

RAUNDS TOWN COUNCIL

POLICY AND RESOURCES COMMITTEE

Minutes: 19 January 2016: Start Time 7.30pm.

PRESENT

Cllr L Wilkes (Chair), Cllr D Hughes, Cllr R Levell, Cllr H Howell

IN ATTENDANCE

Ms Kate Houlihan, Town Clerk (Minutes)

Miss Joanne Coduri, Assistant to the Clerk.

501.15 To Receive Apologies For Absence.

Apologies were received from Cllr L Jones

RESOLVED to note the apology

502.15 Notification of requests from members of the public to address the meeting in compliance with adopted protocol.

None received.

503.15 Notification of members questions in compliance with the council's standing orders.

None received.

504.15 Declarations of Interest.

Councillors are reminded that if they have either a disclosable pecuniary interest or other interest in any item then they should declare the interest and leave the meeting for that item

None received

505.15 Minutes: confirm the minutes of the Policy and Resources Committee meeting held 17 November 2015.

RESOLVED that the minutes of the Policy and Resources Committee meeting held on the 17 November 2015 be agreed.

506.15 Formation of a Community Interest Company (CIC): to consider draft articles of association for the CIC.

Members reviewed the draft articles of associations and it was...

RESOLVED that

- a) **Members of the Policy and Resources committee meet as a working party to review the articles and memorandum of association. These will then be presented to the Full Council for approval.**

507.15 To recommend to the Full Council that the memorandum of association and articles of association be adopted as presented by the working party.

508.15 Risk Assessment Management: To carry out a review of the council's risk assessment.

Members reviewed the report of the clerk, the risk register and the operational risk assessments.

It was agreed that the documentation could be presented more clearly and in a more uniform manner.

However it was noted that the risk register and risk assessments adequately covered all the risks faced by the Town Council.

RESOLVED to

- a) **Recommend to the Full Council that the risk register and risk assessments be approved as tabled and shown in Appendix 1. Cllr Levell abstained from the vote.**
- b) **The clerk would update the risk register and operational risk assessments and present these to the Policy and Resources committee in the next financial year.**

509.15 Land register: To review and consider any actions resulting from the completion of a draft register of council owned land.

Members reviewed the report of the clerk and the report from LPR Appendix 2. Following discussion and a review of the deeds for some areas it was...

RESOLVED that

- a) **Photocopies of deeds will be held at the Town Council Offices and the originals will be returned to the solicitor.**
- b) **A suitable display case will be found to display the historic seals attached to documents.**
- c) **A photograph of each piece of land will be held in the deeds folder.**
- d) **Sites visits will be held to view the land on the West side of Windmill Grove, land to the rear of Rotton Row and open space at De Ferneus Drive.**
- e) **Valuations will be obtained for land including the Pocket Park and land at Heritage Way.**

510.15 Grant Awarding Policy: To consider the council's grant awarding policy.

Members reviewed the grant awarding policy and considered amendments to bring the policy in line with powers under the General Power of Competence. Following discussion it was.....

RESOLVED to

- a) **Recommend to the Full Council the grant awarding policy be adopted as shown in appendix 3**
- b) **Recommend to the Full Council that the "guidance for members for appraising applications for grants" be rescinded.**

511.15 Investment Policy: To consider the council's investment policy.

Members reviewed the Investment Policy and it was...

RESOLVED no changes to the Investment Policy were required.

512.15 Agenda management: To consider a report from the clerk on how recommendations from committee are considered by the Full Council.

Members reviewed the report of the clerk as shown in Appendix 4 and following discussion it was...

RESOLVED to recommend to the Full Council that:

- a) **Where a committee makes a recommendation to the Full Council on a matter within their terms of reference, this will be dealt with through the committee report as a "resolved to recommend". Members still have the opportunity to question and challenge these recommendations.**
- b) **Where a committee makes a recommendation outside of their terms of reference this will be dealt with as a separate agenda item at Full Council.**
- c) **To improve democratic involvement, agendas and reports for all committees will be made available (either via email or other electronic means) to all members of the council prior to a meeting, or where a report is tabled at a meeting, these will be made retrospectively available.**
- d) **Members are reminded that they can attend, but may not vote at any committee meeting they are not a member of. Any member may make a representation to a committee at the discretion of the chairman.**
- e) **Where there is a statutory requirement for an item to be resolved by the Full Council this will be given a separate agenda item even where a committee is bringing forward a recommendation.**

513.15 Exclusion of press and public

The press and public will be excluded from Agenda item 513.15 due to the confidential (commercially sensitive) nature of the business under the Public Bodies (Admission to Meetings) Act 1960 S.1 (sub section 2)

514.15 To receive an update on Business Rates and Town Hall tenants.

The clerk gave a verbal update on matters relating to Business Rates at the Hall.

