

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

**01208 872323**

**[clerk@lostwithieltowncouncil.gov.uk](mailto:clerk@lostwithieltowncouncil.gov.uk)**

Dear Councillor,

Councillors are hereby summoned under the Local Government Act 1972 Sch. 12 s10 to attend a meeting of Lostwithiel Town Council to be held at Church Rooms Lostwithiel on Tuesday 20 March 2018 commencing at 7.00pm when the following business will be transacted.

S Harris

Mrs S Harris  
Town clerk  
15 March 2018



**Lostwithiel Town Council Meeting  
will be held at The Church Rooms Lostwithiel  
on Tuesday 20 March 2018 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

Time allowed for members of the public to address the Council on matters relating to Lostwithiel – Maximum time allowed 15 minutes

- To receive the Cornwall Councillor Report

## Meeting Agenda

1. To receive and accept Apologies of Absence.

If you are unable to attend on Tuesday 20 March could you please email [clerk@lostwithieltowncouncil.gov.uk](mailto:clerk@lostwithieltowncouncil.gov.uk) with your apologies before midday on 20<sup>th</sup> March 2018. Thank you.

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. To receive and adopt the minutes of the meeting held on 6 March 2018 having previously been circulated and taken as read.

[Please see separate attachment](#)

4. To receive and adopt the Staffing Committee minutes dated 12 December 2017 having previously been circulated and taken as read.

[Please see separate attachment](#)

5. To consider planning applications

- a) PA18/01373            Land rear of 14 Cott Road, Liddicoat Road  
Outline application for detached dwelling  
including approval of access (all other  
matters reserved)

<http://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P3U078FGGWQ00>

- PA18/00004/NDP        Lanlivery Cornwall  
Plan proposal submitted for Lanlivery  
Neighbourhood Development Plan

<http://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P4R8N5FG1S400>

- b) To consider any planning applications received since  
publication of the agenda.

6. Cornwall Council Resources & Waste Strategy consultation –  
to formulate Lostwithiel Town Council’s response.

<https://www.cornwall.gov.uk/environment-and-planning/recycling-rubbish-and-waste/resources-and-waste-strategy-survey>

7. Cornwall Association of Local Councils – to consider if the  
Council wishes to arrange a further training session with CALC  
Executive Officer Sarah Mason.

8. Liskeard Town Council – to consider correspondence received which invites Lostwithiel Town Council to join Liskeard’s Gull survey.

Dear Town Clerk

I am writing on behalf of Liskeard Town Council. You may remember last year we contacted you for advice regarding the number of urban gulls in Liskeard and associated resident’s complainants.

As part of our work to tackle this issue, we have been in touch with an urban gull expert, Mr Peter Rock, author of Urban gulls: Problems and Solutions who is going to visit the town and carry out a gull survey and provide a report on suitable control measures and likely population growth.

One of the points Mr Rock has mentioned is how the gull populations in surrounding towns interact with each other during the season. It is quite feasible that gull populations are moving between towns, and hence any actions taken by one town to manage a local gull population, will be nullified by gull populations coming in from other towns and causing the ‘reported’ nuisance.

With this interaction in mind, the Liskeard Gull Working Group is arranging for Mr Rock to carry out a survey of Liskeard’s gull population, with an aim of creating a framework to manage the town’s gulls. Liskeard Town Council has confirmed a charge with Mr Rock for the survey, but he has offered to lower the price should other local councils be interested in similar surveys on the same dates. The price per council would be less than for one individual survey.

The surveys would include:

1. Mapping (to show, precisely, where gulls are breeding).
2. Breeding Density (to show (with figures) the colony’s hotspots).
3. Species Split (to determine, precisely, the composition of the colony).
4. Age Structure of Breeding Birds (to determine colonial development)
5. Projections (to show how the colony is likely to grow).
6. History of the Colony (as far as it can be deduced by research).
7. Colour-rings (to show origins of breeders)
8. Colony-specific Information (all colonies are different).
9. Comparisons with other Colonies.

