AGENDA

Meeting of:  Town Council

Date:  Monday, 4th July 2016  Time:  7.30 p.m.

Place:  Town Hall, 61 Newland Street, Witham.

Members are requested to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.

To be present:  Councillors

Mrs J. Williams (Deputy Town Mayor)
P. Horner (Town Mayor)
C.J. Bailey
P.R. Barlow
L.D. Campbell
J.C. Goodman
Mrs. J.A. Kempf
Mrs A. Kilmartin
M.C. M Lager
Mrs S.C. Lager
Mrs J.M. Money
T. A. Pleasance
R.P. Ramage
W.J. Rose
P.M. Ryland
R. Williams

APOLOGIES

1. MINUTES

To receive the Minutes of the Meetings of the Town Council held 26th April and 16th May 2016 (previously circulated).
2. **INTERESTS**

To receive any declarations of interests that Members may wish to give notice of on matters pertaining to any item on this Agenda.

3. **QUESTIONS AND STATEMENTS FROM THE PUBLIC**

An opportunity to enable members of the press and public present to comment upon any item on the Agenda.

4. **TOWN CLERK’S REPORT**

To receive the [Town Clerk’s Report](#) (attached).

5. **RECYCLING SACKS**

To receive a [report and a response from Braintree District Council](#) regarding the distribution and use of recycling sacks (attached).

6. **STANDING ORDERS**

To receive the proposed [amendments to Standing Orders](#) to reflect the new legislation in relation to procurement - the awarding of contracts (attached).

7. **MEMBERSHIP OF COMMITTEES**

To receive a [report regarding Membership of Committees](#) (attached).

8. **CONFIRMATION OF GOOD WORKING PRACTICES**

Members are requested to note and resolve that the following are in place:

   a) A Risk Management Scheme
   b) A register of assets
   c) Contracts for all members of staff
   d) Disciplinary and grievance procedures
   e) A policy for training new staff and councillors
   f) A record of all training undertaken by staff and councillors in the last year
   g) A clerk who has achieved 12CPD points in the last year

To receive a [report](#) (attached).

9. **TOWN MAYOR’S ENGAGEMENTS**

To receive details of the [Town Mayor’s Engagements](#) (attached).
10. COMMITTEE REPORTS

(a) Community Committee Meetings held 16th May and 6th June 2016
Minutes 1 – 19 (inclusive).

(b) Environment Committee Meetings held 16th and 23rd May 2016
Minutes 1 – 20 (inclusive).

(c) Policy and Resources Committee Meetings held 16th May and 21st June 2016
Minutes 1 – 14 (inclusive) and 16.

Minute 10(b) – Procurement – Awarding of Contracts – Financial Regulations

To receive the Recommendation from Policy and Resources Committee That the proposed Financial Regulations be agreed and duly amended.

EXCLUSION OF THE PRESS AND PUBLIC

TO RESOLVE That under the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the Meeting for the following items of business on the grounds that publicity would be prejudicial to the public interest.

11. COMMITTEE REPORTS (CONT’D)

Policy and Resources Committee Meeting held 21st June 2016
Minutes 15 and 17 – 19 (inclusive).

12. PUBLIC DOMAIN

To consider whether any item discussed in Private Session could be moved into the Public Domain.

Mark Squire
Town Clerk

MS/GK/27.6.2016
Summary:

The following matters are to note –

Minute 85 – P & R Committee Report

To note that the Town Clerk has renewed the electricity contract with EON.

Minute 10(a) – Appointments of Committees

To note that the Town Clerk is investigating whether Membership of Committees could be agreed beforehand and moved en bloc at the AGM.

Minute 14 – Re-appointment of Members to carry out internal financial control procedures and practices review

To note that the Town Clerk is seeking three quotations for an internal auditor to ensure that the Town Council is getting value for money.

Witham Community Day 11th June 2016

Members and staff were disappointed by the lack of coverage, both in the build-up and post event coverage of the inaugural Community Day in Witham, despite full details being supplied to the Braintree and Witham Times. A letter was written on behalf of the Town Mayor to this effect and also to emphasise the staging of the Drumhead Service in Witham Town Park on Friday 1st July 2016 to commemorate the centenary of the first day of the Battle of the Somme. Subsequently some substantial photo coverage of the Community Day appeared in the local paper the following week.

Advice:

To receive and note.