RESOLVED to note the report.

There being no further business the meeting concluded at 8.56pm

Approved: (Town Mayor)

Meeting date: 9 February 2016..... (Council)

Approved: (Chairman)

Meeting date: 16 February 2016..... (Committee)

Appendix 1:

| | | | | | |
|---|--|--|---|---|--|
| Summary: Report on the annual review of the Council's risk assessments. | | | | | |
| Attachments: Risk Register, Risk Assessments and Action Plan | | | | | |
| 1.0 | Background | | | | |
| 1.1 | Risk Management | | | | |
| | We manage our risks by carrying out 'risk assessments' for each specific risk we identify and look at ways of mitigating the risk to a low, satisfactory level. | | | | |
| | We evidence our work by documenting our assessments and recording key findings in a 'risk register'. | | | | |
| | Our key risks come from: | | | | |
| | <ol style="list-style-type: none"> 1. Financial risks 2. Environmental risks 3. Operational risks 4. Reputational risks | | | | |
| 1.2 | Operational risks form a large area of our work and include: outdoor facilities, buildings, land, car parks, contractors, hire facilities, events, emergencies and health and safety. | | | | |
| 2.0 | Risk Assessment | | | | |
| 2.1 | It is important to identify any risks facing the Council that could prevent achievement of its objectives. The impact and likelihood of risks should be scored using the matrices set out below. | | | | |
| 2.2 | Risk Assessment Matrix | | | | |
| | Very High | 4 | 8 | 12 | 16 |
| | High | 3 | 6 | 9 | 12 |
| | Medium | 2 | 4 | 6 | 8 |
| | Low | 1 | 2 | 3 | 4 |
| | Impact / Likelihood | Low | Medium | High | Very High |
| 2.3 | Impact Descriptors (How big could the impact be) | | | | |
| | | Low | Medium | High | Very High |
| | Legal | Minor litigation (e.g. challenge to decisions) | Major litigation and/or HSE or public enquiry | Major litigation setting precedent and/or national public enquiry | MO / government intervention or criminal charges |
| | Financial | Up to £50K | Up to £100k | Up to £250K | Over £250k |
| | Performance | Low level of | Material level of | Unacceptable | Complete failure |

| | | | | |
|--|--|--|--|--|
| | minor complaints | minor complaints. Service quality impaired | level of complaints. Adequate service level cannot be maintained | of service delivery or District intervention |
| Health & Safety of People | Low level of minor injuries | High level of minor injuries | Serious injury | Death or permanent incapacity of an individual for whom the Council has responsibility |
| Reputation | Little or no impact outside of the Council | Minimal negative local media reporting | Significant negative public comment and adverse press | Questions raised in parliament and/or reported in national media |
| <p>Recommendations</p> <p>After considering the attached Risk Register, associated risk assessments and action plan, that Members:</p> <ul style="list-style-type: none"> To receive and adopt the report; | | | | |

Appendix 2:

| | |
|--|---|
| Summary: | |
| A report on: Council owned land | |
| Attachments: Report from LPR | |
| 1.0 | <p><u>Overview</u></p> <p>The Policy and Resources committee appointed LPR to carry out a review of council owned land. Their report is attached here.</p> <p>In reviewing the report on council owned land the committee should be mindful of the previous resolution of council (2013.15 that:</p> <ol style="list-style-type: none"> The Policy & Resources Committee establish a register of all land held by the Town Council. The register of land includes details of any restrictive covenants on the land. That all land owned by the town council is registered with the Land Registry. That all land owned by the town council is assessed for its amenity value. That if the land has no amenity value the council should consider disposal. Where land is to be disposed of it may be through: <ol style="list-style-type: none"> The sale of land to local residents (e.g. garden extension) Gifting or leasing the land to another organisation The sale or lease of the land for commercial purposes |
| 2.0 | Further to the report it has been established that the Pocket Park is registered to the Town Council. |
| Recommendations | |
| 3.0 | The committee needs to review the report and consider any further actions. |