All surveys are accompanied by a comprehensive, illustrated report which will also contain assessments of control methods, the Law in relation to urban

gulls, how to identify the species (if required) as well as the most up to date information on the urban gull issue available at the time of writing.

Mr Rock's work reference: [https://britishbirds.co.uk/wp-content/uploads/article\\_files/V98/V98\\_N07/V98\\_N07\\_P338\\_355\\_A001.pdf](https://britishbirds.co.uk/wp-content/uploads/article_files/V98/V98_N07/V98_N07_P338_355_A001.pdf)

We are writing then to ask if your council would be interested in arranging a gull survey to coincide with the planned dates, (subject to change) 25/26 April 2018?

9. Lostwithiel Business Group – to consider the request to use the Parade on 30 June 2018 for Lostwithiel's First Gin Festival.

Hi Sandra

Could the Business Group please make a request of use of the Parade on Saturday the 30th of June for Lostwithiel's First Gin Festival, Celebrating Cornish Spirit. The event will have various Cornish Distillers on site offering tastings from their stalls, alongside workshops, talks and musical entertainment. There will be food served from usual suppliers and we will be running a bar on site. The event will run from 11am until 10pm.

10. Man Engine – to update Council.
11. Edgcumbe House – to provide an update regarding the anticipated date for receipt of the report and to note the further complaint from the residents of an adjoining property regarding water ingress around the chimney.
12. Lostwithiel Community Centre play area – to consider the quotation provided to remove and relocate the play equipment.

13. Lostwithiel Town Council meeting structure – to consider the information supplied by the Town Clerk regarding Committees and Portfolios and to discuss if the current schedule of two Full Council meeting per month needs to be reviewed at the Annual Meeting in May.

Lostwithiel Town Council - Portfolios of Responsibility – Terms of Reference  
DRAFT VERSION

1. The Mayor, in recognition of the additional responsibilities of the post, will not be a Portfolio Holder.
2. Portfolios of Responsibility vacancies occurring during the year may be filled by the Council.
3. Portfolio Holders may receive and read any reports and/or consultations on behalf of the Council and make a report to the next Council meeting. (Reports and/or consultations will still continue to be circulated to all Members)
4. Portfolio Holders may represent the Council at any relevant outside meetings and provide a written report to the clerk for circulation to the Council
5. Portfolio Holders may work with the clerk to ensure that any decisions of the Council relevant to the portfolio are acted upon/or reported back to the Council for further consideration.
6. The Portfolio Holder does not hold any delegated decision-making powers, but acts upon Council instruction, working under the authority delegated to the clerk, to act as a conduit for information to aid the decision-making process.
7. Portfolio Holders are reminded that Members are collectively responsible for making Council policy, for which they are accountable to the electorate.
8. Portfolio Holders are further reminded that Members are not directly involved in the day-to-day provision of services to the public. This does not of course mean that there should be no contact between Members and the Clerk on such matters and, indeed, Members may often find that they are asked by electors to pursue matters on their behalf. However, Members have no executive authority, and will need to deal with all matters either through their collective Council membership or in liaison with the Clerk concerning a local problem.

9. There are no circumstances where a Portfolio Holder/Member can issue an instruction to the Clerk or a Contractor. Likewise, a Member must never act “on behalf of the Council” in the organisation of any function or service.
10. Particular care should be taken in letters/comments to the Press, to ensure they understand you speak as a “Councillor” and not on behalf of the Council as a whole. Generally, the Clerk on behalf of the Council issues Press statements.
11. The Portfolio Holders will be an ex-officio member of any working parties relevant to their portfolio.