MS/GK/27.6.2016
RECYCLING SACKS  

Background Papers:

Minute 82 of Town Council Meeting held 29th April 2016 refers.
Response from Paul Partridge, Braintree District Council (attached).

Summary:

At the Town Council Meeting on 29th April 2016, Members discussed the problems of distribution and use of recycling sacks. It was understood that the District Council considered that ample sacks are delivered to households but some sacks are not being used for their proper purpose.

A letter was therefore sent to Braintree District Council seeking information regarding the sacks. Mr Partridge has confirmed that there has been no cost cutting exercise with over 6m sacks being purchased at a cost of £200k. A six month monitoring period established that 19% of recycling sacks in Witham are incorrectly used as compared to Braintree with 4%. A decision was therefore taken to reduce the number of sacks available at Witham Library from 7,000 per week to 4,500. Residents were still able to request sacks to be delivered to their homes.

Mr Partridge apologised for not keeping the Town Council informed of the decision. He also acknowledges that home deliveries of sack is taking longer than the target of ten working days. They have put in additional resources to meet their target time.

As part of the annual delivery this year a campaign is being run to encourage residents not to misuse the sack and further monitoring is being undertaken.

Advice:

To receive and note.

GK/16.6.2016
Dear Mark,

Thank you for your letter dated 25 May 2016 regarding recycling sacks. I would like to reassure the Town Council that there has been no cost cutting exercise to reduce the number of sacks available to residents in Witham or indeed any other area of the Braintree District.

Last year we purchased in excess of 6 million recycling sacks at a cost of over £200k to the tax payer. We are keen for residents to recycle as much of their waste as possible and continue to deliver an unrestricted quantity of recycling sacks to house holders on request. However, we have seen an increase in the number of ad-hoc supplies requested and there has been no corresponding increase in the amount of waste recycled as one would expect. We have also become aware that some residents are not using the sacks for their intended purpose: our operational collection crews regularly report recycling sacks containing residual waste in grey bins and we know that sacks are being used for general storage, as items wrapped in our sacks are being advertised for sale on social media sites. In addition, sellers at boot fairs have been seen transporting their items to the sale in our recycling sacks.

Last year, we undertook a six month period of monitoring in the Witham and Braintree areas to establish the extent of misuse and found a much higher proportion (19%) of recycling sacks being incorrectly used in Witham, compared with Braintree (4%). These findings were in line with reports received from collection crews about misuse of sacks - a trend that continues to date. Clearly, this situation is not sustainable and it has prompted a decision to review the number of sacks being made available over the counter.

The number of sacks issued to Witham Library was just over 7,000 every week. We took the decision to reduce the number to just under 4,500 on the basis that residents could still request sacks from the Council for delivery to their homes. However, in light of customer feedback, and particularly that regarding our failure to respond to requests for deliveries in a timely manner, we reinstated the original 7,000. In hindsight, I acknowledge that we should have communicated the changes to your Council and I apologise for this omission.

In terms of home deliveries, we aim to complete these within 10 working days of receiving a request, but acknowledge that in recent months these have taken longer than normal. We have since put in place additional resources to ensure that we meet our target response time.

We are due to commence annual deliveries shortly and expect to have completed the Witham area by the end of June. With each household being delivered 3 rolls of sacks, we would naturally expect demand at collection points to diminish quickly and remain low for several months. It will be interesting to see how this pans out this year.
As part of the annual delivery this year, we will be running a campaign to try and encourage residents to make better use of their sacks. A postcard (see attached) will be delivered to each household with some key messages. This will be supported by further monitoring undertaken by our recycling team in areas where collection crews continue to report inappropriate use of sacks. Our approach will be to provide advice/guidance on how to make best use of the sacks, whilst at the same time encouraging residents to reduce the amount of residual waste they generate by increasing how much they recycle.

I hope I have clarified the Council’s position on this issue, but if you require any further information please do not hesitate to contact me.

Yours sincerely,

[Signature]

Paul Partridge
Head of Operations

Copy to Samir Pandya & Hayley Goddard
STANDING ORDERS

Background Papers:

Minute 15 of Town Council AGM held 16.5.2016 refers
Minute 10 (a) of Policy and Resources Committee Meeting held 21st June 2016 refers
Proposed amendments to Standing Orders (attached).

Summary:

Under the new Public Contracts Regulations 2015, the Town Council’s Standing Orders need to be updated in relation to contracts of over £25,000 being awarded.

