



# LEDBURY TOWN COUNCIL

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26 September 2023

Dear Councillor

You are summoned to attend a meeting of **LEDBURY TOWN COUNCIL** to be held on Thursday, 28 September 2023 at 7.00 pm at the Burgage Hall, Church Lane, Ledbury for the purpose of transacting the business shown in the agenda below.

Please note that a representative of HMS Ledbury will be giving a presentation at 6.30 pm in the Burgage Hall.

Yours faithfully

Angela Price PSLCC, AICCM, MIWFM  
Town Clerk

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## A G E N D A

### 5. Herefordshire Councillors' Reports (Pages 732-733)

To receive reports from Ledbury Ward Members:

- i. Councillor Harvey
- ii. Councillor Peberdy
- iii. Councillor Simmons

## **MINUTES**

11. To receive and note the minutes of a meeting of the Finance, Policy & General Purposes Committee held on 21 September 2023 and to give consideration to any recommendations therein (Pages 734-743)

## **GOVERNANCE**

16. Internal Audit report on review of Policies and Procedures  
(Pages 744-761)
17. Recommendations from Task & Finish Group to review the Council's Committee Structure  
(Pages 762-765)
19. Officer Reports (Pages 766-771)
  - ii. Deputy Clerk (To follow)

**Distribution: - Full agenda reports to all Councillors (13)  
Plus file copy**

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Local Press (2)  
Library (1)  
Police (1)**

**September 2023 Report from Cllr Justine Peberdy – Ward Councillor Ledbury West**

It was great fun to be a part of the Ledbury Carnival and I was honoured to be asked to judge the floats. Thank you to Helen and the Town Council for the lovely lunch.

The allocation of S106 money to Ledbury Primary for outdoor classroom provision is progressing. Ledbury Primary are currently seeking a new co-opted governor and would welcome suggestions.

More residents have expressed concern about the maintenance of the New Mills Way. There is the possibility of allocating S106 money to improve lighting and maintenance which I am investigating.

The Ledbury Patient Participation Group are meeting next on 25 October and are still looking for better representation from the 18 – 55 age group. They are working to support the Practice by raising awareness of winter flu clinics, the benefit of seeking advice from our community pharmacists to take the pressure off GP services, and patient surveys which are being completed throughout Herefordshire to better understand patients' experience.

A lively and well attended meeting organised by the '20's Plenty' campaign featured a presentation by Ledbury resident John Whitelegg (Visiting Professor of Sustainable Transport at Liverpool John Moores University). Green councillors are in support of the campaign and are preparing to progress the motion to support the introduction of 20mph speed limits in our residential areas, which was first passed by Herefordshire Council in March 2020.

Gareth Calan Davies (Beyond the Hills Community Station Partnership) has brought to our attention the erosion of our public transport services through the gradual withdrawal of Hereford-London trains. Colwall Parish Council have asked Mark Hopwood (MD of GWR) to address their concerns.

I fully support Councillor Hughes' proposal for LTC to apply to HCC for a full review of traffic signage in Ledbury. Ledbury residents often express their concern about heavy goods vehicles driving through Ledbury and the impact that has on road safety, noise and air pollution.

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**LEDBURY TOWN COUNCIL**

**MINUTES OF A MEETING OF THE FINANCE, POLICY & GENERAL PURPOSES  
COMMITTEE  
HELD ON 21 SEPTEMBER 2023**

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**PRESENT:** Councillors Bradford, Furlonger, Harvey, Howells and l'Anson

**ALSO PRESENT:** Angela Price – Town Clerk  
Charlotte Barltrop – Minute Taker  
Nick Morris – John Masefield Memorial Working Party  
Tim Keyes – John Masefield Memorial Working Party

**F52. ELECTION OF TEMPORARY CHAIR**

Due to the absence of both the Chair, and Vice-Chair of the Committee, members were asked to elect a Chair for this meeting.

**RESOLVED**

**That Councillor Harvey be elected to act as Chair for this meeting of the Finance, Policy & General Purposes Committee.**

**F53. APOLOGIES FOR ABSENCE**

**Apologies for absence were received from Councillors Eakin, Hughes, Newsham and Sinclair.**

**F54. DECLARATIONS OF INTERESTS**

**None received.**

**F55. NOLAN PRINCIPLES**

**RESOLVED:**

**That the Nolan Principles be received and noted.**

**F56. PUBLIC PARTICIPATION**

Councillor Nick Morris and Mr Tim Keyes were in attendance and wished to speak to Agenda Item 19, in respect of the decision taken at an Extraordinary meeting of Full Council, held on 6 September 2023, that the John Masefield working Party become a stand-alone organisation.

Councillor Morris asked the Finance, Policy & General Purposes Committee to refer the decision taken by Full Council at their meeting on 6 September 2023,

back to the Full Council meeting scheduled for 28 September 2023.

Councillor Morris stated that he did not feel that there had been insufficient information or discussion on this matter at the meeting on 6 September to enable Members to make an informed decision.

Councillor Morris stated that he did not feel that there had been any realisation from those present that this project is important to the prosperity of the town. He advised that the response received from Members of the John Masefield in respect of this decision had been that it was essential for the success of the project that it remain under the umbrella of Ledbury Town Council and to maintain the integrity of the work which had been undertaken so far toward securing funding.

He went on to say that the Working Party had accepted an invitation from a professional fund raiser who believes she can help achieve funding of £200,000 for this project, who feels that this would not be achievable if the working party were not under the umbrella of the Council. As an established organisation the council was better placed to handle this sort of funding application and distribution of those funds accordingly.

Mr Keyes expressed that he found it strange that there did not appear to have been any discussion around the decision, which had been taken at the extraordinary meeting. He advised that there are many parties involved in the John Masefield Memorial project, many of whom are participating from a distance, including the volunteer fundraiser, Dr Jane Mee, who has been building on the excellent work which was done by the project manager to create a funding bid to go to Lottery Funding. In order for this bid to be successful, and to exist in the manner which it was currently being written, it was imperative that the project continued to be under the umbrella of Ledbury Town Council. He also expressed concerns that the project may not be able to move forward without the support of the Council and that the current funding bid would need to be completely reworked and may fail.