Lostwithiel Town Council – Committee Terms of Reference  
DRAFT VERSION

General Terms of Reference applicable to all Committees

1. There shall be a minimum of 4 meetings of each Committee per year.
2. At the first meeting after the Annual Council Meeting a Chairperson and Vice-Chairperson shall be appointed.
3. All Committees shall have eight Committee members and shall entirely consist of Councillors. All Committee Members are appointed at the Annual Meeting of the Council.
4. Committee vacancies occurring during the year may be filled by appointment by the Council.
5. A minimum number of Members present at a meeting for there to be a quorum shall be 4 or 50% of Committee members whichever is the greater.
6. Each Committee shall liaise with other committees, as required, when projects overlap.
7. Each committee shall, at all times, consider its duty with respect to Best Value.



8. Each Committee shall, at all times, consider its duty with respect to Health & Safety.
  9. Each Committee shall, at all times, consider its duty with respect to Employment Law.
  10. Each Committee shall consider such matters as may be delegated by the Council from time to time.
  11. Where considered appropriate, each Committee may appoint working groups from members of the Council or members of the public to carry out part of its business. These working groups shall report progress at each appropriate Committee meeting. Working groups for staffing issues will only appoint members who are serving Town Councillors.
  12. Any unresolved differences between Committees shall be resolved at full Council.
  13. Each Committee has the delegated power to manage the budget and spending for those elements of the budget which relate to their area of operation without reference to full Council. These elements of the budget will be agreed by full Council at the start of each new financial year. All spending must be in accordance with the financial protocols of the Council as set out in the Council's Standing Orders and Financial Regulations and only for the purposes intended. No element of any budget can be overspent, or any changes made between budgets, or reserves released without the authorisation of the full Council.
  14. Each Committee shall seek competitive tenders from contractors and suppliers in accordance with the Council's Financial Regulations.
- 14. Lostwithiel Town Council Communications Working Group  
– to consider the report provided and to approve the recommendations therein.**

Proposal to Council for 20<sup>th</sup> March 2018

The Communications Working Party (WP) asks for the following report to be noted and the proposals & recommendations to be ratified:

## **Report of the Communications Working Party, 13/3/18 (Consisting Councillors Anders, Beedell, Hatton & Sweeney)**

In line with minute 320/17 of 16/1/18 the Council's Communication Working Party (WP) has been tasked with improving Council communications. The Working Party have met 3 times, 22 Jan, 27 Feb, 13 Mar, and has communicated by email.

### **Precept poster**

As a matter of urgency, a poster was prepared to inform the public about the increase in the precept and the reasons behind this. The draft poster was presented to Council on 6 Feb 2018 as requested and published with amendments & approval of full Council.

### **General Communications**

The Working Party views this task as a first step and has set out a number of aims, identified some obstacles to overcome, and suggested a general communications strategy:

#### **Aims:**

- To take people with us - garner more support & earn people's respect & confidence.
- To encourage more democratic involvement from all sectors of the community and to make use of all the talents within the Council and across the Town Council Area

#### **Obstacles to be overcome:**

- Lack of knowledge about who does what (i.e. County/Town/Highways etc), how the Town Council works and what it can & cannot do
- Inaccurate perceptions about the Council & how it works

#### **Strategy:**

- **Always maximise** sharing of info, reports, news, progress.
- **Make info easier to access**, so people feel well-informed & up to date
- **Educate & inform** ourselves and the public on powers & responsibilities, so people have accurate knowledge. Prioritise Cllr training. Be clear about powers, responsibilities (and limits) of Town Council

- **Provide opportunities** to listen to people, share info and get involved.
- **Model good communications** within the Council & between Cllrs as well as with the public and outside organisations.

### **Recommendations:**

The WP should pursue the following ideas, working on their feasibility, cost implications and other relevant aspects or opportunities:

**Councillors surgery or ‘Listening Post’:** a regular, once a month face-to-face drop-in opportunity to listen to and gather information from residents. We suggest 2 Cllrs, on a rota, to meet with residents at the Community Centre Café (or elsewhere) on a Saturday, for an hour or two.