In line with Standing Order 80 the proposed Standing Order when proposed and seconded, stood adjourned without discussion to the next ordinary Meeting of the Council.

Advice:

To resolve to amend Standing Order 64(a) and 64(g) to reflect the changes in legislation.

GK/20.6.2016
Proposed Standing Order 64(a) and 64(g)

**CONTRACTS**

64(a) Where the value of an intended contract exceeds £25,000.00 in the value for the supply of goods or materials or for the execution of works, the Town Clerk shall give at least three weeks public notice of such intention in the same manner as public notice of meetings of the Council is given. The procurement and award of contracts covered by the Public Contracts Regulations 2015 which have an estimated value of £25,000 or more must also satisfy the requirements of the 2015 Regulations which must include use of the contracts Finder website and other light touch rules detailed in the 2015 regulations.

64(b) Similar notice shall be given in addition to firms included in the appropriate standing approved list of contractors maintained by the District Council, or if no such list is maintained then in such newspapers circulating in the district as the Council shall direct.

64(c) The notice shall state the general nature of the intended contract and shall in addition state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.

64(d) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring goods or materials or executing the works as it thinks fit.

64(e) A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders Nos. 65 and 66.

64(f) Neither the Council nor any Committee is bound to accept the lowest tender, estimate or quote.

64(g) Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2005 (SI No. 5 as amended) and the Utilities Contracts Regulations 2006 (SI No.6 as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

The full requirements of the Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceeds thresholds as adjusted by the European Commission every two years and as published in the Official Journal of the European Union (OJEU) (Regulation 5(4) of the 2015 Regulations). These are currently set as £104,394 for Public Works contracts and at £164,127 for both Public service and Public supply contracts respectively.

Back to Agenda
MEMBERSHIP OF COMMITTEES

Agenda Item 7

Background Papers:

Minute 10 of AGM held 16.5.2016 refers.

Summary:

At the AGM, Councillor W.J. Rose was elected to serve on the Environment Committee but unfortunately its Meetings clash with his Braintree District Council Meetings. He has therefore asked if he could sit on the Community Committee instead and Councillor L.D. Campbell has agreed to swap and take his place on the Environment Committee.

Advice:

To agree to the swap and to resolve that Councillor W.J. Rose takes the place of Councillor L.D. Campbell on the Community Committee and that Councillor L.D. Campbell takes the place of W.J. Rose on the Environment Committee.

GK/20.6.2016
## CONFIRMATION OF GOOD WORKING PRACTICES

### Agenda Item 8

**Summary:**

To comply with specific requirements for achieving Foundation Status for the Local Council Award Scheme, Members must confirm by resolution at full Council Meeting that it has successfully in place the following:

- a) A Risk Management Scheme
- b) A register of assets
- c) Contracts for all members of staff
- d) Disciplinary and grievance procedures
- e) A policy for training new staff and councillors
- f) A record of all training undertaken by staff and councillors in the last year
- g) A Clerk who has achieved 12 CPD points in the last year.

All are in place. For information CPD (Continuous Professional Development) points are a fairly recent development, whereby Clerks are expected to attain 12 CPD points per year, where certain number of points are award for a range of activities. E.g. attending training courses, conferences, reading etc.

The Town Clerk attends appropriate training /seminar days and both the Town Clerk and the Deputy Town Clerk already have accumulated 15 CPD points by passing the CLCA qualification pre 2015.

### Advice:

To resolve to approve.

MS/27.6.2016
TOWN MAYOR’S ENGAGEMENTS
16 MAY 2016 TO 4 JULY 2016
COUNCILLOR PATRICK HORNER

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>29 May 2016</td>
<td>Public Hall, Witham</td>
<td>Attended the St Helena’s Hospice fundraiser “Now That’s What I Call Music”.</td>
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<tr>
<td>31 May 2016</td>
<td>The Hub, Witham</td>
<td>Met and talked with the Leadership Academy for Young People.</td>
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<tr>
<td>17 June 2016</td>
<td>Hatfield Peverel Lodge</td>
<td>Officially opened the Open Day at the Elderly People Home.</td>
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<tr>
<td>1 July 2016</td>
<td>Town Hall</td>
<td>Took the salute on the Town Hall steps from the Parade and laid a wreath during the Drumhead Service.</td>
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<tr>
<td>2 July 2016</td>
<td>Grove Centre</td>
<td>Crowned the Witham Carnival Court.</td>
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