

MINUTES OF THE WELLINGTON TOWN COUNCIL PLANNING MEETING HELD AT UNITED REFORMED CHURCH HALL ON MONDAY 7 AUGUST 2023 AT 6.30 PM

PRESENT: Councillors M Barr (Chair), Z Barr, C Govier, A Govier, J Lloyd, M McGuffie, N Powell-Brace and J Thorne.

Alice Kendall (Deputy Clerk)

One member of the press

153 APOLOGIES

Apologies were received from Councillors K Canham, C Booth, S Booker, M Lithgow and W Battishill.

154 DECLARATIONS OF INTEREST

Councillor Lloyd declared a personal interest in applications 43/23/0078 & 43/23/0079/LB as a former employee and her son being a current employee.

Councillor M Barr declared a personal interest in application 43/23/0067, the applicant being a customer of his business.

Councillor Thorne declared a prejudicial interest in application 43/23/0077.

155 PUBLIC PARTICIPATION

There were no members of the public present.

156 TO CONSIDER WHAT COMMENTS TO MAKE ON THE FOLLOWING APPLICATIONS THAT WILL BE DETERMINED BY SOMERSET COUNCIL

(a) Case Ref: 43/23/0013

Proposal: Insertion of dormer windows to create a loft area at 9A Courtland Road, Wellington

RESOLVED to recommend that this application be approved.

(b) Case Ref: 43/23/0066/T

Proposal: Application to carry out management works to one Tree of Heaven included in Taunton Deane Borough (Wellington No.2) Tree Preservation Order 1999 at Dukes Court, Bulford, Wellington (TD840)

RESOLVED to recommend that this application be approved subject to satisfactory comments from the Tree Officer.

(c) Case Ref: 43/23/0067

Proposal: Erection of a single storey extension to the rear of 11 Popes Lane, Wellington

RESOLVED to recommend that this application be approved.

(d) Case Ref: 43/23/0069

Proposal: Conversion of double garage into self-contained annexe at 6 Cox Road, Wellington

RESOLVED to recommend that this application be refused. There are concerns that the development creates a new separate dwelling, that could be marketed individually, rather than an annexe to the property. There is still a loss of two

parking spaces, regardless of if the current occupiers have used it for such purposes, or not.

(e) Case Ref: 43/23/0077

Proposal: Conversion of garage into ancillary accommodation and widening of driveway to form 3rd parking space at 42 Andrew Allan Road, Wellington (resubmission of 43/22/0125)

For this application, Councillor Thorne left the meeting having previously declared a prejudicial interest.

RESOLVED to recommend that this application be approved.

Councillor Thorne returned to the meeting.

(f) Case Ref: 43/23/0078 & 43/23/0079/LB

Proposal: Installation of photovoltaic solar panels, flat roof coverings, edge protection and bird netting at Swallowfield House, Station Road, Wellington

RESOLVED to recommend that these applications be approved.

(g) Case Ref: 43/23/0080/T

Proposal: Application to fell (to hedge height) one beech tree included in Taunton Deane Borough (Wellington No.9) Tree Preservation Order 1997 at 14 Pyles Thorne Road, Wellington (TD680)

This application was noted. It was noted that there were no plans to plan a replacement tree as there are others in the hedge that had grown in place. Councillors felt that the Tree Officer should review these trees and consider adding a TPO to them.

157 SOMERSET COUNCIL - PLANNING DECISIONS FOR INFORMATION ONLY:

Application Number	Proposal	Address	WTC Recommendation Or Comments	Somerset Council Decision
43/23/0045	Application for Approval of Reserved Matters following Outline Application 43/06/0016 for the appearance, landscaping, layout and scale for the erection of an industrial building with ancillary parking and hardstanding	30 Westpark 26, Chelston, Wellington	Approval	Approved
43/23/0048	Erection of a two storey extension to the rear	3 Parker Close, Wellington	Approval	Approved

43/23/0051	Erection of a single storey extension to the rear and side (retention of part works already undertaken)	30 Oakfield Park, Wellington	Asked for design be revisited (revised plans submitted but not asked to make further comment)	Approved
43/23/0054	Erection of a two storey extension to the side (resubmission and amended scheme of 43/22/0044)	26 Alexandra Road, Wellington	Approval	Approved
43/23/0055	Change of use of outbuilding and garden to a dog grooming service	66 Oaken Ground, Wellington	Approval	Approved
43/22/0059/LB	Alterations to roof, internal changes and insertion of double glazing	3 Five Houses, Linden Hill, Tonedale, Wellington	N/A	Approved
43/23/0052/CMA	Application to determine if Prior Approval is required for a change of use and conversion from commercial, business and service use (Class E) into 1 No. dwelling (Class C3)	13 Clifford Terrace, Wellington	Approval	Approved
43/23/0049/LB	Demolition of party boundary wall to enable the demolition and rebuilding of library extension	16 Fore Street, Wellington	Approval	Approved
43/23/0064/T	Application to carry out management works to one oak tree included in Taunton Deane Borough (Wellington No.1) Tree Preservation Order 1998	55 Oakfield Park, Wellington	Approval	Approved
43/22/0092	Alterations to land drainage works with tree removals and associated planting	Wellington RFC Athletic Ground, Corams Lane, Wellington	Approval in principle	Approved

43/23/0043	Application for approval of reserved matters following outline application 43/06/0016 for the scale, siting, design, external appearance and landscaping for a sui generis use (hot food takeaway where consumption is mainly away from the location of purchase)	Plot 8 Westpark 26, Chelston	Approval	Approved
43/23/0073/LB	Installation of photovoltaic solar panels, flat roof coverings, edge protection and bird netting	Swallowfield House, Station Road, Wellington	N/A	Withdrawn
43/23/0074/LB	Replacement of asbestos roof with insulated profiled metal covering and associated works to factory roof	Swallowfield House, Station Road, Wellington	N/A	Withdrawn
43/23/0062/CLA	Notification for prior approval for the removal of mast and antenna and installation of 1 No. 22.3 metre high street pole with 6 No. antenna, 2 No. dish, relocation of ground based equipment cabinets and associated ancillary development thereto on land	Scotts Lane, Wellington	Refusal	Withdrawn

At this juncture, Councillor Thorne reported that the application at Chelston Heath (46/21/0037) was approved. Other than receiving a presentation from the Developers, the Council was not asked to comment by the old Somerset West & Taunton Council. Although the application is within the adjacent Parish of West Buckland, it has been policy on other applications neighbouring the boundary that the Town Council also be given opportunity to comment. There were further concerns that an application of this importance was delegated to an Officer to make the decision, and it was felt that it should have been considered by the

Council's planning Committee. Comments were also made on the poor advertising of the application.

The meeting closed at 6.55 pm

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Councillor Marcus Barr
Mayor

WELLINGTON TOWN COUNCIL MINUTES 7 AUGUST 2023

MINUTES OF THE MEETING OF WELLINGTON TOWN COUNCIL HELD AT THE UNITED REFORMED CHURCH HALL, WELLINGTON ON MONDAY 7 AUGUST 2023 AT 7.00PM

PRESENT: Councillor M Barr (Mayor)
Councillors Z Barr, C Booth, A Govier, C Govier, R Henley, J Lloyd, M McGuffie, N Powell-Brace and J Thorne.

In attendance: Alice Kendall (Deputy Clerk)
Sgt Jon O'Connor
One member of the press
Three members of the public

158 TO OFFER WELCOME AND INTRODUCTIONS

The Mayor opened the meeting and welcomed all those present.

159 TO RECEIVE APOLOGIES FOR ABSENCE AND TO APPROVE THE REASONS GIVEN

Apologies were received and accepted from Councillors S Booker, K Canham, M Lithgow and K Wheatley.

160 DECLARATIONS OF INTEREST

None were declared other than the standing declarations listed at the end of the minutes.

161 MINUTES

RESOLVED to approve the minutes of the Planning and Town Council meetings held 3 July 2023.

162 QUESTIONS AND COMMENTS FROM MEMBERS OF THE PUBLIC

A member of the public gave representation regarding Fox's Field. The Deputy Clerk asked that the concerns be forwarded to her so that it can be referred to the Environment and Heritage Committee for consideration.

Another member of the public asked if Wellington School has been asked to repair a section of wall that had fallen onto a public footpath. As a result of this being raised, Councillor Powell-Brace reported that a section of wall along the path from the Cottage Hospital was leaning badly. The Deputy Clerk will follow this up with the Assets and Events officer as she is involved in the Footpaths Volunteer Group.

163 TO RECEIVE AN UPDATE FROM THE LOCAL POLICING TEAM

The report from Sergeant Jon O'Connor had been circulated prior to the meeting. He further reported that issues at Tonedale Mill have been persistent. He informed the meeting that he had met on site with colleagues from Somerset Council and the owners and had issued a warning that the fencing and other welfare items must be brought up to standard as a matter of urgency. The summer holiday programmes of free football and airsoft were going well and have positive sign-up rates. A new PCSO will soon be on duty in the Town Centre, although this is not an additional role it does bring the team back to full capacity.

164 TO RECEIVE A REPORT FROM THE MAYOR

The Mayor's report had been circulated by e-mail in advance of the meeting. He further reported that following a visit to the 'In the Mix' cafe in Milverton, he had asked the Clerk to arrange a meeting with the Mix Team and Councillors to review what youth services could be provided in Wellington.

165 SOMERSET COUNCIL/LOCAL COMMUNITY NETWORK (LCN) UPDATE

Councillor C Govier gave an update on the first meeting of the LCN. Although it will be challenging to agree on the group's priorities, it was a positive meeting. It will be likely that there will be smaller working groups to focus on specific activities. Councillor Henley was appointed as Chairman, he too thought it was a positive meeting and found it interesting to hear of all the projects and ideas from the smaller parishes.

On general Unitary Council business, Councillor Henley reported that he had spoken at Full Council on the campaign to keep open train station ticket offices. At the next Constitution and Governance Committee, of which he is Chairman, they will receive data from recent elections and the impact on the recent changes that now require voters to show ID.

