sets out its policy for managing the investments and giving priority to the liquidity and security.

A 'Specified Investment' is one which is made in sterling, is not long term (less than 12 months) not defined as capital expenditure and is placed with a body which has a high credit rating or made with the UK Government, a UK Local Authority or a parish or community council.

Any other type of investment is considered 'Non-Specified Investment' to which there can be greater risk and where professional investment advice might be required.

Local authorities should keep strategies simple and maintain prudence at all times.

Objectives

The policy objective is the prudent investment of the Council's balances.

Investment priorities are:

- Security – protecting the capital sum from loss
- Liquidity – keeping the money readily available for expenditure when needed
then
- Yield – return on investment

The Council's aim is to achieve the optimum return commensurate with proper levels of security and liquidity.

Strategy

Lostwithiel Town Council (the Council) has adopted the following Investment Strategy:

1. The Council acknowledges the importance of prudently investing its temporary surplus funds held on behalf of the community.
2. The Council's priorities will be centred on the security (protecting the capital sum from loss) and then liquidity (keeping the money readily available for expenditure when needed) of its reserves.
3. Adopt the Secretary of State's Guidance in relation to council investments in Full (Department for Communities & Local Government "Guidance on Local Government Investments" 2nd Edition dated 11 March 2010).
4. Carry out an annual cash flow forecast to ascertain expenditure commitments for the coming financial year.
5. On the basis of that cash flow forecast, to invest only in:
 - 'Specified Investments' or in
 - 'Non-Specified Investments' including longer term investment i.e.12 months or more but which still offers the greatest security
 - Bodies with high credit ratings.

Review

This Investment Strategy shall be reviewed annually.
Any revisions to this Strategy shall be approved by Full Council prior to the commencement of a new financial year.

If no revisions are recommended, Full Council shall note the policy annually.

18. Town Council insurance – to undertake the annual review of the Town Council's insurance policy and to approve renewal (long term undertaking valid until 01/04/2020)

To be tabled.

19. Cemetery fees – to undertake the annual review of the Cemetery fees table.

Details of the fees charged by the following Cornwall based authorities can be found by following the links below:-

Cornwall Council Fees

<https://www.cornwall.gov.uk/advice-and-benefits/deaths-funerals-and-cremations/cornwall-council-cemeteries/cemetery-fees/>

Falmouth Town Council

<https://www.falmouthtowncouncil.co.uk/services/falmouth-cemetery>

Bodmin Town Council

http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=2ahUKEwiTm4m3noThAhWnTBUIHVVaPBW4QFjACegQIBRAC&url=http%3A%2F%2Fwww.bodmin.gov.uk%2FPDF%2FPDF_Cemeteries%2F2018%2FCemetery%2520Charges%25202018.pdf&usg=AOvVaw3NIDjF9njP59tJw7FF8nyy

Wadebridge Town Council

https://www.google.co.uk/search?ei=maaLXNPqOKeZ1fAP1p6W8AY&q=wade+bridge+town+council+cemetery+fees&oq=wadebridge+town+council+cemetery+fees&gs_l=psy-ab.3...11925.16757..17912...0.0..0.176.1258.15j1.....0....1..gws-wiz.....0i7i30.D3YqwGyWpPE

20. Grass cutting contract – to appoint Members to a task and finish group to recommend to Council changes to the Council’s grass cutting contract

21. Accounts & Finance

Cheque Ref	Payee Name		Amount Paid
101164	Fusion Living Ltd	Replacement cheque for cheque number 101124	£220.00

		issued to Fusion Living	
101165	Cormac Solutions Ltd	Toilet door fault & grave digging	£575.95
101166	British Gas	Electric account	£72.69
101167	Biffa	Toilet cleaning November	£1,110.17
101168	ICCM	Exclusive Right of Burial course	£204.00
101169	Mrs P Jarrett	Litter pickers	£30.30
101170	Phoneta	Lone worker service	£12.90
		Total	£2,226.01

22. Notices

23. Items for the next agenda and to note written notice of the wordings of any motions for the Council meeting to be held on 2 April 2019 are to be received by the Town Clerk by midday on Tuesday 26 March 2019.

Under the Public Bodies (Admissions 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.

24. Pendour Park Pocket Parks Plus refurbishment – to receive an update.