- F57. COUNCILLOR HARVEY PROPOSED THAT ITEM 19 BE BROUGHT FORWARD TO BE CONSIDERED WHILST MEMBERS OF THE JOHN MASEFIELD WORKING PARTY WERE PRESENT TO AVOID THEM HAVING TO WAIT UNTIL LATER IN THE MEETING.**

**RESOLVED**

**That item 19 be brought forward to this point within the meeting Agenda.**

- F58. TO REVIEW DECISION TAKEN AT EXTRAORDINARY MEETING OF COUNCIL IN RESPECT OF JOHN MASEFIELD MEMORIAL WORKING PARTY**

Councillor Harvey advised that she had requested this item to be on the agenda of this meeting, as she had concerns that the decision taken at Full Council on 6 September had not been a legitimate decision. Councillor Harvey referred to Standing Order 7 "Previous Resolutions" which states:

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b. When a motion moved pursuant to standing order 7(a) has been disposed of no similar motion may be moved for a further six months.

However, Councillor Harvey advised that given the content of the report provided by the Clerk that the decision made at the meeting was incorrectly made and therefore felt that the Finance, Policy & General Purposes Committee need to address that, stating that if the decision was incorrectly made then there is no decision in place.

She advised that this committee needs to consider whether the original decision needs to be re-made or whether they make a recommendation for Council to carefully consider the content of the previous decision and an alternative resolution be suggested taking into account all other issues around this decision, such as resources and support from the Council.

Councillor l'Anson stated that the members should discuss the aspects of the decision and not the realms of the Working Party.

Councillor Harvey questioned whether the decision which had been made was a safe decision or whether it was Ultra Vires.

Councillor Bradford quoted from the report, "This proposal was borne from frustration of Councillors that progress of the project and associated suggestions are hindered because of lack of authority that a Working Party has." He advised that he had read a lot of the information about the Working Party but considered that it appeared there was little progress being made. He had felt that the decision had been taken to help the Working Party rather than for any negative reasons. He stated that he would vote for whatever would move the project forward.

Mr Keyes provided some insight into why it appears that the Working Party had not made much progress, he advised that it would be normal for a project like this to move slowly in the early days whilst the funding application was being put together, as well as the plan for how the project was to be approached.

Councillor Bradford proposed that the Working Party continue but with a structured plan, terms of reference, clear budget, and activity plan.

Councillor Howells suggested that the working party be set up in a similar way to the Neighbourhood Development Plan Working Party which had been structured, whereby they planned and worked as a separate entity unless funding or major decisions were required to be made in which case these were brought to the relevant Committee for final approval. He supported Councillor Bradfords comments that the decision had been made to help the project move forward. He agreed that the Council should review the decision in the light of the information provided within the report and from Mr Keys and Councillor Morris.

Members agreed that the decision which had been made at the Council meeting on 6 September 2023 had been taken with Ultra Vires and therefore did not stand and that this item should be struck from the minutes.

Councillor Harvey expressed her disappointment that the decision had been made on the same day that a Working Party had met to discuss how the council goes about delegating powers to committees to be able to take decisions on expenditure rather than having to be referred to full council. She suggested that the questions to be asked were:

1. What could be done to improve the “fleet of footness” of the Working Party?
2. That the Working Party be asked to provide a delivery plan which gives information on what the things are the Working Party planning to do, and the level of support required to enable it to happen from within the in-house team of officers at the Council, or whether there are other ways to provide that support that doesn't need to be from paid officers, such as individuals with the right skills.

Councillors Howells proposed that the Committee revisit the governance of the JMMWP and submit a further report to Council on how the Working Party should be set up in the future, using the NDP Working Party as a guideline for this, subject to decisions made about governance of all Council Working Parties in the future.

Councillor Bradford accepted that the legal points raised in the meeting in respect of the previous decision as being correct. He proposed that a recommendation be made to set up a new JMMWP and that they be asked to set goals for guidance for this committee.

Councillor Bradford was advised that due to the decision made at the meeting on 6 September 2023 being ultra vires the JMMWP still existed and therefore there was not requirement to set up a new Working Party.

Therefore he amended his proposal to mature the current JMMWP.

Councillor Furlonger suggested that it was important to have autonomy for all the Council's Working Parties and not have different Terms of Reference for each Working Party.



Councillor Harvey proposed that the Working Party looking at Council's Committee Structure and how to improve the decision-making function of this Council, make an early recommendation on how to improve the operation and governance of all Working Parties and that this decision be returned to Full Council as soon as possible. In the meantime, the John Masefield Memorial Working Party continue whilst acknowledging that there are concerns about the effort required to support this Working Party and that it needs to be mindful that sufficient notice is given to enable that support to be sources and provided to the working Party whilst waiting for further recommendations.

Both Councillors Howells and Bradford withdrew their proposals in support of Councillor Harvey's proposal.

Mr Keyes acknowledged that progress had been slow on this project but that the nature of the way that the application process for the fundraising worked was a slow process. He stated that good progress had been made by the project manager toward this project and that this was forming an excellent basis for the funding application.

### **RECOMMENDATION**

- 1. That the Committee Structure Working Party be asked to make an early recommendation regarding how to improve the operation and structure of all Working Parties and return their decision to Full Council as soon as possible.**
  - 2. That noting that the previous decision made at the Extraordinary Full Council meeting was Ultra Vires and therefore does not stand, this record should be struck from the record of the minutes.**
  - 3. That the John Masefield Memorial Working Party continue to exist under the umbrella of Ledbury Town Council until such time as a further decision has been made on the function of Working Parties.**
  - 4. That the Clerk write to the Ledbury & District Civic Society to thank them for their letter in respect of the letter they had submitted and Mr Keyes attendance at the meeting.**
- F59. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF A MEETING OF FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 27 JULY 2023**

### **RESOLVED:**

**That the minutes of a meeting of the Finance, Policy and General-Purpose Committee held on 27 July 2023 be approved and signed as a correct record.**

### **F60. TO REVIEW THE ACTION SHEET**

The Clerk updated members on the following items:

F16.7 – that a response had been received from Advansys regarding the

website issues and that all staff and Councillors had been asked to report any issues.

Members expressed their disappointment at this response and requested that the Clerk write back to Advansys and ask them to carry out further investigations into this error.

Members discussed that this issue had gone on too long and that it would be beneficial for a group to meet to discuss the issues in detail and how to move forward with the website.

F49 – That the section 25 notice had been served and that the Co-op were engaging with the Council and their Solicitors in respect of the lease.

Councillors made the Clerk aware that there seemed to be issues with the décor at the Chapel and requested that the Clerk review the content of the lease in respect of responsibilities for maintaining the internal condition of the building to a satisfactory state.