WP is mindful that it should be clear to all how this should be run.

WP should therefore continue to work with oversight of the Town Clerk on feasibility and guidelines for Cllrs **e.g. on not speaking on behalf of whole Council, pre-determination and signposting to other organisations/services.**

WP to also develop potential for a pro-forma feedback/monitoring sheet directing issues to Town Clerk or elsewhere.

### **Annual/Seasonal Council Report-back**

Potentially, an A4 insert in the Lostwithiel Newsletter (saves on hand delivery). Aim for first issue in April 2018 (one year on). To contain as standard; - basic factual info about what the Council does and does not do; duties, powers and responsibilities. It could include land and assets; plus achievements; progress report; future plans and on-going issues. Second issue potentially in Autumn, to coincide with Library handover. Potential to publish 2 - 4 issues per year. WP to pursue this idea and establish a timely procedure for writing, and editing, and final approval by full Council. These reports can also be published on the website and promoted via social media.

### **Website and Facebook page:**

Our website & FB page are going well, with more news, information & announcements appearing. There are currently 85 followers on FB – this can be expected to increase. WP/Council could consider ‘sponsored’ paid-for posts to boost coverage. Twitter feed is not yet running but should be simple to implement and will increase traffic to website and FB page. WP recommends Cllrs (and staff?) add profile photos and short biographies or statements (50-100 words) to the Council’s webpage. WP recommends adding a diagram of Council structure & Cttees/Working groups/etc

## Noticeboard(s)

The Guildhall Lane Council notice board should be repainted and refurbished as a matter of urgency. WP recommends this work should be contracted asap and that the WP should continue to investigate better permanent relocation options and associated costs in consultation with Town Clerk.

## Internal Communications

It was felt that internal communications could be as important as external communications and the WP would like to work on ideas to improve communications within the Council, so that we are all confident in our collective knowledge and working together as efficiently as possible.

## Continuation of Communications Working Party

The WP appreciates any further comments and suggestions from fellow Cllrs and will take into consideration any additional concerns the Council may have relating to communications. The WP proposes to work on further & on-going communications issues and to make reports & recommendations for ratification by full Council.

## 15. Cemetery Fees – to review Castle Hill Cemetery fees.

### LOSTWITHIEL TOWN COUNCIL CEMETERY FEES FEBRUARY 2017

	<b>Grant of the right to burial</b>		
1.	Grant of the exclusive right of burial	£500	
2.	Renewal of the grant	£450	
3.	Grant of the exclusive right to burial of cremated remains	£250	
4.	Renewal of the grant for cremated remains	£225	
5.	Transfer of the exclusive right to burial	£35	
	<b>Interment</b>		
6.	Sexton burial fee	£207	
7.	Interment of a stillborn child or a child up to five years of age	Free	
8.	Interment of a child up to 16 years of age in a grave of at least 2.3 metres deep	£100	
9.	Interment of a person of 16 years or over in a grave of at least 2.3 metres deep	£250	
10.	Reopening of a grave for a second interment	£100	Not applicable if two people are interred at the same time
11.	Charge for a non-parishioner	Fee x 3	Interment fee is tripled

	<b>Cremated remains</b>		
12.	Sexton fee	£60	
13.	Interment of cremated remains in an existing grave	£100	
14.	Interment of cremated remains in the garden of remembrance	£150	
15.	Reopening for a second interment in the garden of remembrance	£100	Not applicable if two people are interred at the same time
16.	Charge for a non-parishioner	Fee x 3	Interment fee is tripled
	<b>Memorials &amp; plaques</b>		
17.	Grant of the right to erect a memorial on a grave	£120	
18.	Renewal of the Grant of the right to erect a memorial	£50	
19.	Grant of the right to place a plaque on a grave	£60	
20.	Renewal of the Grant of the right to place a plaque on a grave	£45	
21.	Grant of the right to place a plaque in memorial garden	£90	
22.	Renewal of the Grant to place a plaque in the memorial garden	£75	
23.	Removal, repair, amendment or replacement of an existing memorial or plaque	£60	
	<b>Other items</b>		
24.	Search of Register of Burials	£35	

The Council is asked to consider the recommendation from the Town Clerk to increase the published Sexton fees (lines 6 & 12) to reflect the increase being charged by the current contractor.