| Report from LPR | |
|-----------------|--|
| Key | |
| | Land is registered. Title Deeds on file. No action required |
| | Land is unregistered. There is a caution on some or all of the land. |
| | Land is unregistered |
| | Land is registered but documentation held by RTC is incomplete |

| Title Number | Description | | Ownership | Action | Documentation |
|----------------------|---|--------------------|-----------|--------------------|-----------------|
| NN235943 | Land on the East side of London Road | Open space 200828 | RTC | No action required | Title Deed |
| NN220138 | Land on the West side of Brook Street | Open space 200818 | RTC | No action required | Title Deed |
| NN220136 | Land on the West side of Windmill Grove | Open space 200817 | RTC | No action required | Title Deed |
| NN216890 NN216889 | Land on the East side of Harvey Close | Grass verge 200161 | RTC | No action required | Two Title Deeds |
| NN126561 | Land on the North side of Stanwick Road | Open space 15475 | RTC | No action required | Title Deed |
| NN183952 | Two parcels of land on either side of Belmont Gardens | Open spaces 15129 | RTC | No action required | Title Deed |
| NN169265 | Land on the East side of Heritage Way | Open space 14811 | RTC | No action required | Title Deed |
| NN330825 | Saddlers Play area | Play area | RTC | No action required | Title Deed |

| Title Number | Description | | Ownership | Action | Documentation |
|--------------|--|----------------------------|--|--|--|
| | The Hall | Town Council Offices 14533 | Unregistered – caution NN319466 in place | <p>We recommend you obtain a copy of the caution from the Land Registry. This may have implications for first registration</p> <p>Prepare land registry compliant plan and application for first registration</p> | Conveyance of 16/12/1982 between E Northants District Council and RTC |
| | Land on Marshall Street at the junction with West Street | Car park 14523 | Unregistered | <p>Prepare land registry compliant plan and application for first registration. Statutory declaration and/or property vesting order required.</p> <p>[To clarify RTC's position regarding the land to the rear of the car park which is also unregistered]</p> | <p>Conveyance dated 4/9/34 between Thomas Edward Gravely and Arthur Frederic Gravely and The Urban District Council of Raunds</p> <p>Conveyance of 7/3/33 between Thomas Edward Gravely and Arthur Frederic Gravely and The Urban District Council of Raunds</p> <p>Conveyance dated 31/5/66 between Ronald Ringrose Lawrence and The Urban District Council of Raunds</p> <p>Statutory Declaration and/or Property Transfer Order</p> |

| Title Number | Description | | Ownership | Action | Documentation |
|--------------|---|-----------------------|--------------|--|--|
| | Amos Lawrence Park | 14522 | Unregistered | Prepare land registry compliant plan and application for first registration. | <p>Conveyance dated 24/6/74 between Eunice Pauline Marie Lawrence and Amanda Joy Park and The Town Council for Raunds</p> <p>Conveyance dated 28/3/74 between Alfred Alan Groom and the Urban District Council of Raunds</p> <p>Indenture dated 25/6/1896 between The Queen's Most Excellent Majesty and Mr Samuel Brown</p> <p>Statutory Declaration and/or Property Transfer Order</p> |
| | Land on High Street | Memorial Garden 14519 | Unregistered | Application prepared. | <p>Conveyance dated 27/9/49 between The Vicar of Raunds and Raunds Urban District Council</p> <p>Statutory Declaration and/or Property Transfer Order</p> |
| NN156328 | Land on Ferneus Drive, McInnes Way and Rotton Row | Open spaces. 14517 | ? | We recommend you obtain Title Deeds from Land Registry to confirm ownership | ??? |