Councillor A Govier agreed that the LCN was useful and positive, and it will be important to make sure the issues affecting Wellington are aired as there a wide range of issues to consider, not all of which affect the other Parishes. Somerset Council are continuing to look very seriously at finances as costs continue to increase. He further reported that he expects an update on the NHS dentistry issue in October and continues to push the matter.

166 TO RECEIVE THE CLERK'S REPORT ON RECENT COUNCIL ACTIVITIES

The Town Clerk's report had been circulated with the agenda and was duly noted. Councillor A Govier thought the report was a positive one, all Councillors agreed.

167 FINANCE COMMITTEE

The draft minutes of the meeting held on 11 July 2023 had been circulated with the agenda and were noted.

168 TOWN CENTRE COMMITTEE

The draft minutes of the meeting held 11 July 2023 had been circulated with the agenda and were noted. It was **RESOLVED** to accept the recommendations of the Committee as follows:

- (i) Annual Street Fair – that the date for the 2024 Annual Street Fair be set as Saturday 1 June 2024.
- (ii) D-Day 80th Anniversary – that there is a week of events to commemorate this anniversary starting on the 1 June 2024 with the Annual Street Fair.

The recommendation regarding a letter of complaint to Somerset Council in relation to Road Closures was not voted on and was referred back to the Committee for further discussion on how to apply the agreement that one application can cover several events in one 18 month period.

It was agreed to note that Councillor Thorne stated his opposition to Produce Market moving to High Street.

WELLINGTON TOWN COUNCIL MINUTES 7 AUGUST 2023

169 ENVIRONMENT AND HERITAGE COMMITTEE

The draft minutes of the meeting held 11 July 2023 had been circulated with the agenda and were noted. The committee had made several recommendations and it was **RESOLVED** that:

- (i) A Council Working Group is established to have oversight of the work taking place at Tonedale Mill in light of the decision of the current directors of Wellington Mills Community Interest Company to step down.
- (ii) The submission prepared by the Wellington Wheelers should be included in the Local Cycling and Walking Infrastructure Plan, recognising that it is aspirational and that for it to be implemented there would need to be more work done and that it was not something that could be delivered in the short term.
- (iii) The Draft Terms of Reference for the Basins Allotments Advisory Board be adopted.
- (iv) Councillors Janet Lloyd and Catherine Govier be the Council's representatives on the Basins Advisory Board.
- (v) The proposed amendments to the Committees Terms of Reference to reflect oversight of the Basins Allotments Advisory Board be adopted.
- (vi) The Fruit Tree Project is approved and that £5,400 is committed from the Environmental Improvement budget for the purchase of 300 dwarf apple trees to be given free of charge to residents and schools.
- (vii) From September 2023 the committee will meet every other month in the second week of the month i.e. the week after the Council meeting.

Councillor Lloyd expressed interest in being part of the Working Group for Tonedale Mill. Councillors were asked to inform the Clerk if they had suggestions of who else should be involved.

170 PROPOSED CHANGES TO ROAD MARKINGS IN HIGH STREET AND PARKING IN SOUTH STREET

Councillor Govier reported that he has been in contact with Highways and proposed that the Council recommended to Somerset Council that:

- (i) The 'Keep Clear' road markings on High Street, outside what used to be the entrance to the Veterinary Surgery, be replaced with parking restricted to 30 mins between 8am and 6pm Monday – Saturday in line with other on street parking in the town and
- (ii) That no parking should be allowed on South Street between the roundabouts at Bulford and Eight Acre Lane.

After some discussion, the proposal was duly seconded, and it was **RESOLVED** to make the recommendations. It was further agreed that a wider review of parking across the whole town should take place as was planned before the reorganisation. Councillor A Govier will take this matter further and report back to a future meeting.

171 WATER SAFETY – FOX'S FIELD AND THE BASINS

As a result of a site visit with the Council's health and safety consultant, it had been recommended that appropriate signage and a lifebuoy be installed in both locations. After some discussion, it was proposed, and seconded, that one life ring be installed at the Basins location only and that signage warning of deep water be erected at both locations. Signage to be placed on trees where possible. There were five votes in favour and five votes against. The Chairman used his casting vote in favour; the motion was carried, and it was duly **RESOLVED**.

WELLINGTON TOWN COUNCIL MINUTES 7 AUGUST 2023

There being no further business the meeting closed at 8.25pm.

STANDING DECLARATIONS OF INTEREST

Members of Somerset Council: Councillor Andrew Govier Councillor Marcus Barr Councillor Ross Henley

Mayor
Councillor Marcus Barr



REPORT OF THE TOWN CLERK TO WELLINGTON TOWN COUNCIL TO THE MEETING OF THE TOWN COUNCIL 4 SEPTEMBER 2023

1. Introduction

This report will update councillors on matters not covered elsewhere on the agenda.

2. Council Work Plan

- Following the site meeting at Tonedale Mill noted in the August report Somerset Council issued a Section 125 Notice on the 17 August 2023 requiring the owners to take specific actions to secure the site within 28 days of the date of the Notice. A copy of the Notice was circulated to councillors on the 21 August 2023.
- The Enforcement Team at Somerset Council has advised that following Non-Compliance with the Improvement Notice served on the former Teares Newsagent building it is instructing its legal team to instigate formal proceedings to secure the required improvements. They advise that it is not possible at this stage to put a timeframe on this.
- The Town Clerk will be meeting representatives of Historic England and Somerset Councils Heritage at Risk Team on the 5 September review the towns conservation area and consider how it could be improved.
- Unfortunately due to the absence of the Project Officer no progress has been made in relation to establishing a Charitable Trust to oversee the Kings Arms Hub. This will be picked up in September.
- Further discussions have been held with Somerset Skills and Learning staff to ensure that adult education provision is enhanced in the town. The Town Clerk is working with them to source venues.
- The Town Clerk met with a representative of SPARK IT Digital Inclusion Project to look at how programmes could be rolled out in the town to support people to develop their skills and confidence to use digital technology safely. The project provides training for volunteers and IT 'kit' to groups to support them in this work. The first project in the town will be run alongside the Best Before Food store with other options in the centre of town being explored for further projects e.g. The Employment Hub that meets at The Baptist Church, The Warm Space.
- The resurfacing works on Mantle Street appear to have passed off with few concerns being raised. Thanks should go to the Highways Team for all they did to minimise disruption in particular for the medical Centre and also ensuring that students and staff could access Court Fields School on GCSE results day through what were significant road closures.
- Councillors were notified via email that we have appointed Sheldon-Jane Hancock as our new Community Warden and she will be taking up her post on the 18 September 2023. We are in the process of ordering equipment, clothing and a van.
- Banking Hub – whilst it has been widely reported that the Banking Hub will be opening in the old Barclays Bank building, Cash Access UK has not confirmed this saying that they will not comment on a site for the hub until a lease is signed and sealed.

- Further discussions have been held with the Chief Executive of Abbeyfield in relation to the future of Ivy House and The Old Vicarage. There has been a delay in Abbeyfield providing information so original timeframes set by them to make a decision have been moved back. A further meeting is due to be held in September.
- A meeting has been arranged for 5 September with Somerset Council's Displaced Peoples services to discuss the support it can offer to refugee families. Councillors are invited to join the meeting (see details below).
- We have agreed the terms for the lease for part of the parcel of land next to the Longforth Road Toilet Block where we will place the welfare and materials store when work on the block begins. We are still trying to secure the other parts of that site.
- The Lifebuoys and signage have been installed at The Basins and Fox's Field.
- Progress is being made in relation to the acquisition of the Weavers Reach play area from the Crown Estate. Transfer Documents have been received from the Crown Estate solicitors and we have instructed our solicitor to proceed.

3. Social Media

August has been a slow month social-media wise with our Facebook page reaching only 8,481 profiles and our Instagram reaching only 161. This decline is due to the fact that we have not had any events or big news to share so views and shares have not been generated. We had hoped that the scarecrow competition would help drive engagement but the interest in this has been far lower than we anticipated despite continued advertising efforts.

Our top five posts in terms of reactions have been:

1. Jane Donoghue in the Pop-Up Shop – 36 reactions
2. Mayor at Wacky Wednesday – 26 reactions
3. Wellington Camera Club at the Pop-Up Shop – 21 reactions
4. Clothes, shoes, and accessories at the Pop-Up Shop – 20 reactions
5. Scarecrow Competition reminder (23rd August) – 12 reactions

We hope to bounce back from this lull in the autumn by being able to share news on Wellington Carnival, our Christmas event, and the Free Tree Scheme.

4. Monthly Bank Reconciliation

Attached as an Appendix.

5. September Meetings/Events

Date	Time	Event	Location	Who Involved
2 September	10.00am	Opening of Monument Bathrooms Showroom	Town Centre (old TUI building)	Mayor
3 September	1.00pm	Howard Road Fun day	Howard Road	Mayor
4 September	6.00pm onwards	Planning and Town Council meetings	URC Hall	All
5 September	11.00am	Meeting with Somerset Council Displaced People Service	Council Chamber	Town Clerk and interested councillors
5 September	1.00pm	Meeting with Historic England and Somerset County Heritage at Risk	Tour of town and Council Chamber	Town Clerk

		Team re Conservation Area		
6 September	10.30am	Town and Parish Clerks Briefing	Virtual	Town Clerk
6 September	7.30pm	Green Corridor Advisory Board Meeting	Council Chamber	Board members
12 September	5.30pm onwards	Finance and Town Centre Committees	URC hall	Committee Members
13 September	4.00pm	Environment and Heritage Meeting	URC Hall	Committee Members
15 September	1.30pm	Metro Board Meeting	Virtual	Councillor M Barr and Town Clerk
17 September	4.00pm	Rededication of Taunton St John Ambulance HQ	Canon Street, Taunton	Deputy Mayor
17 September	5.30pm	1st Wellington Scout Group Sponsored Walk Presentation	Scout Hall	Mayor
18 September	11.30am	Longforth Road Toilet Project Meeting	Council Chamber	Town Clerk, Deputy Town Clerk, Assets and Events Officer and any interested councillors
18 September	6.00pm	Town Council Visioning Session	URC hall	All
19 September	tbc	1 st Anniversary of the Best Before Food Store	Rockwell Green Christian Centre	Mayor
20 September	10.30am	Town and Parish Clerks Briefing	Virtual	Town Clerk
24 September	10.00am	Visit to Community Police Airsoft Project	TBC	Mayor
27 September	2.00pm	Community One Team Meeting	TBC	Town Clerk and Council representatives
30 September	6.00pm	Wellington Carnival – Mayor’s reception	Community Centre	Mayor and all Councillors