16. To review the following policies: -  
Anti-Fraud & Corruption Policy

## LOSTWITHIEL TOWN COUNCIL

### DRAFT VERSION

#### ANTI-FRAUD AND CORRUPTION POLICY

#### 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: -

a. 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.

b. 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.

## Internal Control Policy

### Lostwithiel Town Council

#### Statement of Internal Controls DRAFT VERSION

##### 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 Council's 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.

## Investment Strategy

### Lostwithiel Town Council

#### Investment Strategy

#### DRAFT VERSION

### 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" 2<sup>nd</sup> 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.

## **Risk Management**

Please see separate attachment

17. Local Maintenance Partnership – to consider if Lostwithiel wishes to join the scheme for the 2018/19 financial year.

Dear Sandra Harris,

## **Maintenance Partnership Invitation 2018**

The Local Maintenance Partnership is a unique arrangement between Cornwall Council and Town and Parish Councils across the County. Over 150 Councils are currently involved, with grants paid by Cornwall Council for trimming and minor works over the agreed sections of the Public Rights of Way (PROW) path network, thereby enabling delivery at a more local level.

These existing partnerships are highly valued and we are now looking to build on their success. We are therefore inviting all the remaining Town and Parish Councils to work with us to deliver an efficient and effective service which benefits all parties involved.

Details of the agreement have been included within the application package, however the key responsibilities can be summarized as follows;

### **Cornwall Council agrees to:**

- Provide reimbursement for the work with grant funding calculated in relation to the classification "Gold, Silver, Bronze" of the PROW network.
- Provide technical advice and support to the local council;

### **The local Council agrees to:**

- Appoint a coordinator to liaise with the Operational Delivery Area Rangers. This can be the Clerk, a Councillor or any member of the local community;
- Submit claims for the grant with supporting invoices;
- Check and hold copies of contractors' public liability insurance and training certificates.

This funding is specifically for the cutting of vegetation that grows along the surface of Public Rights of Way and is calculated at £121.00 per km, per cut for specific Gold paths, £6.05 per cut for specific isolated gates or stiles and a flat rate of £48.40 per km is offered for the overall length of Silver paths in the parish. Currently there is no specific grant for Bronze paths. A Frequently Asked Questions summary has been included in this offer pack.

The above figures include the 10 per cent increase made to the original LMP base rate and I am pleased to inform you that a further 10 per cent has also been included for 2018-19. In total this represents a 20 per cent rate increase from 2015. The uplift has come as a direct result of last year's review of the LMP undertaken by the Cornwall Association of Local Councils working in partnership with Cornwall Council.

I am therefore pleased to offer you £979.94 for the cutting of Public Rights of Way in your parish.

Please find enclosed:

- **Parish Schedule** – schedule of cutting lengths and eligible costs.
- **Contractor summary of cutting** – this details cutting lengths only; please copy as necessary and pass to your contractor asking them to note the dates that they undertake each cut and return it to you with their invoice.
- **Digitised Public Rights of Way Maps** - illustrating the Gold, Silver and Bronze path cutting regimes for the Parish. Please make these available to your contractor to use with their schedule so that they can locate areas that require cutting.
- **Information Sheets** - LMP Frequently Asked Questions, Risk Management Note for the Local Maintenance Partnership and Small Works Contract.
- **Invoice Template** – Please use this template when you are ready to submit your invoice.
- **Acceptance of offer form** – To be signed and returned confirming your acceptance.