**F61. TO RECEIVE THE RECORD OF RECEIPTS AND PAYMENTS FOR JULY 2023**

**RESOLVED**

**That the receipts and payments for July 2023 be received and noted.**

**F62. TO RECEIVE THE BALANCE SHEET AND TRIAL BALANCE FOR MONTH 4**

**RESOLVED**

**That the Balance Sheet and Trial Balance for month 4 be received and noted.**

**F63. BUDGET MONITORING REPORTS 1 APRIL – 31 JULY 2023**

Members reviewed the report and asked the Clerk to look into the following lines before reporting back via email:

CC 101 – Closed Churchyard – NC Grounds Maintenance (Contract) no expenditure to date?

CC 103 – Grounds Maintenance – NC 4016 Town Cleaner – should this be included in NC4000

CC105 – Painted Room – NC 4018 National Insurance and 4019 – no provision made but expenditure present.

CC 107 – Town Promotion – no expenditure shown to date?

CC 108 – NC 4173 and CC 118 NC 4285 appear to be duplicate budget lines

CC108 Amenity Areas – NC 4208 and 4209 appear to be duplicated with expenditure shown in NC4208 with no budget but no expenditure shown in NC 4209 where there is budget allocation

CC110 – Recreation Ground – NC 4224 Wheely Bins Refuse Collection – no expenditure shown to date?

CC 110 – Recreation Ground – NC 4235 – Members queried whether this could

be transferred to the Ear Marked Reserves in-year rather than wait until the year end?

CC 115 Town Centre Decorations – NC 4640 Christmas Lights – appears to be a duplicate entry CC 116 NC 4641 refers

CC 125 – Green Space Maintenance – NC 4014 Lengthsman Scheme P3 – no expenditure recorded to date?

CC 201 – Market House – NC4122 – Electricity why is this expenditure high

CC202 – Town Council Offices – NC 4000 – Staff Salaries – why are these here and not in CC 230?

CC 202 – Town Council Offices – NC 4122 – Electricity – is this an overspend or underspend?

CC214 – Grants with Powers – NC 4827 – CAL – Clerk to write to request report on work undertaken

CC 214 – Grants with Powers – NC 4890 Unspecified Grants – Check why the expenditure is so high?

CC220 – Finance & General Purposes - NC 1900 – Why is the precept not shown as income? Is there somewhere else this should be added?

CC220 – Finance & General Purposes – NC 4122 Electricity – why no budget allocation?

CC220 – Finance & General Purposes – NC 4130 – Insurance – Why no expenditure?

CC225 – Councillors/Newsletter – NC 4500 and 4502 move to CC 210 Civic Matters

CC302 – Full Council NC 4481 – Telephones – slightly high?

The Clerk provided responses to queries on the following items:

4170 – this is due to the break-in to the Cemetery buildings which occurred earlier in the year

4592 – due to a new member of staff and their uniform/PPE requirement

#### **RESOLVED**

**1. That the Budget Monitoring Report be received and noted, subject to the Clerk providing further information on respect of the above queries.**

**2. That the Clerk review the Financial Regulations in respect of negative balances on budget lines.**

#### **F64. TO CONFIRM VERIFICATION OF BANK STATEMENTS AND RECONCILIATIONS FOR MARCH TO JUNE 2023**

#### **RESOLVED**

**That this item be deferred until the next meeting of the Finance, Policy & General Purposes Committee due to the absence of the Chair.**

**F65. CCLA PUBLIC SECTOR DEPOSIT FUND FACT SHEET – AUGUST 2023**

**RESOLVED**

**That the Public Sector Deposit Fund Fact Sheet for August2023 be received and noted.**

**F66. INTERNAL/EXTERNAL AUDIT**

**The Clerk advised that the Internal Auditor had visited the offices on two occasions to carry out the review of Council policies, procedures, and governance as agreed previously by Council.**

**F67. CHANGE OF BANK ACCOUNT**

Members discussed as to whether there was any benefit in changing to the new bank account as there was little difference represented in the quoted figures. It was suggested that the Clerk investigate options which Lloyds Bank, the current bank, might be able to offer.

**RESOLVED**

**That the Clerk investigate options which may be available from the current Banking provider and report back to the Committee.**

**F68. GRANT APPLICATIONS**

£500 or under

Caroline Green – Take 4 Gallery

**RESOLVED**

**That the Grant to Take 4 Gallery not be granted due to it be a commercial enterprise.**

**F69. REQUEST FROM LOCAL TRADER IN RESPECT OF SHOP FRONT GRANT FUNDING**

Members discussed as to whether this application should be considered due to the deadline being passed and previous applicants being refused due to this reason.

**RESOLVED**

**That the Clerk be instructed to write to the Trader and advise that whilst they are sorry that they had been unwell, and therefore not able to have the works carried out to their premises, they are unable to provide them a grant due to the timescale for this grant having passed.**

**F70. UPDATE ON INSURANCE SCHEDULE**

**RESOLVED**

That it be noted that the annual insurance premium had increased following the purchase of the Weeding Machine and trailer at a cost of £61.01.

**F71. SUSPENSION OF STANDING ORDER 3(x)**

**RESOLVED**

To suspend Standing Order 3(x) for a period of 30 minutes to enable the remainder of the agenda business to be completed.

**F72. TRAFFIC MANAGEMENT SIGNAGE**

Members discussed whether it was necessary for the signage to be purchased specifically for the October Fair. It was agreed that this signage could be used for other events which are hosted by Ledbury Town Council and that the proposal should be updated and the item renamed to Traffic Management Signage.

**RESOLVED**

That road signage be purchased from company A, subject to confirmation that the quotation includes for freestanding signs which are fit for immediate usage.

**F73. DRAFT EYE TEST POLICY**

Members discussed as to whether this policy should be part of a DSE policy or whether a stand-alone policy was sufficient.

**RESOLVED**

That the Draft Eye Test Policy be approved, subject to it being incorporated into a DSE Policy.

**F74. DATE OF NEXT MEETING**

**RESOLVED**

To note that the next meeting of the Finance, Policy & General Purposes Committee is scheduled to take place on Thursday, 16 November 2023, at 7.00 pm, in the Committee Room, Council Offices, Church Lane, Ledbury.

**F75. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:**

That in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, the press and public be excluded from the remainder of the meeting.