6. Holidays

Please note the following

- (i) The Assets and Events Officer will be on holiday 7 – 12 September.
- (ii) The Deputy Clerk will be out of the office and on holiday from the 11 – 27 September

Dave Farrow
Town Clerk
29 August 2023

Wellington Town Council

Prepared by: Alice Kendall - Deputy Clerk/Deputy RFO Date: 29/08/2023

Name and Role (Clerk/RFO etc)

Approved by: _____ Date: _____

Name and Role (RFO/Chair of Finance etc)

A	Bank Reconciliation at 29/08/2023		
	Cash in Hand 01/04/2023		993,335.85
	ADD Receipts 01/04/2023 - 29/08/2023		520,655.06
	SUBTRACT Payments 01/04/2023 - 29/08/2023		1,513,990.91
	Cash in Hand 29/08/2023 (per Cash Book)		218,949.41
B			1,295,041.50
	Cash in hand per Bank Statements		
	Petty Cash 29/08/2023	0.00	
	Nationwide 01343556 29/08/2023	205,292.22	
	Cambridge & Counties 15020773 29/08/2023	258,711.69	
	The Cambridge Building Society CI 29/08/2023	200,799.46	
	Lloyds Treasurers PC 87331468 29/08/2023	417.45	
	Lloyds Deposit Account 07788306 29/08/2023	623,752.69	
	Lloyds Current Account 2195145 29/08/2023	16,177.19	
			1,305,150.70
	Less unrepresented payments		10,582.93
			1,294,567.77
	Plus unrepresented receipts		473.73
	Adjusted Bank Balance		1,295,041.50
	A = B Checks out OK		

MINUTES OF THE WELLINGTON TOWN COUNCIL FINANCE MEETING HELD AT UNTIED REFORMED CHURCH HALL ON TUESDAY 15 AUGUST 2023 AT 3.30 PM

PRESENT: Councillor M Lithgow (Chair),
Councillors A Govier, J Lloyd, M McGuffie and J Thorne

IN ATTENDANCE: David Farrow (Town Clerk)
Alice Kendall (Deputy Clerk/Deputy RFO)
1 member of the press
2 members of the public

172 APOLOGIES

Apologies were received and accepted from Councillor M Barr.

173 DECLARATIONS OF INTEREST

Councillors Lloyd and Govier have a standing personal interest declaration relating to MTMIT, the Council's IT consultant, being a former customer of the company.

Councillor Thorne has a standing personal interest declaration relating to MTMIT, the Council's IT consultant, being a personal friend of the company owner.

174 PUBLIC PARTICIPATION

The members of the public present were representatives of grant/funding applicants and were available to answer questions where appropriate.

175 MINUTES

RESOLVED to approve and sign the minutes of the meeting held on 11 July 2023.

176 ACCOUNTING STATEMENTS

(a) TO NOTE AND APPROVE THE BANK RECONCILIATION AS AT 9 AUGUST 2023

RESOLVED to note and approve the bank reconciliation as presented.

(b) TO NOTE AND APPROVE EXPENDITURE FOR 4 JULY – 9 AUGUST 2023

RESOLVED to note and approve the expenditure as presented.

(c) TO NOTE AND APPROVE INCOME RECEIVED FOR 4 JULY – 9 AUGUST 2023

RESOLVED to note and approve the income as presented.

(d) TO NOTE AND APPROVE THE INCOME AND EXPENDITURE AGAINST THE BUDGET AT 9 AUGUST 2023

RESOLVED to note and approve the budget report as presented.

177 GRANTS

(a) Applications

- i. **Wellington Rugby Club** – the club had applied for a grant of £2,000 towards the annual fireworks display. The application and supporting documents were circulated by e-mail in advance.

RESOLVED to suspend standing orders to allow the Club's representative to answer questions.

RESOLVED to reinstate standing orders.

RESOLVED to award a grant of £2,000.

178 COST OF LIVING FUNDING

RESOLVED to recommend to Full Council that the unspent balance of the Cost of Living Fund (£30,200) be moved to an earmarked reserve for further use as required.

179 FUNDING UPDATES AND FURTHER REQUESTS (COST OF LIVING)

The following organisations received funding and have provided feedback in the attached correspondence. They are also requesting further assistance to continue their projects.

(a) Wellington Baptist Church (£3,000)

RESOLVED to suspend standing orders to allow a representative to speak and answer questions.

RESOLVED to re-instate standing orders.

RESOLVED to award £3,000 from the Cost of Living fund.

(b) Court Fields School Breakfast Club (£2,792)

RESOLVED to award £2,792 from the Cost of Living Fund.

180 BANK SIGNATORIES

RESOLVED to

- i. add Councillors C Govier and M McGuffie as signatories on the Lloyds accounts, and
- ii. add Councillors M Barr and C Govier as signatories to the accounts held with Cambridge and Counties, The Cambridge Building Society and Nationwide.

181 DONATION FOR ALLOTMENT JUDGING

RESOLVED to make a donation of £50 to Musgrove Leukaemia Group Somerset in the name of Allan Cavill as thanks for his help with judging the allotment competition.

There being no further business, the meeting closed at 3.55 pm.

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Councillor Mark Lithgow
Chairman

WELLINGTON TOWN COUNCIL

MINUTES OF THE POLICY AND RESOURCES COMMITTEE HELD AT THE UNITED REFORMED CHURCH HALL, WELLINGTON 15 AUGUST 2023 AT 4.00pm

Present: Councillors C Govier (Chair), A Govier, M Lithgow, J Lloyd, M McGuffie and J Thorne.

One member of the press and one member of the public were in attendance.

182. TO RECEIVE APOLOGIES AND APPROVE THE REASONS GIVEN

Apologies were received and accepted from Councillors M Barr and K Wheatley

183. MINUTES

RESOLVED to approve and sign the minutes of the Policy and Resources Committee Meeting held on 20 June 2023.

184. DECLARATIONS OF INTEREST

Councillor J Thorne declared a personal interest in item 9 as he is a personal friend of the person making the proposal.

Councillor J Lloyd declared a financial interest in agenda item 10 as she and her husband are in receipt of pensions from Somerset Council.

Councillor A Govier declared a financial interest in item 10 as his wife receives a pension from Somerset Council.

185. QUESTIONS AND COMMENTS FROM MEMBERS OF THE PUBLIC

A member of the public spoke in relation to agenda item 9 having written to the Mayor and Town Clerk suggesting how a legacy could be created following the granting of The Freedom of the Town to The Rifles Regiment.

At this stage, it was **RESOLVED** to bring item 9 forward for discussion.

186. THE RIFLES REGIMENT FREEDOM LEGACY

The Committee welcomed the suggestions for developing a legacy following the Granting of the Freedom of the Town to The Rifles Regiment. The consensus was that this should develop over time and that it was for individual organisations such as schools and the local Cadet Force to develop those links and not for the Council to manage. It was agreed that the Council would fly the Regimental Flag that it had been gifted by the Regiment on Salamanca Day and on the anniversary of the granting of The Freedom. It was also agreed that the Town Clerk should write to The Rifles Museum offering it the opportunity of using the Pop-Up Shop and also to the Musical Director of the regimental band inviting them to perform in the town in the future.

187. LONGFORTH ROAD TOILET BLOCK UPDATE

Copies of the updated project plan and had been circulated prior to the meeting and hard copies were tabled at the meeting.

The Town Clerk reported that the projected completion date had now been brought back to December 2024 but that this was still subject to change.

He also reported that whilst it had been hoped that initial surveys could be done whilst the front of the building was made secure through propping and scaffolding; it was now apparent that this was not sufficient and the advice of the structural engineer and Project Manager was that it needed to be taken down.

It was not possible at this stage to put a cost on this which should dictate the procurement process followed. This needed to be balanced with the need to carry out the work quickly to secure the site to enable other work to commence and also to remove a significant health and safety risk.

On that basis it was **RESOLVED** that, given the safety aspects and time constraints, a list of approved contractors provided by Ravenslade (Arque Ltd, Mercury Construction and Lancer Scott) be used for quotations rather than closed tendering procurement as per Financial Regulation 18c, if the estimated amount is likely to be over £25,000. It was also asked that a local contractor be approached to bid for the work.

also It was further **RESOLVED** to accept the quote of £754.75 from Halpin Robbins for the Bat and Nesting Bird - Preliminary Ecological Appraisal.

188. TOWN COUNCIL 50TH ANNIVERSARY

It was **RESOLVED** to recommend to Full Council that it should mark the 50th anniversary of the formation of the Town Council in April 2024, that expenditure should be kept to a minimum and that the Town Centre Committee should have oversight of the arrangements.

189. NATIONAL ASSOCIATION OF LOCAL COUNCILS' (NALC) CIVILITY AND RESPECT PLEDGE

After some discussion it was proposed and duly seconded, to recommend to Full Council that the NALC Civility and Respect Pledge should be adopted. There were two votes in favour and four against. The motion was not carried

190. DIGNITY AT WORK POLICY

It was **RESOLVED** to recommend to Full Council that the draft Dignity at Work Policy be adopted.

191. COUNCILLOR - OFFICER PROTOCOL

It was **RESOLVED** to recommend to Full Council that the draft Councillor - Officer Protocol be adopted.

192. SOMERSET COUNCIL PENSION FUND – CONSULTATION ON FUNDING STRATEGY STATEMENT

The Committee had no comments to make on the Somerset Council Funding Strategy Statement.

193. TORRES VEDRAS TWINNING VISIT 26th – 30th OCTOBER 2023

It was **RESOLVED** to recommend to Full Council that the reasonable costs of travel for one Council representative to attend the twinning visit for the 26 – 30th October 2023

should be met by the Council. It was noted that the Mayor should represent the Council. If the Mayor was unavailable, then the Deputy Mayor should attend and if they are unavailable then a volunteer should be sought from other Council members.