### **What to do next**

If you would like to accept this offer, please sign your acceptance form and return it to me within one month of the date of this letter. If we do not receive your confirmation we will arrange for CORMAC to undertake the paths clearance directly.

### **The Local Maintenance Partnership (LMP) Frequently Asked Questions**

#### **1) What is the LMP?**

The LMP is a scheme where Cornwall Council provide funding to parish/town councils for the trimming of the surface of public rights of way.

#### **2) What is the benefit to the Parish of being involved in the LMP?**

Parish/town councils are in a good position to administer this work as they are based locally and can source good local contractors to carry out the work and monitor cutting requirements should there be unusual growth through the year.

### **3) What are 'Gold, Silver and Bronze' Paths?**

In order to carry out the required maintenance on Cornwall's Rights of Way the Council devised a system of prioritising works to those paths that are the most well used, linked places of interest and were most accessible to the largest number of people – these are the gold paths. Most of the gold paths in the county have been improved under the 'Public Paths Improvement Programme' (PPIP). Silver and bronze paths are of a lower priority.

### **4) How much grant does the parish or town council get?**

The funding is for paths and isolated gates or stiles on gold paths that require cutting either once or twice a year.

All silver paths in the parish receive flat rate funding regardless if cutting is required or not. This is because there has been no major programme of improvement on silver paths (unlike on gold paths). Parishes can decide where the silver funding is used.

Once the cutting regime is agreed the following formula is applied to calculate the funding.

- A. Gold paths - £121.00 per km per cut for length requiring cutting.
- B. Isolated gates and stiles - £6.05 per point per cut.
- C. Silver paths - £48.40 per km for entire silver network within the parish.

### **5) What if we need to do more cutting though the year?**

Weather changes and unexpected circumstances arise. Before undertaking additional cutting, you should contact the Countryside Partnerships Officer to review the cutting requirements.

### **6) How do we go about employing a Contractor to carry out the work?**

Using the cutting map and the 'Parish Path Cutting List for Contractors' sheets the parish should ask interested contractors to give quotes or tenders stating charges per kilometre for cutting. The quote or tender should also outline how

they are going to do the work and when and also how they are going to ensure that their work is carried out safely with minimal risk to both themselves and members of the public. They should also give details of their public liability insurance, employers liability insurance (if they employ other staff) and any relevant qualifications they have for operating machinery such as brush cutters and chainsaws.

Some parishes also add other works to the contractor quotation/tender documents in order to get better value for money. This works well, however, this extra work is not then eligible for payment under the LMP scheme and must be funded from elsewhere.

### **7) Our Parish contractor does not have the correct training, can we still employ them?**

All parishes need to satisfy themselves that their contractors are working as safely as possible so that both they and members of the public are not going to be put at risk as a result of footpath maintenance.

The most common way of getting that assurance is by ensuring that the contractor has the appropriate training in the use of their tools, the ability to carry out risk assessments, etc.

It is difficult for professional, commercial contractors to get work these days without these qualifications and normally contractors incorporate the cost of training into their work rates.

### **8) When is the best time of year to carry out cutting of our footpaths?**

For most parishes, the ideal time for a first cut would be at the beginning of the season during May/June. For many paths this would be sufficient. A second cut may be required later in August if vegetation growth starts to encroach on the path.

*Note that vegetation growing from the side and overhanging the path is legally the responsibility of the landowner. However, if the landowner is difficult to locate we can appreciate that the Parish Council will carry this out as part of the LMP – we would like to know if the parish is cutting a lot of side and overhang growth as in effect, the council taxpayer is paying for a landowner's responsibility. We would like to explore ways of ensuring landowners carry out their legal responsibility as we would like the LMP budget to be used for what it*

*is meant for – footpath maintenance and cutting, not paying for what landowners should be paying for.*

As a guide, footpaths should be trimmed to a width of 1.5 metres and bridleways should be thinned to a width of 2.5 metres and trimmings should be disposed of neatly on site.