**F76. NOTIFICATION OF POTENTIAL INSURANCE CLAIM**

**RESOLVED**

That the report be received and noted, noting in particular that this is a matter for the Council's Insurance Company to managed on behalf of the Council, as an insurance company to insurance company matter and that the Clerk had followed the correct procedure.

The meeting ended at 9.26pm.

Signed ..... Date.....  
(Chairman)

## Ledbury Town Council

# Review of Internal Processes and Systems



IAC Audit and Consultancy Ltd

27th September 2023

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# Background

Ledbury Town Council nominally has 18 Councillors, split equally between 3 wards, Ledbury North, South and West. In May 2023 there were no elections held for the town council due to a shortage of candidates. 10 Council positions were filled without contest leaving a balance of 8 vacancies. As at the date of this report the Council has 13 Councillors, including 3 co-opted. The Council has historically struggled to attract sufficient candidates for elections and also needed to co-opt Councillors after the 2019 elections.

The Council has suffered adverse publicity in recent years, with national news media coverage of a court judgement in 2018 and more recent coverage related to renovation works on the War Memorial.

In addition the Council has over recent years experienced significant turnover of staff. The Town Clerk is the only member of the Towns administrative team with experience of working in the local council sector with most staff having work experience from the private sector.

During the course of this review the Clerk advised that the Council is keen to address the challenges it faces and wishes to obtain guidance on how it may do this, and this report is intended to contribute toward this.

# Scope of this report

The Council in 2021 commissioned a review of Corporate Governance and has requested an additional review of its Internal Process as a means of measuring how the Councils current practices meet local government standards or best practice.

The agreed areas subject to this review were;

- Corporate Governance (standing orders / financial regulations / committee terms of reference / minutes)
- Procurement
- Human Resources / Personnel
- Corporate Communication (use of website/social media)
- Burials

# Key Conclusions

The Council faces a number of challenges in seeking to improve its internal process and performance. These include;

- Unclear and incomplete Terms of Reference of sub-committees
- The limited availability of external support and guidance
- The difficulty in identifying and implementing 'best practice'
- The amount of training undertaken by Councillors and staff
- Difficulty in attracting potential Councillors
- The limited engagement of the Council with the local electorate

# Specific Recommendations

1. The Council, as a body, must clearly and comprehensively define the Terms of Reference of its Committees.
2. The Agenda of committee meetings should be set so that each committee only considers matters for which it has clear authority under its Terms of Reference.
3. Items outside of a committee's Terms of Reference should not be considered by a Committee unless a specific delegation of that item has been agreed by prior resolution of Full Council.
4. The Council should specifically consider how the process for the tendering of works and services should operate and the extent to which this should be formally delegated to Committees.
5. The Council should consider how it intends to obtain ongoing third-party advice, training, and guidance on the corporate governance of the Council.
6. As part of the review of third-party advice the Council should consider how it might interact with the National Association of Local Councils and how this might impact the Councils relationship with the County Association.
7. The Council should consider whether it wishes to participate in the Local Council Award scheme or whether it wishes to establish some other formal quality criteria for the delivery of its services.
8. The Council should consider how it may identify and implement best practice in corporate governance and process, for example by consulting with other similar sized councils or councils who have experienced similar challenges.
9. The Council should consider how it will interact with the local community through the use of social media. As part of this review the Council should specifically consider how it interacts with other significant local social media groups.

10. The Council should review how it publishes and distributes its newsletter and put in place measures to quantify the readership and reach of the newsletter.
11. The Council should review and update its website
12. The Council should review the arrangements it has in place for external HR support and for support of the website. As part of this review the Council should consider whether it is receiving the required services set out in these agreements.
13. The Council should put in place a formal training plan for Councillors
14. The Council should put in place a formal training plan for staff.
15. Where possible guidance issued to staff should be made available in written form.

# Corporate Governance (standing orders / financial regulations / committee terms of reference / minutes).

## Powers

Local councils, including Town and Parish Councils, operate under a particular legal regime and may only undertake actions for which they have a legal 'power'. This contrasts with how an individual may act, as an individual may legally undertake any act unless it is proscribed by law.

It is possible for a Town Council to take the same legal powers as an individual, through the adoption of the General Power of Competence, but to do this a Council must have two thirds of its Council elected, a condition that Ledbury Town Council cannot currently satisfy.

The Town Council does have a qualified Clerk, which is another of the criteria for adoption of the General Power.

Without the ability to act under the General Power of Competence the actions of the Council are more constrained, as actions that would be permitted under the GPC may not be permitted under the more limited powers that the Council operates under. It is important therefore that Councillors are fully aware of the limited Powers under which the Councils operate when exercising their functions.

## Training of Councillors

The Council does not have a formal training programme in place for Councillors or a formal induction programme.

It is understood that Councillors have undergone online Code of Conduct training with the Monitoring Officer, and that Councillors have been provided with copies of the Good Councillors Guide published by NALC. The Clerk is working with Councillors to develop their knowledge and understanding of the local council sector and the role of Councillors.

The Council does not maintain a formal log or record of the training Councillors have undertaken.

For historical reasons the Council is not a member of the County Association and therefore cannot be a member of the National Association of Local Council or part of Local Council Award Scheme.

The Council does not have direct access to the training and support provided by the County Association and NALC. It is understood that the Council may be able to access some training resources provided by NALC on payment of a fee, but the general advisory support provided by NALC to member Councils is not available.

Some of the Town Councillors have other relevant experience, either due to their previous role as a town Councillors, as a Councillors with other authorities, such as the County Council. It is not clear the extent of this knowledge within the Council and how it may be relevant to the particular circumstances of the Town Council. Experience gained at larger authorities may not always directly apply to local councils who operate under a different legal framework.

In the absence of access to the resources of the County Association and NALC the Council has made some limited use of third-party consultants but this is not a permanent ongoing support arrangement. The Council has not retained an external advisor to provide ongoing guidance on Best Practice.

## **Standing Orders and Financial Regulations**

The Council adopted the current NALC versions of Financial Regulations and Standing Orders in May 2023, these were provided as hard copy during the visit. The copies on the website, although the same, being those approved in 2022.

The adoption of Financial Regulations and Standing Orders were included as agenda items on the Annual Meeting of Full Council on 11th May 2023.

This regular Council review and approval of its Standing Orders and Financial Regulations, and the use of the current versions of the Model documents is a notable improvement on the previous practices at the Council.