It was further **RESOLVED** to recommend to Full Council that this principal should be applied to any invitation for Civic visits from twinning towns.

194. TOWN HALL CLOCKS

It was **RESOLVED** to recommend to Full Council that it takes on responsibility for the costs of running and maintaining the clocks on the old Town Hall from Somerset Council. The annual costs are estimated at £250pa for an annual service and £200pa for electricity costs.

195. TO CONSIDER RESOLVING TO EXCLUDE MEMBERS OF THE PRESS AND PUBLIC

It was **RESOLVED** that members of the public and press be excluded from the meeting under section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960. The reason being that item 14 on the agenda refers to matters which are commercially sensitive and confidential.

There being no further business the meeting closed at 5.45pm.

.....
Councillor Catherine Govier
Chairman

POLICY AND RESOURCES COMMITTEE

15th AUGUST 2023

WELLINGTON TOWN COUNCIL 50TH ANNIVERSARY

1. Introduction

- 1.1 Wellington Town Council as we know it will be celebrating its 50th Anniversary on 1st April 2024. The purpose of this paper is to offer some ideas for what can be done to celebrate this milestone and encourage Councillors to put forward their own ideas.

2. Background

- 2.1 Following the Local Government Act of 1972, Wellington Town Council (known as Wellington Parish Council at first – this was changed on June 7th, 1977, in line with the Queen's Silver Jubilee) formed in 1974 to replace Wellington Urban District Council.
- 2.2 This new Council had less assets and responsibility than the Urban District Council due to a combination of Taunton Deane Borough Council wishing to take these responsibilities on and local Councillors deciding to relinquish assets to the Borough Council.
- 2.3 Over 50 years of the Town Council, there has been a total of 85 Councillors and 13 permanent members of staff. The number of living former Councillors is yet to be determined as the Administration Assistant is still combing through the minutes of Council meetings.

3. Celebration Ideas

- 3.1 We have been lent 15 VHS tapes by Richard Fox. These tapes include a range of films of civic events recorded by the late former Mayor Terry Milton. These films could be compiled into a celebratory video alongside images that exist in the Council Chamber and museum archives. We have been quoted a cost of £10 per tape for the conversion of these tapes to digital files.
- 3.2 We may consider running a Wellington Town Council museum for one week in the Pop-Up Shop. Wellington Museum has a range of items and papers from the past 50 years as well as pieces relating to the Urban District Council.
- 3.3 Commemorative coins or badges could be gifted to all surviving former Councillors and staff. If ordered from Insignia there is a minimum order number of 100 at a cost of approximately £1.50 per unit. This would leave us with some spare items, these could be gifted to current leaders of groups that work with the Council.
- 3.4 A celebratory meal could be organised with all surviving former Councillors and staff invited. Hiring the function room at The Beambridge would be the most preferable option due to the potential volume of guests. To limit cost, consider asking guests to pay for own meal. At this event speeches could be made and it would be a great opportunity to present commemorative coins or badges.

MODEL COUNCILLOR-OFFICER PROTOCOL

1. INTRODUCTION

- 1.1 The purpose of this Protocol is to guide Councillors and officers of the Council in their relations with one another. The Protocol's intention is to build and maintain good working relationships between Councillors and officers as they work together. Employees who are required to give advice to Councillors are referred to as "officers" throughout.
- 1.2 A strong, constructive, and trusting relationship between Councillors and officers is essential to the effective and efficient working of the Council.
- 1.3 This Protocol also seeks to reflect the principles underlying the Code of Conduct which applies to Councillors and the employment terms and conditions of officers. The shared objective is to enhance and maintain the integrity (real and perceived) of local government.
- 1.4 The following extract from the Local Government Association guidance on the 2020 Model Councillor Code of Conduct states that:

"Both Councillors and officers are servants of the public and are indispensable to one another. Together, they bring the critical skills, experience and knowledge required to manage an effective local authority."

At the heart of this relationship, is the importance of mutual respect. Councillor-officer relationships should be conducted in a positive and constructive way. Therefore, it is important that any dealings between Councillors and officers should observe reasonable standards of courtesy, should show mutual appreciation of the importance of their respective roles and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.

Councillors provide a democratic mandate to the local authority and are responsible to the electorate whom they represent. They set their local authority's policy framework, ensure that services and policies are delivered and scrutinise local authority services.

[Councillors of the executive,] Chairs and vice chairs of committees have additional responsibilities. These responsibilities will result in increased expectations and relationships with officers that are more complex. Such Councillors must still respect the impartiality of officers and must not ask them to undertake work of a party-political nature or compromise their position with other Councillors or other officers.

Officers provide the professional advice and managerial expertise and information needed for decision making by Councillors and to deliver the policy framework agreed by Councillors. They are responsible for implementing decisions of Councillors and the day-to-day administration of the local authority.

The roles are very different but need to work in a complementary way.

It is important for both sides to respect these differences and ensure that they work in harmony. Getting that relationship right is an important skill. That is why the code requires Councillors to respect an officer's impartiality and professional expertise. In turn officers should respect a Councillor's democratic mandate as the people accountable to the public for the work of the local authority. It is also important for a local authority to have a Councillor-

officer protocol which sets out how this relationship works and what both Councillors and officers can expect in terms of mutual respect and good working relationships.”

1.5 This Protocol covers:

- The respective roles and responsibilities of the Councillors and the officer.
- Relationships between Councillors and officers.
- Where/who a Councillor or an officer should go to if they have concerns.
- Who is responsible for making decisions.

2. BACKGROUND

2.1 This Protocol is intended to assist Councillors and officers, in approaching some of the sensitive circumstances which arise in a challenging working environment.

2.2 The reputation and integrity of the Council is significantly influenced by the effectiveness of Councillors and the officer working together to support each other's roles.

2.3 The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy. Overly close personal familiarity between Councillors and officers is not recommended as it has the potential to damage this relationship.

3. ROLES OF COUNCILLORS AND OFFICERS

3.1 The respective roles of Councillors and officers can be summarised as follows:

- Councillors and officers are servants of the public and they are indispensable to one another, but their responsibilities are distinct.
- Councillors are responsible to the electorate and serve only for their term of office.
- Officers are responsible to the Council. Their job is to give advice to Councillors and to the Council, and to carry out the Council's work under the direction and control of the Council and relevant committees.

3.1.1 Councillors

Councillors have four main areas of responsibility:

- To determine Council policy and provide community leadership.
- To monitor and review Council performance in implementing policies and delivering services.
- To represent the Council externally; and
- To act as advocates for their constituents.

3.1.2 All Councillors have the same rights and obligations in their relationship with the officer, regardless of their status and should be treated equally.

3.1.3 Councillors should not involve themselves in the day to day running of the Council. This is the officer's responsibility, and the officer will be acting on instructions from the Council or its committees, within an agreed job description.

3.1.4 In line with the Councillors' Code of Conduct, a Councillor must treat others with respect, must not bully or harass people and must not do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the Council.

3.1.5 Officers can expect Councillors:

- to give strategic leadership and direction and to seek to further their agreed policies and objectives with the understanding that Councillors have the right to take the final decision on issues based on advice.
- to act within the policies, practices, processes and conventions established by the Council.
- to work constructively in partnership with officers acknowledging their separate and distinct roles and responsibilities.
- to understand and support the respective roles and responsibilities of officers and their associated workloads, pressures and reporting lines.
- to treat them fairly and with respect, dignity and courtesy.
- to act with integrity, to give support and to respect appropriate confidentiality.
- to recognise that officers do not work under the instruction of individual Councillors or groups.
- not to subject them to bullying, intimidation, harassment, or put them under undue pressure.
- to treat all officers, partners (those external people with whom the Council works) and members of the public equally, and not discriminate based on any characteristic such as age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- not to request officers to exercise discretion which involves acting outside the Council's policies and procedures.
- not to authorise, initiate, or certify any financial transactions or to enter into any contract, agreement or undertaking on behalf of the Council or in their role as a Councillor without proper and lawful authority.
- not to use their position or relationship with officers to advance their personal interest or those of others or to influence decisions improperly.
- to comply at all times with the Councillors' Code of Conduct, the law, and such other policies, procedures, protocols and conventions agreed by the Council.
- respect the impartiality of officers and do not undermine their role in carrying out their duties.
- do not ask officers to undertake work, or act in a way, which seeks to support or benefit a particular political party or gives rise to an officer being criticised for operating in a party-political manner.
- do not ask officers to exceed their authority where that authority is given.

3.2 Chairs of Council and committees

3.2.1 Chairs have additional responsibilities as delegated by the Council. These responsibilities mean that they may have to have a closer working relationship with employees than other Councillors do. However, they must still respect the impartiality of officers and must not ask them to undertake work or anything else which would prejudice their impartiality.

3.3 Officers

- 3.3.1 The primary role of officers is to advise, inform and support all members and to implement the agreed policies of the Council.
- 3.3.2 Officers are responsible for day-to-day managerial and operational decisions within the Council, including directing and overseeing the work of any more junior officers. Councillors should avoid inappropriate involvement in such matters.
- 3.3.3 In performing their role officers will act professionally, impartially and with neutrality. Whilst officers will respect a Councillor's view on an issue, the officer should not be influenced or

pressured to make comments, or recommendations which are contrary to their professional judgement or views.

3.3.4 Officers must:

- implement decisions of the Council and its committees which are lawful, which have been properly approved in accordance with the requirements of the law and are duly recorded. This includes respecting the decisions made, regardless of any different advice given to the Council or whether the decision differs from the officer's view.
- work in partnership with Councillors in an impartial and professional manner.
- treat Councillors fairly and with respect, dignity and courtesy.
- treat all Councillors, partners and members of the public equally, and not discriminate based on any characteristic such as age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- assist and advise all parts of the Council. Officers must always act to the best of their abilities in the best interests of the authority as expressed in the Council's formal decisions.
- respond to enquiries and complaints in accordance with the Council's standards protocol.
- be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for Councillors, the media or other sections of the public.
- act with honesty, respect, dignity and courtesy at all times.
- provide support and learning and development opportunities for Councillors to help them in performing their various roles in line with the Council's training and development policy.
- not seek to use their relationship with Councillors to advance their personal interests or to influence decisions improperly.
- to act within the policies, practices, processes and conventions established by the Council.