### **9) What if the path to be cut runs through a Site of Special Scientific Interest (SSSI)?**

The cutting map highlights where paths run through SSSIs and the contractors cutting list also highlights if any paths run through a SSSI. Cutting could be a Potentially Damaging Operation as it may harm the plants and wildlife that live there.

You or your contractor needs to contact your local Natural England Office or through [www.naturalengland.org.uk](http://www.naturalengland.org.uk) and they will advise you on how to proceed.

***Undertaking works without their authorisation could result in prosecution.***

**Useful information on Public Rights of Way can be found on Cornwall Council Website <http://www.cornwall.gov.uk/environment-and-planning/countryside/public-rights-of-way>**

Maps & cutting schedules supplied by Cornwall Council will be available at the Church Rooms from 6.30pm

18. Great Western Railway – to approve a letter drafted by Deputy Mayor Hughes regarding the proposed timetabling changes.

Dear Matt Barnes

As you may be aware, local interest in Lostwithiel Station has been rekindled in recent years, and working with Lostwithiel Transport Users Group and others, Lostwithiel Town Council has been working to raise the profile of, and facilities

at the station for the benefit of passengers and residents. The railway has been an established part of our community since the inception of the Cornwall Railway, and is regularly used for local, regional and intercity travel. Further to the recent timetable group meeting, Lostwithiel Town Council would like to take this opportunity to formalise our thoughts on the draft January 2019 timetable, with particular reference to our town centre station.

#### Hourly service

Lostwithiel Town Council is very pleased that the concept of a regular, near hourly service through Cornwall, is soon to be achieved and welcomes the significant efforts and investments made by GWR and others to achieve this. We believe that this change will be of significant benefit to the residents of Lostwithiel and anticipate the numbers of passengers using our station will increase.

We appreciate the efforts made to deliver better connection times at Plymouth, although note that there remain some significant waiting times before onward travel. This is a source of frustration with many of our community who can see that the onward train is going or has come through Lostwithiel at speed.

#### Direct connectivity to and from London Paddington

We appreciate that in compiling what has been billed as the greatest revision of the West of England timetable since WW2, there must have been many demands and opportunities to try and incorporate into this draft.

We welcome the investment in the new IEP trains, and hope that passengers at Lostwithiel will be able to enjoy using them on direct services to London.

We understand that the new rolling stock has significantly reduced dwell times, which is of great benefit when stopping at smaller stations.

As you will be aware, Lostwithiel has three direct services each way at present, and as a minimum we would hope to retain this service level. Our ideal, would be to have four direct services to and from London per day departing Paddington or Lostwithiel early morning, middle of the day, early evening, late evening (sleeper). Our interpretation of the draft up timetable is that there is only one service proposed at 1836, which is of significant concern.

#### Night Riviera

Lostwithiel Town Council welcomes the retention of the down stop of the Night Riviera as it serves those travelling from London, but also a useful commuter function. We have for a number of years been requesting that the



'up' sleeper stop at Lostwithiel be reinstated and are keen to see this draft of the timetable reflect that.

We also recognise that passenger numbers may not be high for this but wonder if as the majority of ticket sales for the Night Riviera advance sales are, if there is an opportunity for the purchase of an advance ticket by a passenger be enough to trigger a request stop.

Footbridge

Finally, we note that the additional services that comprise the hourly service, when added to the Cross Country and DBS services, will cause the operation of the level crossing even more frequently than at present. With Lostwithiel already having the busiest mainline level crossing West of Exeter, we would like to repeat for the record, our belief of the increasing need for a pedestrian footbridge at the station.

With thanks for your ongoing community engagement.

Yours etc.

19. Accounts and Finance
20. Correspondence
21. Notices
22. Items for next agenda
23. Councillor Co-option – to receive the written application for the office of Town Councillor and to co-opt to fill the vacancy.

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. Second Island walkway tender – to appoint a contractor to repair or remove the walkway.