## Terms of reference of committees

The Council has in place Terms of Reference for the four sub-committees of the Council

- Resources Committee
- Finance Policy and General Purposes Committee
- Planning Economy and Tourism
- Environment and Leisure

It is understood that the Council is reviewing the Committee Structures and that this is being done internally without the use of External Advisers. Given the absence of potential guidance on this from either the County Association or NALC, and the limited training provided to Councillors, it is unclear what model or 'best practice' the Council will refer to when conducting this review.

It was noted that the Council has not formally published Committee Terms of Reference on its website.

Copies of Committee Terms of Reference were provided to the auditor during this review, but it was not possible to formally verify that these are the versions currently in place as they were not dated and did not record a Minute Reference under which they were adopted by Council.

## Approval of Committee Terms of Reference

The Council's Standing Order<sup>4</sup> d) states

*The Council may appoint standing committees or other committees as may be necessary, and:*

*i. shall determine their terms of reference;*

.....

*vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee*



Council Minutes of the Annual Meeting held on 11th May 2023 record Council approval of the new committee structure and lists four Committees

- a) Environment and Leisure Committee
- b) Finance, Policy and General Purposes Committee
- c) Planning, Economy and Tourism Committee
- d) Resources Committee

The Resources Committee is also referred to, in the same Minutes, as 'Resources and Personnel Committee'.

It was noted that the meeting of 11th May 2023, at which the existence of sub-committees, and the membership of sub-committees and their Chairs, were determined, does not record Council formal review and approval of the Committee Terms of References as set out in Standing Order 4 d) i)

The Terms of Reference of the Finance, Policy and General Purposes Committee was recommended to Council by the Committee at its Meeting held on 1st June 2023 (Min Ref F6). The Agenda of Full Council 29th June included, as item 8, '*To receive and note the draft Minutes of a meeting held on 1st June 2023*'. Minutes C35 record that these were 'received and noted'. It is not clear from these Minutes that the Full Council specifically determined the Terms of Reference of the F, P and GP Committee as required by its Standing Orders.

It was noted that none of Committee Terms of Reference provided during the audit review include provision for any Committee to determine their own Terms of Reference, either under delegated powers or by way of recommendation to Full Council.

It was not possible, from a review of Minutes, to establish how the Council has complied with its Standing Order 4 d) i) in respect of approval of the Committee Terms of Reference for the other Committees of the Council approved at the meeting of 11th May 2023.

The Council may recall the lack of clear Terms of Reference for Committees was an issue specifically raised in the Governance report of 2021.

## Compliance with Committee Terms of Reference.

It was noted that the Finance Policy and General Purposes Committee Terms of Reference do not refer to

- reports of the Internal or External Auditor, or
- the review of the Annual Accounting Statements.
- GDPR
- The review of Risk

However it was noted that all these items were included on Agendas for F,P and GP Committee meetings of June and July 2023, subsequent to the Council meeting of 11th May.

It does not appear, from a review of the documents available, that agendas of sub-committee meetings are consistent with terms of reference for Committees as established by Full Council. The consideration of items, by sub-committee, which are not within the Committees Terms of Reference, was specifically raised as an issue in the Governance audit of 2021.

## Procurement

The Council has set out the basic framework in respect of procurement in two key documents, Standing Orders and Financial Regulations. The Council has adopted the NALC model Financial Regulations and model Standing Orders.

## Tenders

Standing Orders set out, in Standing Order 18 - Financial controls and procurement the arrangements that apply in respect of the tender process of the Council.

Standing Order 18 vi states that *'tenders are to be reported to and considered by the appropriate meeting of the Council or by a committee of sub-committee with delegated responsibility'*

It was noted from a review of the Committee Terms of Reference that they do not refer to the consideration of Tenders, either by delegated powers or recommendations to Full Council. It is understood that, in practice, consideration of Tenders is a matter that is

commonly referred to Committees. This practice therefore does not comply with either the Councils Standing Orders or Committee Terms of Reference.

Financial Regulations cover procurement within two regulations, Regulation 10 - Orders for work, goods and services and Regulation 11 Contracts.

## Orders for good and services

From a discussion with council office staff it was clear that staff were aware of the need to raise purchase orders and for these to be authorised either by the Town Clerk or Deputy Town Clerk. Staff were, however, not aware of the specific requirements as set out in Financial Regulations 10.3 or 11.1 h).

Staff knowledge of the purchasing process did appear to be well understood and it was clear that consistent verbal instructions had been provided to staff. It does not appear, however, that members of staff have been provided with any written guidance or instruction as to how they should operate the procurement process.

Council staff also advised that they had been told that, where possible, they should seek to procure locally, but it is not clear that this is a formal policy of the Council. It is unclear how this requirement is consistent with the Councils Financial Regulation 10.3 which states 'All members and officers are responsible for obtaining value for money at all times.' It is unclear whether, for example, staff are to seek to procure locally even if they may obtain better prices elsewhere.

# Human Resources / Personnel

## External Support

The Council uses two external providers in respect of employment services, Citation HR under a long-term contract for general HR provision, and Worknest (formally Ellis Whittam) for Health and Safety. It is unclear why there are two providers in use (the Contract for Citation was not reviewed as part of this audit).

Citation HR website makes numerous references to 'businesses' and 'SMEs' but does not make reference to the provision of services to the public sector. Worknest are established providers of HR services to the local government, used by many local councils and this is clearly referenced on their website.

It is unclear, based on the nature of the providers, how the Council would obtain specific local council HR advice if it were to need this as part of an organisational review.

## Staff Training

There is currently no formal training programme in place for staff. The Council has supported training financially and this does not appear to be a specific budget constraint on the provision for training. Staff confirmed during the audit that they had received elements of training however there did not appear to be specific identification of training needs for individual members of staff.

It was noted during the audit that the administration staff in the office were relatively new in post and did not have prior experience of working in a local council, either a town or a parish. It should be expected that staff new to the Local Council sector will have specific training requirements in respect of the new roles in the public sector.

# Corporate Communication (use of website/social media)

## Responsibility

The responsibility for Corporate Communication at the Town Council results clearly with the Town Clerk. It is understood that individual Councillors may interact with media, such as the Press and social media, on a personal basis, however, all matters relating to the Council as a body are handled by the Clerk, if necessary by consultation with the Mayor.