3.3.5 Officers have the right not to support Councillors in any role other than that of Councillor, and not to engage in actions incompatible with this Protocol.

3.3.6 In giving advice to Councillors, and in preparing and presenting reports, it is the responsibility of the officer to express his/her own professional views and recommendations. An officer may report the views of individual Councillors on an issue, but the recommendation should be the officer's own. If a Councillor wishes to express a contrary view they should not pressurise the officer to make a recommendation contrary to the officer's professional view, nor victimise an officer for discharging his/her responsibilities.

3.3.7 There are exceptional circumstances where a Councillor can fulfil the role of officer, for example where there is a vacancy. This can only be done if the Councillor is not paid for the role and should only ever be short-term while the Council seeks to fill a vacancy. There will need to be a particular clear understanding of when the Councillor is acting as a Councillor and when acting as the Proper Officer.

4. THE RELATIONSHIP: GENERAL

4.1 Councillors and officers are indispensable to one another. However, their responsibilities are distinct. Councillors are accountable to the public, whereas officers are accountable to the Council as a whole.

4.2 At the heart of this Protocol is the importance of mutual respect and also of civility. Councillor/officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Councillors and officers should observe

standards of courtesy and that neither party should seek to take unfair advantage of their position nor seek to exert undue influence on the other party.

4.3 Individual Councillors should not actively seek to undermine majority decisions of the corporate body, as this could then bring them into conflict with officers who have been charged with promoting and implementing the Council's collectively-determined course of action.

4.4 Councillors should not raise matters relating to the conduct or capability of an officer, or of officers collectively, in a manner that is incompatible with this Protocol at meetings held in public or on social media. This is a long-standing tradition in public service. An officer has no means of responding to criticisms like this in public.

4.5 A Councillor who is unhappy about the actions taken by, or conduct of, an officer should:

- avoid personal attacks on, or abuse of, the officer at all times.
- ensure that any criticism is well founded and constructive.
- ensure that any criticism is made in private.
- take up the concern with the chair.

4.6 Neither should an officer raise with a Councillor matters relating to the conduct or capability of another Councillor or officer or to the internal management of the Council in a manner that is incompatible with the objectives of this Protocol. Potential breaches of this Protocol are considered below.

5. EXPECTATIONS

5.1 All Councillors can expect:

- A commitment from officers to the Council as a whole, and not to any individual Councillor, group of Councillors or political group;
- A working partnership;
- Officers to understand and support respective roles, workloads and pressures;
- A timely response from officers to enquiries and complaints;
- Officer's professional and impartial advice, not influenced by political views or personal preferences;
- Timely, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from officers and other Councillors;
- Training and development opportunities to help them carry out their role effectively;
- Not to have personal issues raised with them by officers outside the Council's agreed procedures;
- That officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly.

5.2 Officers can expect from Councillors:

- A working partnership;
- An understanding of, and support for, respective roles, workloads and pressures;
- Leadership and direction;
- Respect, courtesy, integrity and appropriate confidentiality;
- Not to be bullied or to be put under undue pressure;

- That Councillors will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- That Councillors will at all times comply with the Council's adopted Code of Conduct.

6. SOME GENERAL PRINCIPLES

- 6.1 Close personal relationships between Councillors and officers can confuse their separate roles and get in the way of the proper conduct of Council business, not least by creating a perception in others that a particular Councillor or officer is getting preferential treatment.
- 6.2 Special relationships with particular individuals are not recommended as it can create suspicion that an employee favours that Councillor above others.
- 6.3 The Proper Officer (usually called the Clerk) is the head of paid services and has a line management responsibility to all other staff. Communications should be made directly with the Proper Officer, unless it is agreed by the Proper Officer that such communications may take place directly with other officers over a particular matter. Councillors should not give instructions directly to the Proper Officer's staff without the express approval of the Proper Officer.

7. COUNCILLORS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

- 7.1 Councillors are free to approach officers to provide them with such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as members of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the Officer.
- 7.2 The legal rights of Councillors to inspect Council documents are covered partly by statute and partly by the common law.
- 7.3 The common law right of Councillors is based on the principle that any member has a prima facie right to inspect Council documents so far as their access to the documents is reasonably necessary to enable the member properly to perform their duties as a member of the Council. This principle is commonly referred to as the "need to know" principle.
- 7.4 The exercise of this common law right depends therefore upon the Councillor's ability to demonstrate that they have the necessary "need to know". In this respect a member has no right to "a roving commission" to go and examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the "need to know". This question must be determined by the officer.
- 7.5 In some circumstances (e.g. a committee member wishing to inspect documents relating to the functions of that committee) a Councillor's "need to know" will normally be presumed. In other circumstances (e.g. a Councillor wishing to inspect documents which contain personal information about third parties) a Councillor will normally be expected to justify the request in specific terms. Any Council information provided to a Councillor must only be used by the Councillor for the purpose for which it was provided i.e. in connection with the proper performance of the Councillor's duties as a member of the Council.
- 7.6 For completeness, Councillors do, of course, have the same right as any other member of the public to make requests for information under the Freedom of Information Act 2000.

8. CORRESPONDENCE

- 8.1 Correspondence between an individual Councillor and an officer should not normally be copied (by the officer) to any other Councillor. Where exceptionally it is necessary to copy the correspondence to another Councillor, this should be made clear to the original Councillor. In other words, a system of “silent copies” should not be employed. Acknowledging that the “BCC” system of e-mailing is used, it should be made clear at the foot of any e-mails if another Councillor has received an e-mail by adding “CC Councillor X.”
- 8.2 Official letters or emails on behalf of the Council should normally be sent out under the name of the officer, rather than under the name of a Councillor. It may be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter or email to appear over the name of the chair, but this should be the exception rather than the norm. Letters or emails which, for example, create obligations or give instructions on behalf of the Council should never be sent out in the name of a Councillor.
- 8.3 Correspondence to individual Councillors from officers should not be sent or copied to complainants or other third parties if they are marked “confidential”. In doing so, the relevant officer should seek to make clear what is to be treated as being shared with the Councillor in confidence only and why that is so.

9. PRESS AND MEDIA

- 9.1 Councils are accountable to their electorate. Accountability requires local understanding. This will be promoted by the Council, explaining its objectives and policies to the electors and customers. Councils use publicity to keep the public informed and to encourage public participation. The Council needs to tell the public about the services it provides. Good effective publicity should aim to improve public awareness of the Council’s activities. Publicity is a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential to ensure that decisions on publicity are properly made in accordance with the Code of Recommended Practice on Local Authority Publicity and the Council’s Media Protocol.
- 9.2 The officer may respond to press enquiries but should confine any comments to the facts of the subject matter and the professional aspects of the function concerned. On no account must an officer expressly or impliedly make any political opinion, comment or statement.
- 9.3 Any press release that may be necessary to clarify the Council’s position in relation to disputes, major planning developments, court issues or individuals’ complaints should be approved by the officer.
- 9.4 The chair (or chair of a committee) may act as spokespersons for the Council in responding to the press and media and making public statements on behalf of the Council but should liaise with the officer on all forms of contact with the press and media. The Council may also appoint individual Councillors as spokespeople where there is an area of particular expertise but this should only be done with the agreement of the Council.
- 9.5 The Council must comply with the provisions of the Local Government Act 1986 (“the Act”) regarding publicity. All media relations work will comply with the national Code of Practice for Local Government Publicity. The Code is statutory guidance and the Council must have regard to it and follow its provisions when making any decision on publicity.

9.6 The LGA has produced useful guidance on the Publicity Code -
<https://www.local.gov.uk/publications/short-guide-publicity-during-pre-election-period>

9.7 For more detailed information and guidance regarding the role of Councillors in connection with the use of social media, reference should be made to the Council's Social Media Protocol where there is one in place.

10 IF THINGS GO WRONG

10.1 Procedure for officers

10.1.1 From time to time the relationship between Councillors and an officer may break down or become strained. Whilst it is always preferable to resolve matters informally, it is important that the Council adopts a formal grievance protocol or procedure.

10.1.2 Somerset Council's monitoring officer may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice. The chair of the Council should not attempt to deal with grievances or work related performance or line management issues on their own. The Council should delegate authority to a small group of Councillors to deal with all personnel matters.

10.1.3 The law requires all employers to have disciplinary and grievance procedures. Adopting a grievance procedure enables individual employees to raise concerns, problems or complaints about their employment in an open and fair way.

10.1.4 Where the matter relates to a formal written complaint alleging a breach of the Councillors' Code of Conduct the matter must be referred to the Somerset Council's monitoring officer in the first instance in line with the Localism Act 2011. The Council may however try to resolve any concerns raised informally before they become a formal written allegation.

10.2 Procedure for Councillors

10.2.1 If a Councillor is dissatisfied with the conduct, behaviour or performance of the officer or another employee, the matter should be reported to the chair and then raised with the officer in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke the Council's disciplinary procedure.

WELLINGTON TOWN COUNCIL

Minutes of an Extra Ordinary meeting of the Wellington Town Centre Committee held at the United Reformed Church Hall, Fore Street, Wellington TA21 8AG on Wednesday 23rd August 2023 at 6.00pm

Present: Councillors M. Lithgow (Chair), C. Booth, C. Govier, J. Lloyd
Non-Councillors: M.Vincent. S Pringle-Kosikowsky.

In Attendance: Alice Kendall – Deputy Clerk
Annette Kirk – Assets & Events Officer

One member of the press

197 ELECTION OF CHAIR

RESOLVED that Councillor M Lithgow would act as Chair in the absence of Councillor S Booker

198 APOLOGIES

Apologies had been received from Councillor K Wheatley and non-councillors S. Davis and Z Old.

199 DECLARATIONS OF INTEREST

No declarations of interest.

200 QUESTIONS AND COMMENTS FROM MEMBERS OF THE PUBLIC

No public present.