| Title Number | Description | | Ownership | Action | Documentation |
|--------------------|---------------------------------|--|--------------------|--|--|
| NN283628 -lease | Windmill Primary School Field | 14515 | Unregistered field | <p>Application prepared!</p> <p>Caution NN319546. We recommend you obtain a copy of the caution from the Land Registry. This may have implications for first registration</p> <p>Prepare land registry compliant plan and application for first registration</p> | <p>Landlord: Raunds Town Council, tenant is The Governing Body of Raunds Primary School</p> <p>Conveyance of 1/4/54 between Grace Groom and The Urban District Council of Raunds</p> <p>Abstract of Title dated 1954</p> <p>Copy agreement 6/2/34 CE Woolston Esq and W Lawrence Esq</p> <p>Statutory Declaration and/or Property Transfer Order</p> |
| | Land to the East of London Road | Bassfords Recreation Ground (mid section to exclude allotments and cricket club) 14515 & 14514 | Unregistered | <p>(First application prepared.)</p> <p>Prepare application for first registration</p> <p>NB allotments and cricket club also unregistered</p> | <p>Conveyance dated 19/3/63 between the Raunds allotment and smallholders association Ltd and The Urban District Council of Raunds</p> <p>Abstract of title 1963 – Raunds Allotment and Smallholders Association Ltd</p> <p>Indenture of 22/4/1898 between Margaret Bass and The Urban District Council of Raunds.</p> <p>Statutory Declaration and/or Property Transfer Order</p> |

| Title Number | Description | | Ownership | Action | Documentation |
|---------------------|-----------------------|-----------------------------|--------------|---|--|
| | The Square | Car park 14505 | Unregistered | <p>NN319480 Caution in place. We recommend you obtain a copy of this. This may have implications for first registration</p> <p>Documentation only for bottom two thirds of site, top parcel will definitely need a statutory declaration.</p> | <p>Indenture dated 10/7/1899 between John J Sharpe and the Raunds Urban District Council</p> <p>Conveyance dated 28/4/34 between Jonathan Northern and Walter Gell</p> <p>Conveyance dated 12/1/45 between Walter Gell and the Raunds Urban District Council</p> <p>Statutory Declaration and/or Property Transfer Order</p> |
| NN247470 | Saxon Hall Gardens | | ? | Deeds not in your records. We recommend you obtain copy deeds to confirm ownership | |
| NN152884 – lease | 44m2 in High Street | Public convenience 14453 | Unregistered | Prepare application for first registration | <p>Lease dated 20/7/1992 between RTC and The Council For the District of East Northamptonshire</p> <p>Statutory declaration required as no documentation vesting land in the TC</p> |
| | Cemetery, London Road | 14520 | Unregistered | Prepare application for first registration | <p>Conveyance dated 22/9/16 between Mrs A Sharp and Raunds Urban District Council</p> <p>Statutory declaration / property vesting order</p> |

| Title Number | Description | | Ownership | Action | Documentation |
|--------------|-------------|--|-----------|--|---------------|
| NN126561 | Pocket Park | | | Deeds not in your records. We recommend you obtain copy deeds to confirm ownership | |

Appendix 3:

POLICY ON AWARDING GRANTS TO SUPPORT COMMUNITY ORGANISATIONS.

Raunds Town Council has discretion to award grants to community organisations and individuals which can evidence a clear need for financial support and demonstrate it contributes towards the vision and aims of the Town Council.

1.0 Policy

- 1.1 Every application shall be considered on its own merit.
- 1.2 The applicant must clearly demonstrate how its application will be of benefit to the community.
- 1.3 The organisation must be non-profit making and/or hold charitable status.
- 1.4 Applicants must clearly demonstrate why they need funding.
- 1.5 Grants will not be made to political/ religious groups.
- 1.6 A grant will not normally exceed 50% of the applicant's costs.
- 1.7 Grants will not be made for retrospective applications.
- 1.8 Only one application will be considered from an organisation in a financial year.
- 1.9 For budgeting purposes, applications for grants in excess of £500 should be made to the Council by September of the previous year.
- 1.10 Where an organisation requests funding over a period of years, they will be required to submit annual applications.
- 1.11 The Town Council must be credited in any publicity arising from the award of a grant.
- 1.12 Preference will be given to organisations using town facilities and/or having sought (and been refused) external funding prior to apply to the Council.
- 1.13 Once the grants budget has been spent in any year the Council will not entertain further applications unless the Council considers the application is of special merit.