## Staff resources and training

Staff at the Council were fully aware of the need to gain the Clerks approval for any items published on the website or on social media and there does not seem to be any operational challenges in obtaining this. Staff may, on occasion, be asked to draft documents, such as press releases, but these are always to be subject to review by the Clerk.

The Council is fortunate in having a member of staff who is very familiar with websites and digital marketing, as lack of technical familiarity can often be a barrier for Councils when managing their website. The time required for websites and social media is understood to be a relatively small proportion of officer time, with the member of staff responsible also having responsibility in respect of other tasks such as Minutes and weddings.

In addition holding an NVQ in digital marketing the staff member responsible for the website has also had training on GDPR (the General Data Protection Regulations). Staff generally were not aware however of the Model Publication Scheme issued by the Information Commissioner's Office or the Transparency Code. It is understood that the Town Clerk is aware of these requirements.

## Website

There were a number of adverse comments raised during review about the Councils website. It was commonly felt that the website does not perform well, examples were cited of pages not appearing, or returning an error when requested, and of search results not working properly.

These comments were made both in respect to the end user experience and in terms of the administration of the 'back end' of the website, in particular the need to upload documents to the website and duplicate files which are held on the councils drives and folders.

Anecdotally the auditor has experienced similar issues, particular when researching Council Minutes. Other issues identified during the review include the difficulty in adding website URL links of specific documents (such as a Minute) to emails, which make it more difficult and time consuming for email recipients to navigate to the relevant document.

It was noted, from discussions with staff, that they were not aware of the extent of the services to be provided by the website providers under the agreement with the Council. It does not appear that Council staff have received specific training on the use and administration of the website.

There was a general consensus that the website is overdue for an update and / or refresh.

## Social media

In addition to the website the Council also uses Social Media including Facebook, Instagram, and Twitter.

The Council has 1.1K Facebook followers and approximately 300 Twitter followers. It was noted that a local town Facebook group has around 12k followers. The town council posts on an ad hoc basis to this group.

Most of the social media posts created by the Council consist of third-party content, for example from the Police. Council staff estimate that perhaps only 5% of the content posted by the Council is original content. A review of the Council's Facebook postings indicated that responses to any posts were very infrequent which would seem to suggest a low level of engagement with the content published.

It was noted that the Council does not formally monitor its interactions on social media, for example the number of followers. The Council also does not monitor traffic on its website, such as the number of visitors and pages viewed.

## Newsletter

The Council publishes an electronic newsletter which is posted to the Council's website. At present the council does not maintain a mailing list for this newsletter and does not offer the facility for people to 'subscribe' to the newsletter. As the Council does not have in place a facility to monitor its website traffic it is unknown how many, if any, visitors read the published newsletter.

# Burials

A review was conducted of the Council's burial system. This was a high-level review and, as such, did not include an audit of individual items. Generally the system in place appears to work well, given the relatively small number of burials which take place on an annual basis.

Staff have received some training, although there does not appear to be a formal training plan in place

The Council has a burial ground in use and has responsibility for and disused burial ground. It is understood that the historic arrangements by which the Council assumed responsibility for the disused burial ground is currently being clarified as the historical records on when and how this happened are not currently available.

It is understood that the existing burial ground will reach capacity within the foreseeable future and that the council is taking initial steps to explore the possibility of obtaining additional land for burials.



<b>FULL COUNCIL</b>	<b>28 SEPTEMBER 2023</b>	<b>AGENDA ITEM: 17</b>
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Report prepared by Councillor Harvey – Chair of Task & Finish Group to consider the Council’s Committee Structure

**RECOMMENDATIONS FROM TASK & FINISH GROUP TO REVIEW THE COUNCIL’S COMMITTEE STRUCTURE**

**Purpose of the Report**

To provide recommendations from the Committee Structure Task & Finish Group on the way forward for improving the operation of the council in both its decision-making and its delivery.

**Detailed Information**

The Task & Finish Group was set up at Annual Council in May to consider options to improve on the speed and efficiency of council decision-making processes, and delivery on decisions made – to include consideration of the scope and delivery of the roles of Mayor and that of Chairperson to the council.

The Group has met on three occasions and has considered the issues underpinning the original concerns flagged by committee chairs back in March. The Group has also considered the current structure and scope of council committees and the existing strategic documents which shape the council’s priorities.

It was felt that delegating decision-making powers to committees – within agreed terms – would enable decisions to be made more swiftly and for action to be taken in a more timely manner than is presently the case.

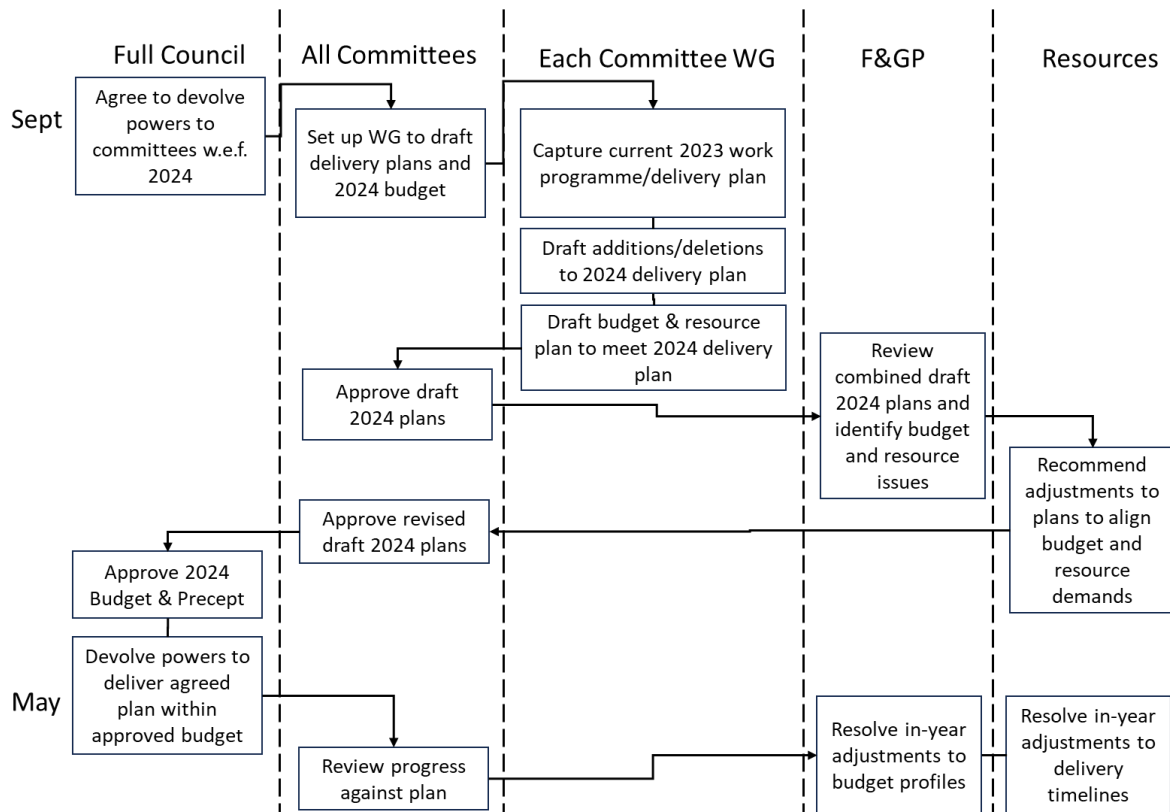
However, any such delegation would need to be done in a manner which sets clear limits on what each committee has authority to do, and also enables inevitable changes to be made to approved plans in a managed and transparent way.