201 WELLINGTON TOWN CARNIVAL – SATURDAY 30TH SEPTEMBER 2023

a) RESOLVED that Council Officers obtain three quotations for a light buffet for the Mayor's Reception.

RESOLVED to approve a budget of £500.00 for Council Officers to spend on a light buffet and drinks for Mayor's Reception.

b) RESOLVED not to hire a viewing stage for the Mayor's Reception but to cordon off an area and erect gazebos and chairs for guests to use. Location to be decided.

202 CHRISTMAS EXPENDITURE

The Committee considered a report with a breakdown of costings for items proposed for the Switch on Event as well as entertainment on additional Saturdays. It was noted the proposed expenditure was significantly over the current budget. It was felt that, given the current cost-of-living crisis, entertainment should come from the local community.

RESOLVED to only have street entertainment for the Switch On Event (not additional Saturdays) and to remove from the proposal the hire of a ride, snow globe and grotto. Also, to try and wrap a window in a Christmas theme.

RESOLVED to approve a budget of £10,500 for Christmas Entertainment.

203 ROCKWELL WELL GREEN CHRISTMAS TREE

RESOLVED to agree the new location of the Christmas Tree at The Well Christian Centre. Subject to final and formal agreement

The meeting ended at 7.30pm

.....
Councillor M Lithgow
Chair



Adopted by the Council at the meeting held on XX

Dignity at Work Policy

Wellington Town Council believes that civility and respect are important in the working environment, and expects all Councillors, officers, and the public to be polite and courteous when working for, and with the Council.

1. Purpose

- 1.1 Wellington Town Council is committed to creating a working environment where all Council employees, Councillors, contractors, and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying.
- 1.2 In support of this objective, Wellington Town Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available [NALC](#) & [SLCC](#) websites.
- 1.3 We recognise that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed. However the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.
- 1.4 This document:
 - explains how we will respond to complaints of bullying or harassment;
 - ensures that we respond sensitively and promptly; and,
 - supports our Councillors and employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

2. Scope

- 2.1 This policy covers bullying and harassment of and by councillors, senior staff and all employees engaged to work at Wellington Town Council. Should agency staff, or contractors have a complaint connected to their engagement with Council this should be raised to their nominated Town Council contact, Town Clerk, or the Mayor, in the first instance. Should the complaint be about the Mayor or individual Councillors the complaint should be raised by the person making the complaint with the Monitoring Officer at Somerset Council via a code of conduct complaint (and notifying the Town Clerk).
- 2.2 Agency staff, or contractors are equally expected to treat Council colleagues, and other representatives and stakeholders with dignity and respect, and the Council

may terminate a contract, without notice, where there are suspicions of harassment or bullying.

2.3 Complaints about other employment matters will be managed under the Council's Grievance Procedure.

2.4 It is noted that the management of a situation may differ depending on who the allegations relate to (e.g., employees, contractor, Councillor), however, the Council will take appropriate action if any of its employees are bullied or harassed by employees, Councillors, members of the public, suppliers, or contractors.

3. The position on bullying and harassment

3.1 All staff and Council representatives are entitled to dignity, respect, and courtesy within the workplace and to not experience any form of discrimination. Wellington Town Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g., physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

3.2 We expect all representatives of the Council to

- treat each other with respect and uphold the values of the code of conduct, civility and respect pledge, equality opportunities policy, and all other policies and procedures set by the Council.
- demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

3.3 Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the Grievance Procedure for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

3.4 False accusations of harassment or bullying can have a serious effect on innocent individuals. Councillors, staff and others have a responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the Council's disciplinary procedure or the Councillors Code of Conduct.

4. What Type of Treatment amounts to Bullying or Harassment?

4.1 'Bullying' or 'harassment' are phrases that apply to treatment from one person (or

a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

4.2 Definitions

- **Harassment** - Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic.

Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic

- **Bullying** - Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.

4.3 Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault;
- Unwelcome sexual advances;
- The offer of rewards for going along with sexual advances e.g., promotion, access to training;
- Threats for rejecting sexual advances;
- Demeaning comments about a person's appearance;
- Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation;
- Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation;
- Spreading malicious rumours or insulting someone;
- Lewd or suggestive comments or gestures;
- Deliberate exclusion from conversations, work activities or social activities;
- Withholding information a person needs in order to do their job;
- Practical jokes, initiation ceremonies or inappropriate birthday rituals;
- Physical abuse such as hitting, pushing or jostling;
- Rifling through, hiding or damaging personal property;
- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person;
- Isolation or non-cooperation at work;
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others;
- The use of obscene gestures; and
- Abusing a position of power.

4.4 Bullying and harassment can occur through verbal and face to face interactions but can also take place through sharing inappropriate or offensive content in writing or

via email and other electronic communications and social media.

- 4.5 It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable, and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear. However, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.
- 4.6 Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example).
- 4.7 All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines and should not be interpreted as anything different.

5. Victimisation

- 5.1 Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.
- 5.2 Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the Council will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

- 5.3 Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

6. Reporting Concerns

6.1 What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague):

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your nominated manager in the first instance or, with the clerk/or a Councillor. Any such report will be taken seriously, and we will decide how best to deal with the situation in consultation with you.

6.2 What you should do if you feel you are being bullied or harassed by a Councillor:

If you are being bullied or harassed by a Councillor, please raise this with the clerk or Mayor in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

- 6.3 The Council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location e.g. working from home, not attending meetings with the person about whom the complaint has been made etc.

6.4 What you should do if you witness an incident you believe to be harassment or bullying:

If you witness such behaviour, you should report the incident in confidence to the Town Clerk or the Mayor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

6.5 What you should do if you are being bullied or harassed by another member of staff:

If you are being bullied or harassed by a colleague or contractor, there are two possible avenues to follow, informal or formal. These are described below.

7. Informal resolution

- 7.1 If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the Council's policy and must stop. Alternatively, you may wish to ask the Town Clerk, or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

7.2 If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own nominated manager, you should raise the issue with the clerk or Mayor (If your concern relates to the Mayor, you should raise it with the clerk). The Mayor (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

- There has been a complaint that their behaviour is having an adverse effect on a member of the Council staff.
- Such behaviour is contrary to our policy.
- For employees, the continuation of such behaviour could amount to a serious disciplinary offence.

7.3 It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential.

7.4 In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The clerk (or another appropriate person) will discuss this with you if it is appropriate.

7.5 If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegations or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

8. Raising a formal complaint

8.1 If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the Council's Grievance Procedure. You should raise your complaint following the process outlined in the Council's Grievance Procedure. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

8.2 The Clerk or the Mayor will appoint someone to investigate your complaint in line with the Grievance Procedure. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

- 8.3 The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.
- 8.4 Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The Council will consider any adjustments to support you in your work and to manage the relationship with the Councillor the allegations relate to, while the investigation proceeds.
- 8.5 Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.
- 8.6 The Council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the Grievance Procedure for further information, and details of your right to be accompanied).
- 8.7 After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the Grievance Procedure. At the meeting you may be accompanied by a fellow worker or a trade union official.
- 8.8 Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the Grievance Procedure.

9. The use of the Disciplinary Procedure

- 9.1 If at any stage from the point at which a complaint is raised, it is clear that there is a case to answer and a disciplinary offence might have been committed, the clerk or Mayor will instigate the Council's disciplinary procedure. We will keep you informed of the outcome. This is a non-contractual policy and procedure which will be reviewed from time to time.

GUIDANCE FOR USING THE DIGNITY AT WORK POLICY

1. Policy

- 1.1 The Dignity at Work Policy will replace the previous 'Bullying and Harassment' Policy, to create a policy that is focussed on encompassing behaviours beyond simply bullying and harassment, and zero tolerance with the aim of dealing with concerns before they escalate. It is important that any commitment made in the policy is applied in practice.

2. Protected Characteristics

- 2.1 A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

- 2.2 Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related to someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

- 2.3 Examples of harassment related to a protected characteristic could include:

- Making assumptions about someone's ability due to their **age** or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.
- Making fun or mimicking impairments related to a health condition or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a **disability** to participate in.
- Refusing to treat a person as their new gender, or disclosing information about their gender identity could be harassment on the grounds of **gender reassignment**.
- **Pregnancy/Maternity** harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant person's stomach.
- Harassment based on **race** could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.
- **Gender** harassment could include not considering people for a job based on gender stereotyping roles, or implementing practices that disadvantage one gender over another. Rude, explicit jokes, even if not directed at an individual, or comments on an individual's dress or appearance.

- Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on **religion/belief**.
- Excluding same sex partners from social events could be both **sexual orientation** and **marriage/civil partnership** discrimination, as could not offering the same work- related benefits.

2.4 A person does not need to be employed or have 2 years qualifying service to make a discrimination claim at a tribunal.

- Job applicants who believe they have not been appointed because of a 'Protected Characteristic' can make a claim.
- New or established employees who are dismissed or treated unreasonably because of a health condition can make a discrimination claim.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal.

3. **Legal risks**

3.1 Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

3.2 A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

3.3 The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

4. **Culture and behaviour**

4.1 We work in eclectic communities and working environments, and a positive culture within the Council enables employees with different backgrounds and beliefs to share ideas and shape how the Council achieves its objectives for their community.

4.2 It is important to recognise that different individuals may find different behaviours bullying or harassing so while there is not always intent to offend or cause harm, that does not mean that the effect of the behaviour has not caused harm or offence.

4.3 It can take people a period of time to decide to raise their concerns, as they worry about consequences (perhaps from peers by complaining about a colleague who is popular, or they fear victimisation from the perpetrator or others). The Council should consider whether there are opportunities (such as one-to-one meetings to offer opportunity to reflect on relationships/morale) to identify issues earlier and address negative behaviours. Individuals can often mention concerns they are experiencing but not want to take it further. The Council should remind the complainant that it has zero

tolerance to bullying and harassment and remind them of the policy in place to address concerns. If the allegations mentioned are significant, the Council may want to suggest that it will need to investigate further, even if a 'grievance' is not raised, so as to ensure that any concerns and risks are managed, and the Council is meeting its responsibilities and duty of care as an employer.