2.0 Procedure

- 2.1 A grants budget will be set annually, during the budget setting process.
- 2.2 Subject to funds being available, applications will be considered by the Policy and Resources Committee throughout the financial year, subject to 1.12 above.
- 2.3 The scheme will be publicised as appropriate.
- 2.4 Applications must be made on the Council's application form

2.6 Organisations given grants will be asked to report to the Town Assembly, showing how the money has been spent and the benefits the grant has provided.

3.0 Notification of grant

3.1 Applicants will be informed of the council's decision after the meeting.

3.2 The decision making process could take 10 weeks from receipt of a valid application.

Appendix 4:

| | |
|--|---|
| Summary: Agenda management: To consider a report from the clerk on how recommendations from committee are considered by the Full Council. | |
| Attachments: None | |
| 1.0 | Introduction This report considers how the Full Council will consider recommendations that are presented by committees. |
| 1.1 | Certain decisions such as the setting of the precept must be made by the Full Council. However the Local Government Act 1972 allows for the majority of decision making to be delegated either to a committee of the council or to council officers. |
| 1.2 | Raunds Town Council has an agreed scheme of delegation whereby not all decisions are taken by the Full Council. Many decisions are taken either by the council's committees or through the town clerk. |
| 1.3 | Statute, Financial Regulations, Standing Orders and Committee Terms of reference all provide clarity on which body (full council/committee/officer) is authorised to make any particular decision. |
| 2.0 | Decision making by Committee's |
| 2.1 | Each committee is responsible for specific budget headings. The committee can generally approve expenditure within their own areas of responsibility for items up to £5,000. Thereafter approval is to be sought from the Full Council. (RTC Financial Regulations September 2015 4.1) |
| 2.2 | During the budget year each committee having considered fully the implications for public services, unspent and available amounts up to maximum of £5,000 to or from any budget heading may be moved to other budget headings or to an earmarked reserve as appropriate. (RTC Financial Regulations September 2015 4.2) |
| 2.3 | During the budget year a committee may consider items of expenditure for which there is no budget. In this instance any expenditure should be approved by the Full Council. |
| 3.0 | Committee recommendations to the Full Council Where a committee seeks to commit the council to a decision which is not within their remit they will seek the approval from the Full Council. These decisions may or may not incur expenditure and take the form of recommending a policy, a particular course of action, or making expenditure. Clarity is needed however on when these recommendations should be placed on the Full Council agenda as a separate agenda item and when they should be presented to the council as part of the committee report and presented as a "resolved to recommend". In the past some such items were placed separately on a Full Council agenda either because they incurred substantive expenditure, or at the request of members. However this is highly subjective and a clear policy would bring clarity to the matter. When considering how these items are dealt with the following should be taken into account: |
| | <ul style="list-style-type: none"> • Democracy: the importance of enabling members of the council to take part in making key decisions. • Good use of council resources: Adding items to a council agenda could lead to delays in decision making (with matters being referred to / from committee) and repetition of debate that has already taken place at committee level. |

- **Statutory Requirements:** Some decisions must be made by the Full Council

A balance must therefore be struck to meet statutory requirements, ensure democratic decision making and make good use of council resources.

First reflection and past practice would suggest that a reasonable solution would be that where a committee recommendation seeks to incur expenditure above a pre-set limit this should be a separate agenda item. However this does not make allowance for the fact that policy decisions could have far reaching financial consequences without incurring any direct expenditure.

4.0

Recommendations

- f) That where a committee makes a recommendation to the Full Council on a matter that falls within their terms of reference, this will be dealt with through the committee report as a “resolved to recommend” thus ensuring good use of council resources. For example if the ELR committee makes a recommendation directly related to improving the councils leisure facilities then this will be presented as a resolved to recommend. Members still have the opportunity to question and challenge these recommendations.
- g) That where a committee makes a recommendation outside of their terms of reference this will be dealt with as a separate agenda item at Full Council.
- h) To improve democratic involvement agendas and reports for all committees will be made available (either via email or other electronic means) to all members of the council, prior to a meeting, or where a report is tabled at a meeting reports will be made retrospectively available.
- i) Members are reminded that they can attend, but may not vote *at*, any committee meeting. Any member may make a representation to a committee at the discretion of the chairman.
- j) Where there is a statutory requirement for an item to be resolved by the Full Council this will be given a separate agenda item even where a committee is bringing forward a recommendation.