Given this, the Group proposes that the following changes are made:

1. Council and Committees should make better use of the strategic documents already adopted by this council, i.e.: Town Plan & Corporate Plan, in determining their work priorities and programmes.
2. Committees should use such strategic documents to develop rolling implementation plans for their work programmes which are aligned to committee budgets and to staff and other council resources.
3. Committee implementation plans should be approved at Full Council and be adopted at Annual Council. At that point, responsibility for their delivery – within the agreed financial and resource budgets – should be delegated to each committee to discharge during the municipal year. **NOTE:** This will enable in-

year delivery and spending on approved projects within the agreed budget envelopes to be agreed at committee level, rather than all projects and spending referred to full council as at present.

4. The Clerk will ensure that council resources, including staff performance and training plans, align with the agreed implementation plans.
5. Oversight of the progress of in-year spending will remain the responsibility of F&GP Committee. Consequently, it makes sense for F&GP also to be responsible for monitoring progress in delivery against agreed implementation plans.
6. Competing demands between committee implementation plans for staff and other council resources should become the responsibility of the Resources Committee to resolve – since all committee chairpersons already sit on this committee.
7. New activities, outside of the approved implementation plans, would need to be referred through the Resources Committee to Full Council to approve the variation of the agreed implementation plan for a Committee and to agree the revised delegation of powers for delivery.
8. Revised Committee Terms of Reference should be drafted by each committee and reconciled across all committees by the Resources Committee to ensure alignment and full coverage with respect to the council's responsibilities and priorities, as outlined in statute and in adopted strategic documents.
9. Standing Orders and Finance Regulations should be revised by F&GP Committee to align with these proposed changes to governance and decision-making. Also, that the Committee make recommendations regarding the revised role of Full Council and an appropriate meeting schedule to align with the change in Committee and Council responsibilities.
10. Council and Committees follow the action plan and timeline outlined below to enable the move to this improved way of working and 2024 work programmes to be able to be briefed to residents at the Annual Town Meeting in April 2024 and formally implemented at Annual Council in May 2024.



11. The roles and responsibilities associated with the Chairperson of the Council and the Mayor and the frequency of council and committee meetings, should be considered alongside the changes to committee powers and governance as outlined above. Recommendations for improvements to the current working arrangements should be drafted by F&GP Committee and referred through Resources Committee to Full Council in time for adoption at Annual Council in May 2024.

**Recommendation**

Members are asked to approve the actions and timeline outlined above to enable an improved governance and decision-making process to be approved by Full Council in time to be adopted at Annual Council in May 2024.



## LEDBURY TOWN COUNCIL

<b>FULL COUNCIL</b>	<b>28 SEPTEMBER 2023</b>	<b>AGENDA ITEM: 19(ii)</b>
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Report prepared by Julia Lawrence – Deputy Town Clerk

### **DEPUTY TOWN CLERK REPORT**

#### **Purpose of Report**

The purpose of this report is to provide Members with a summary of projects that the Deputy Clerk has been progressing since the last meeting of Full Council.

#### **Detailed Information**

##### **LTC Offices**

- 1 Flooding at rear entrance to Council Offices. In April 2023 Herefordshire Council's Conservation Team were contacted, seeking advice on what measures could be put in place to eliminate flooding to the back hall entrance when there is torrential rain. Numerous chase-up emails were sent and in August 2023, one of Herefordshire Council's Senior Building Conservation Officers attended the offices who acknowledged that there were two primary issues which appeared to be contributing to the flooding and these are a doorway threshold level which is significantly lower than the street surface level and a lack of any raised curbing (not traditional in this instance) to prevent rainwater run-off. This matter is now with Caroe & Partners to further address and indeed this will be picked up at my next meeting with Jane Chamberlain, when we address other matters such as the Market House.
- 2 EICR (Electrical Installation Condition Report) Testing. The recent health and safety audit identified that EICR testing needed to be undertaken as the current certificate was due to expire at the end of September. To date, one quotation has been received and a further two are being sought at the time of writing this report. The EICR will need to cover not only the Council Offices, but also the Market House, Cemetery Chapel and Mortuary.

##### **Market House**

- 1 Met with both the contractors for the roof repairs and plaster works on 14 September 2023, along with Jane Chamberlain of Caroe & Partners and the scaffolding contractors. It has now been agreed that the works will start immediately after the Funfair, on Wednesday, 12 October 2023. RAMS and a list of materials has already been lodged with Herefordshire Council's Planning Team; the same information is awaited from DA Cook regarding the roof repairs. Scaffolding will not interfere with the market traders, nor the bus stop or footpaths.

- 2 Stairlift. Initial research has been obtained from one stairlift provider who has confirmed that they would be able to install a stairlift. Members of the Environment & Leisure Committee requested that a local Ledbury company also be approached to provide a quotation. Due to annual leave and work pressure, this still needs to be undertaken.