- 4.4 Whilst both staff and Councillors jointly determine the working culture, Councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how Councillors behave with each other in Council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies.

5. Scope

- 5.1 All Council representatives are expected to uphold the values of the Dignity at Work Policy; however, this policy sets out how allegations from employees will be managed. As indicated in the policy, concerns from a contractor, agency worker etc. should be raised to the identified person, and an appropriate approach will be considered based on the situation and relationship of the complainant with the Council.

- 5.2 Likewise, concerns raised about the behaviour of a contractor or agency worker would not generally be managed via the full process (such as the disciplinary process), but appropriate action would be considered based on the situation. To treat people (such as contractors, or a casual worker) engaged by the Council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed.

6. Bullying and harassment & performance management

- 6.1 The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard.
- 6.2 Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any feedback has been shared in a fair and professional way.

7. Responsibilities

- 7.1 All staff and representatives of the Council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others.
- 7.2 Leaders – Councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner.

8. During the investigation

- 8.1 Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.
- 8.2 Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a Councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.
- 8.3 Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues, and it is important to consider their wellbeing and mental health.
- 8.4 Ensure that you communicate regularly with both parties.
- 8.5 The investigation and any subsequent hearing should be completed in accordance with the Grievance Procedure which sets out a process for dealing with concerns. You should ensure that the Grievance Procedure adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

9. Confidentiality

- 9.1 It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant, however in a small Council it is likely that it will be clear that the accused will know where the accusation has come from. The Council representative (clerk/chief officer/Councillor) speaking to the alleged perpetrator must be clear that the discussion is confidential, and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern.

9.2 During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations, it may be appropriate to provide anonymised witness statements, however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a Council to consider an anonymous complaint, however if the concerns are significant and compromise the Council in their duty of care to employees, then consideration of how to deal with the matter may be required.

10. Victimisation

10.1 All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

11. False allegations

11.1 If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the Council should consider the matter under the disciplinary procedure. Such an allegation would be potentially a gross misconduct.

12. Complaints against Councillors

12.1 The law is clear that any formal complaint about a Councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with the agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the Council has made the complaint, that the Council agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc.

12.2 Careful consideration is required where a grievance is raised against the Council as a whole due to lack of support related to Councillor behaviours. The specific allegations will need to be considered to determine whether the allegations can be addressed by the Council or require exploration of the Councillor's behaviour in order to respond, in which case the Monitoring Officer may be required to investigate the alleged behaviours of a/any Councillors where this may relate to the code of conduct. It is a matter of fact whether the complaint is against the Council and can therefore be dealt with by the Council's Grievance Procedure or

against a Councillor and can only be dealt with by the Monitoring Officer.

DRAFT

WELLINGTON TOWN COUNCIL

28 Fore Street,
Wellington,
Somerset
TA21 8AQ
Tel 01823 662855
Town Clerk: David Farrow



The Manager
Wellesley Hospital
Elysium Healthcare
Westpark 26
Chelston
Wellington
TA21 9FF

21 August 2023

Dear Sir/Madam

Incident in Wellington 11 August 2023

I am writing in relation to the above where, as had been reported in the press, a resident of the Wellesley Hospital who had been sentenced to be detained indefinitely under the Mental Health Act following a conviction for manslaughter, threatened a member of your staff before making off on her own.

As I am sure you appreciate this has caused considerable consternation in the town and the Town Council will be discussing this at its meeting on Monday 4 September 2023.

In preparation for that meeting I have been asked to write to you seeking clarification and reassurance on a number of points. I appreciate that there is a need for client confidentiality so have tried to keep the questions general at this stage:

1. The Council's understanding is that your facility is intended to provide accommodation to those with low/medium mental health problems. Is that correct?
2. How is it determined whether someone has low/medium/high level mental health problems?
3. Has the hospital at any point provided accommodation to any patients that have high level mental health problems?
4. Is it usual for someone convicted of manslaughter and sentenced to be indefinitely detailed to attend a low/medium tariff facility like the Wellesley Hospital? If not has the hospital classification changed and if so, when?
5. What criteria are used to assess whether it is reasonable for a patient to be allowed to leave the hospital and visit the town centre/wider community and, where it is deemed reasonable, what risk assessments are carried out and does that include risk of flight and how many staff should accompany them?
6. Is it usual for someone convicted of manslaughter and sentenced to be indefinitely detained to only be accompanied by one member of staff when they are in the community?

7. We understand that you are conducting your own review of this incident. Will you provide a copy of your findings to the Town Council on its completion?
8. What steps are being put in place until the review is completed to ensure there is no repetition of this type of incident?

I would be grateful if you could provide responses to these questions in time for the 4 September meeting so that I can share them with councillors.

Many thanks

Yours sincerely

David Farrow
Town Clerk

WELLINGTON TOWN COUNCIL MEETING**4 SEPTEMBER 2023****Development of Junior Sports Pitches****1. Introduction**

- 1.1 The purpose of this paper is to set out a proposal for prioritising the Longforth Farm playing pitch site for the development of junior sports pitches.

2. Background

- 2.1 Councillors will be aware from previous discussions that in the Longforth Farm Section 106 Agreement, an area of land of 1.419 hectares had been identified for the development of 'playing pitches'.
- 2.2 The intention had been that the football club would relocate its senior teams and associated facilities to this site and to support that the club, supported by the Town Council, applied to the then Somerset West and Taunton Council for Section 106 funding. It was granted c£200,000 with the Town Council committing a further £50,000 to support the move.
- 2.3 The senior club moving to Longforth Farm would then have freed up the town centre pitches for more junior football.
- 2.4 Alongside this when Somerset West and Taunton Council applied for the Levelling up Bid Grant for the Green Corridor, an area of land adjacent to the Community Farm site was identified as a potential site for junior sports pitches. As a Council we committed to continuing to explore that option.
- 2.5 The football club has now determined that it is not able to relocate its senior teams and will instead remain at the current location on the Playing Field as the cost of relocating was prohibitive.
- 2.6 Under the Section 106 Agreement we have until 2027 to make use of the land for playing pitches or it will be handed back to the developer.
- 2.7 Discussions with Somerset Council staff have confirmed that it will allow the allocation of c£200,000 previously identified to support the senior teams' relocation to be used for the development of junior sports pitches but only on the Longforth Farm site because of restrictions on how the funding can be used.
- 2.8 It has also offered to project manage the development of the site with the intention that on completion it will be passed to the Town Council to manage. They will manage the delivery of the playing pitch and associated facilities, but it will be for local determination as to how they are used. The likelihood is that a combination of junior football and mini rugby would be appropriate.
- 2.9 The Town Council also needs to consider whether it is prepared to reallocate the £50,000 set aside to support the senior club relocation to the development of the junior pitches giving a total budget for now of c£250,000.
- 2.10 As part of the Project Management Somerset Council has offered to provide details of a range of costs relating to the quality of the pitch, facilities such as toilets and changing rooms and car parking from which we can select according to the budget available. It is highly unlikely that £250,000 will be enough so further funding will be

required either through grant applications, fund raising or further Town Council funding. However, until we know the options, we cannot assess what the gap might be.

- 2.11 As far as the Community Farm site is concerned there are potential issues with two large badger setts and a drain running under the land which may prevent being able to undertake any significant groundworks on the site. The drain is the same as the one running under the Court Fields playing pitches which necessitated moving the proposed site of their 3G pitch.
- 2.12 Discussions have been held with representatives of the Wellington and District Sports Federation who agree that the Longforth Road site provides the best short-term option for the development of junior pitches. However, it has requested that the Green Corridor site next to the Community Farm is still considered for future development of leisure facilities including sports pitches and possibly wheeled sports e.g. Pump Track

3. Considerations

3.1 The Council is asked to consider agreeing the following:

- 3.1.1 That the priority for the development of junior sports pitches in the town should focus on the Longforth Farm site given the funding and project management support being offered by Somerset Council and the risk of losing the site and the funding if this project is not followed through.
- 3.1.2 If this is agreed that the £50,000 allocated by the Town Council to support the relocation of the senior football club should be used to support the development of junior sports pitches on the Longforth Farm site.
- 3.1.3 That in relation to ensuring that the Green Corridor site identified for sports pitches is not lost, any agreement with the Community Farm in relation to its expansion will specify that land previously identified for sports pitches on which they are working or proposing to work will need to be given back for sports pitch/leisure use as and when possibilities arise.

Dave Farrow
Town Clerk
August 2023

WELLINGTON TOWN COUNCIL

4 SEPTEMBER 2023

WELLINGTON COMMUNITY FOOD – REQUEST FOR VARIATION TO UNDERLEASE

1. Introduction

- 1.1 The purpose of this paper is to seek the Council's views on a request from Wellington Community Food to vary the terms of the lease that was agreed by the Council in April 2023.

2. Background

- 2.1 In April 2023 the Council agreed to grant an Underlease to Wellington Community Food for an initial trial period of two years. The terms of the Underlease are set out in Appendix A to this paper.
- 2.2 We have received a request from Wellington Community Food to develop a second growing area alongside the initial trial area agreed in April. A plan showing the existing and proposed trial areas is attached as Appendix B.
- 2.3 The rationale for the request is that the Community farm felt that they rushed to start growing in the first area and have paid a price for this with lower than hoped yields, plus the unpredictable spring weather meant they were later establishing the beds than they could have been. The consequence is that they started sowing too soon and had poor establishment of the crops, compounded by the drought. Despite this, they have now supplied three weeks of crop shares to their founder members and estimate that they have harvested around 130kg of food during July.
- 2.4 Expanding the growing site will enable Autumn establishment of the next growing area which would give them time to undertake the work when the conditions allowed and sow a green manure to protect the soil over the winter and be ready for growing in next year. With this in mind they think they could quadruple their food production over the next few years and be providing for 60 - 80 households a week at this scale.
- 2.5 The requested expansion site does further impinge on the site identified for junior playing pitches and this has been referenced in a previous agenda item. Wellington Community Food accepts that this may be a short-term arrangement and that as and when proposals are put in place for delivering sport or leisure facilities on that site it will have to relinquish the land.