## **Recreation Ground**

- 1 Play Area. Members of the Environment & Leisure Committee will be aware that the childrens inclusive roundabout at the Recreation Ground is in need of a service and potentially needing new bearings fitted. It is unfortunate that the piece of play equipment does not have a manufacturers badge so it has proved difficult sourcing a company who would be willing to undertake the works. Five companies had previously been approached who all confirmed that as it was not their piece of equipment, would not be willing to carry out the repairs. However, in the last week, a company based in Cardiff and which previously was based in Ledbury, has been in touch with the Clerk advising that as were involved in the initial installation of some of the equipment. A meeting has been arranged to (2 October 2023) to establish what help they can provide.
- 2 In the last month, five gates within the play area have had new self-closing gate springs fitted. This month, the Council is waiting for the annual inspection of the play area equipment to take place.

## **Cemetery**

- 1 The far end of the cemetery in the new section has in the past been used as a tip area for dead vegetation, branches etc and quotes were invited from local companies to clear this area by using a wood chipper to eliminate the dead vegetation and cut back the overhanging branches and remove off site. Subsequently approval has been given for a local contractor to undertake this work, which is scheduled for the week commencing Monday, 25 September 2023.
- 2 Foamstream Weeding Machine. On 14 September 2023, training had been arranged for the Foamstream Weeding Machine. The Lengthsman, temporary groundsman and maintenance officer for the Council, along with myself were taken through the process of using the machine. Prior to the demonstration, it was hoped that the machine could be used early in the morning so as to keep disruption to a minimum. However, the noise of the machine would not warrant it being used early in the day and would require two operatives to oversee the operation, one to barrier off the area being treated and ensure that the area being worked on remains temporarily closed, since the machine does generate a lot of foam which could quite easily be a slip hazard to any pedestrians. It would be fair to state that whatever area is treated will not kill off any weeds for good as the hose deposits boiling water which, in effect just suppresses the weed so the foliage dies back, and then the foam on top is there to help retain the high temperature on the foliage, so any stubborn roots would not get eliminated. The Deputy Clerk raised the question of completely eliminating stubborn weeds and the trainer said that the process would need to be done several times.

Due to the noise, it would be sensible for the machine to be used around, for example, the Deer Park or other built-up areas, where weeds in the gutter could be treated during the day so not to cause too much of noise disruption.

Councillors will also recall that the Deputy Clerk had contacted the Dominos Pizza's Head Office as it was considered that the old Ambulance station on Bridge Street might be a suitable location to store the trailer/foamstream weeding machine. Following an initial telephone call, an email and two further letters to the Head Office, a response has still not been received. In the meantime, the workshop at the Cemetery has been cleared to accommodate the trailer so that it is securely locked away.

- 3 Members of the Environment & Leisure Committee will be aware that the officers are currently investigating opportunities to extend the size of the Cemetery. It is highly unlikely that the Council will be able to extend into the grounds of the Football Club and therefore another plot of land needs to be acquired. However, there are numerous factors that need to be considered before acquiring land and having contacted the ICCI (Institute of Cemetery and Crematorium Management), they have recommended that the Council approaches specialist companies to obtain quotations to help in the process of acquiring land for this purpose. A further report will therefore be brought back to the Environment & Leisure Committee in due course.
- 4 The Herefordshire Wildlife Trust have been visiting the Cemetery with small groups of families in order that the children can use bat detectors and they have earmarked some of the piles of brash to create their own bug habitats. They have also put up some small signs pointing to habitats that exist in the cemetery, i.e. dead wood pile home to beetles.
- 5 Memsafe have been appointed to carry out the balance of topple testing at the Cemetery. Appropriate signage is being sourced in the event of an unsteady memorial and as soon as these are received, works can commence.
- 6 Rules and Regulations. The revised Rules and Regulations have now been released to local Funeral Directors and has been placed on the Council's website. A letter has been sent to approximately 16 grave owners at the Cemetery advising them that they are not adhering to the Rules and Regulations.

### **Dog Hill Wood**

- 1 The Felling Licence has almost been completed, ready for submission.
- 2 There will be running a further volunteer day at Dog Hill Wood on 29 September 2023 to start work on the second coupe. This will involve strimming and clearing the undergrowth. Monthly volunteer days have been set to run from now until next February.

- 3 Five of the metal benches have already been repainted on Green Lane in Dog Hill Wood. Further metal benches still need to be painted by the Maintenance Operative.
- 4 The Deputy Clerk is to meet a local resident on 29 September 2023 who has raised concerns of water flooding his property, predominantly rainwater that is coming off Dog Hill Wood.

### **Trees**

- 1 Christmas Tree delivery. It has now been confirmed that the Christmas Trees, for both the Market House and Cemetery Chapel will be delivered on Thursday, 16 November in readiness for decoration on Friday, 17 November 2023 (Market House only) by the Christmas Light contractors.
- 2 Having received approval from the Clerk, some lower overhanging branches have been removed adjacent to a property in Biddulph Way. The trees in question are situated on Council owned land and were causing damage to the neighbouring property.

### **Other**

- 1 A Task and Finish Group for the Christmas Lights contract has been set up for Wednesday, 4 October 2023. The purpose of this meeting is to consider the current contract and requirements for a new three-year contract starting in 2024.
- 2 October Funfair. A meeting has been arranged for 26 September 2023 to meet with the Funfair organisers, Police, Fire and Balfour Beatty to discuss the arrangements for the forthcoming Funfair. Therefore, the Event Management Plan will be completed and issued to the Safety Advisory Group for consideration.
- 3 Signage for October Funfair. Quotations were sought from four companies to provide costs to provide a full suite of signs for the October Funfair. Two companies did not provide a quotation. Members of the Finance, Policy & General Purposes Committee agreed to select one of the companies but sought clarification that the signs would be purchased along with metal frames, which is the case. The order has been placed and signs are due to be with the Council either by Friday, 29 September 2023 or Monday, 2 October 2023. It will then be the responsibility of the Council to display the advance signage approximately 7 to 10 days before the event, so this will happen very soon. It will then be the responsibility of the Funfair organisers to ensure that the road closure signs are put up and taken down at the appropriate times during the course of the Funfair. The signs will then remain the property of the Council for future use.
- 4 Christmas Lights. In readiness for the installation of the Christmas lights, contractors have been requested to replace the existing electronic timers for analogue timers for the Christmas lights. It should be noted that the use of analogue timers has been confirmed as acceptable by the Christmas light contractors.



- 5 The Deputy Clerk met with Nina Shields on 26 September 2023 to draw up the agenda for the forthcoming Climate Change Working Party, which will be meeting on Wednesday, 4 October 2023. All Councillors are welcome to attend.

**Recommendation**

That the above report be received and noted.