3. Consideration

The Council is asked to consider the following:

- 3.1.1 That the Underlease with Wellington Community Food be varied to allow for a second growing area as set out in Appendix B to this report.
- 3.1.2 That the trial period be extended until September 2025 and that the trial period should remain rent free.
- 3.1.3 That should the project continue beyond September 2025 an appropriate commercial rent will be charged for the use of the land by Wellington Community Food to be set by the Town Council at the time.
- 3.1.4 That all other terms of the lease remain unchanged.

Dave Farrow
Town Clerk
August 2023

Appendix A

Agreed Terms for the Underlease

- The lease relates specifically to the initial trial period and the land identified for that on the attached plan (Appendix 1). This area of land in total may not form part of the final Community Farm land allocation if space is required to develop junior sports pitches.
- It will be for an initial a two year period with a one year break clause, which can be activated by either side if the pilot is not proving successful or alternatively with the option of extending if the pilot proves successful.
- It will be rent free for the initial two year period– then subject to review if the pilot is successful.
- There is to be no vehicular access to the field through the Basins other than for specific reasons agreed in advance with the Town Council. All vehicular access to be via the Exeter Road gate.
- Wellington Community Food to have in place Public/Employer liability cover of £10m to match Wellington Town Council's lease with SWT.
- Installation and maintenance of any fencing of the area of land for the pilot to be the responsibility of Wellington Community Food.
- Any storage units or other structures should be temporary and will require the permission of both Wellington Town Council and Somerset Council before installation. If Planning Permission is required, it will be for Wellington Community Food to apply for that having first got the permission of Wellington Town Council and Somerset Council.
- The Town Council to have access to the field as and when required.
- Other than at the one year break clause when one months' notice will be given, this agreement can be terminated by either side by the giving of three months' notice.
- Should the underlease be ended at any time Wellington Community Food undertakes to remove all materials, equipment and structures and return the land to its condition prior to any work being undertaken to develop the farm.

Appendix B

Phase 2 growing area proposal



WELLINGTON TOWN COUNCIL

4 SEPTEMBER 2023

WELLINGTON COMMUNITY FOOD – APPLICATION FOR COUNTRYSIDE STEWARDSHIP GRANT

1. Introduction

- 1.1 The purpose of this paper is to seek the Council's views on a request from Wellington Community Food to support an application for funding from the Countryside Stewardship Grant.

2. Background

- 2.1 Countryside Stewardship provides financial incentives for farmers and land managers to look after and improve the environment and is administered by the Department for Environment, Food and Rural Affairs.
- 2.2 Given that Wellington Community Food is classified as a farming organisation it is eligible to claim against this grant for any work it undertakes to improve the environment with the support of the owner of the land.
- 2.3 Wellington Community Food has put in an initial expression of interest for grants totalling £34,887.69 over a five year period. Because of the timing of the application window it was not possible to bring this request to a Council meeting before the expression of interest was submitted. However it is at the next stage of the process that Wellington Community Food will have to demonstrate that it has the Council's support.
- 2.4 The expression of interest covers the following areas:
- 2.4.1 Planting New hedges - £20,489.24
To create new connecting habitats across the wider community farm site. These would be native hedges of high environmental value. Sufficient hedges have been included in the proposal to allow a number of different layouts. Not all the grant needs to be completed within the scheme as it is paid based on the amount claimed. Using volunteers to undertake work will ensure the amount covers the full cost introducing the hedges.
- 2.4.2 Educational Access - £1,590
To fund school visits, up to 25 per year. This will fund staff resource on the farm and help them recruit a full time grower for the project. We will offer these visits equally to all schools in the town and will help provide a unique educational resource for the town. Visits are not limited on numbers or duration so provide a very flexible and important income stream for the project. This is the main driver for applying for the grant.
- 2.4.3 Sheep Netting £7,470
Including fencing will help create a dog-proof boundary for the site, it will also futureproof the site if livestock were considered appropriate. The community farm doesn't currently have any intention to request the ability to

graze livestock but the council may want to consider this as an option for habitat management in the future. As with other capital items this doesn't need to be delivered but is better to include and have the option.

2.4.6 Take field corners and small areas out of management - £1,665

This will create areas of rough tussocky mature grass. This will create areas of grass that goes to seed and provides winter bird food and insect refuges. These areas should be cut every 3 years to prevent them scrubbing up and will compliment areas of hay cutting, tree planting and natural regeneration of scrub.

2.4.7 Permanent grassland with very low inputs – £911.05

Essentially cut for hay to increase biodiversity value. All the other requirements of the scheme are relevant for farms that might want to plough it or use fertilisers. This option allows Wellington Community Food to access the educational payments.

2.4.8 Planting standard hedgerow trees - £762.40

The existing hedges are dominated by elm and elder, this could be enhanced by planting other species such as oak and field maple to become future hedgerow trees. Wellington Community Food has included sufficient to meet an average of 4 trees per 100m which is a recommended target.

2.5 There are no upfront financial commitments placed on the Town Council by supporting this application. The only implications are that in the event that the if Wellington Community Food cease to operate within the five year period the Town Council will be responsible for continuing to manage the grasslands in accordance with the proposal. e.g. annual hay management in some areas and a cut every five years in others. Educational Access Payments are paid based on the number of events each year. The greatest risk is having to repay money paid up to the point the agreement is terminated which is assessed on a case by case basis.

2.6 The work being proposed falls within the remit of permitted activities as set out in the lease with Somerset Council.

3. Considerations

3.1 It is recommended that the Council support Wellington Community Food's application to the Countryside Stewardship Fund. It will bring resource into the farm site on the Green Corridor which will enable us to improve the environment and biodiversity in the area at no cost to the Town Council. It will also enable the educational aspects of the Community Farm to develop.

Dave Farrow
Town Clerk
August 2023

NEW BENCH

Wellington Playing Field – Wellington Cricket Club & Wellington Football Club.

New Bench to be sited on exiting concrete base as shown below:



Viewing overlooking the cricket square and football pitches:



STORAGE CONTAINER FOR COMMUNITY WARDEN

The new Community Warden starts on Monday 18th September 2023.

The Town Council need to find secure storage facilities for equipment. In addition to storage, free-standing racking will also be needed. If room is available, we can free up a small amount of space in the Council Office store cupboard as a temporary measure. The Community Warden role will be reviewed regularly, as Somerset Council handover more responsibility to the Town Council. It is likely that services devolved from Somerset Council will require additional equipment which will need to be stored somewhere.

Both options below only require a 7-day notice to terminate the rental.

- 1) **Wellington Self Storage on Ryelands Business Park, Wellington** offer the following containers for rent:

Container 1: 10ft x 8ft – Rent £100 per calendar month.



Container 2: 20ft x 8ft - Rent £140.00 per calendar month



The containers are:

- Fully insulated.
- All Ground level.
- Wide Aisles, easily accessible for all types of vehicles
- Access from 6am to 7pm daily
- Your own keys and prox card
- High Security grade Anvil padlocks
- Unit contents insurance available
- Fork lift available
- Added security owners live on site.
- Minimum rental period: 2 weeks
- Notice Period: 7 days
- £100.00 refundable key deposit is required.
- Fuel can be stored.
- Care must be taken if items/tools are not dry, as this will cause condensation.
- No lighting or power

2. TONEDALE SELF-STORAGE:

35 sq.ft External Container – for fuel etc., £18.00 + VAT per week.

Month £93.60 incl VAT.

130 sq.ft. Internal Storage - £50.00 per week + VAT. Month £260.00 incl.VAT

150 sq.ft. Internal Storage - £60.00 per week + VAT. Month £312.00 incl.VAT

Access is via a cloud-based digital key that allows entry into the facility and your unit using a smartphone app. This means you can move through the facility hands free and do not need to worry about lost keys. Units are individually alarmed and can be accessed as often as you need between **0700-1900hrs, every day**. We would have use of:

- Covered loading bay.
- Trolleys and sack trucks for ease loading/unloading.
- Security alarm on each unit
- Digital access to individual units
- Monitored fire and smoke alarms.
- Monitored 24hr colour CCTV & security system.
- Contents Insurance available

The initial payment is for one month's rental and a four-week refundable, security bond. Thereafter a monthly payment by bank payment or card. There is no fixed contract, just give 7 days' notice and any storage fees paid but not required will be refunded together with the security bond.

35sq.ft. External Container for Fuel etc.,



150sq.ft Internal Storage Room:



Officers Recommendation: To approve ongoing hire of a 20ft x 8ft container at Wellington Self Storage and up to £200 to purchase shelving where required.

SHELF UNIT: ScrewFix based at Westpark, Wellington

ScrewFix: 5 tier Powder-Coated Steel Ecorax Shelving 1200mm x 450mm x 1800mm

4 x sets of uprights, 5 x shelves, 5 x sets of shelf supports, 4 x feet.

265kg Shelf Capacity. Powder-Coated Steel Frame. Chipboard Shelves. Easy Boltless Assembly.

Price: £91.99 incl. VAT



Screwfix: 5-Tier Galvanised Steel Rivet Shelving Unit 1200mm x 450mm x 1800mm

Rivet system for a quick and easy installation. Adjustable shelves to optimise storage capacity. Galvanised steel structure to protect from corrosion. Can be assembled as a workbench. 300kg Shelf Capacity. Galvanised Steel Frame. MDF Shelves. Quick & Easy Installation. Corrosion-Resistant.

Uprights (8), plastic feet (8), junction plates (4), MDF panels (5), beams (10), crossbeams (10) and reinforcements (5).

Price: £69.99 incl. VAT



Screwfix: 5 Tier Galvanised Steel Rivet Shelving unit 900mm x 450mm x 1800mm

Rivet system for a quick and easy installation. Adjustable shelves to optimise storage capacity. Galvanised steel structure protects from corrosion. Can be assembled as a workbench. 250kg Shelf Capacity. Galvanised Steel Frame. MDF Shelves. Quick & Easy Installation. Uprights (8), plastic feet (8), junction plates (4), MDF panels (5), beams (10), crossbeams (10) and reinforcements (5).

Price: £59.99 incl.VAT

