

Our Ref: 30/LJM

28th March 2014

Dear Councillor

You are summoned to a meeting of the **Council** to be held at the **Town Hall, Felixstowe** on **Wednesday 2nd April 2014 at 7.30 pm** for the transaction of the following business preceded by:

- i. Public Question Time.
- ii. Prayers: Pastor Terry Baker, River of Life Church.

1. Apologies.

To receive apologies and consider requests for approved absence.

2. Declarations of Interest.

Members and officers are invited to make any declarations of interests that they may have in relation to items on the agenda and are reminded to make any declarations at any stage during the meeting if it then becomes apparent that this may be required when a particular item or issue is considered.

3. To consider requests for dispensations from Councillors with a Pecuniary Interest.

Any Councillor with a pecuniary interest in a matter who wishes to be granted a dispensation to remain and speak during, or vote on, that matter, may apply for a dispensation in writing to the proper officer of the Town Council as soon as possible before the meeting which the dispensation is required. Applications may also be made at the Parish/Town Council meeting itself (if Parish/Town Councils have a standing item on the agenda to deal with dispensation requests and the nature of the interest has only become apparent to a Councillor at the meeting itself).

4. Questions to the Mayor

For the Mayor to respond to questions from Members in accord with Standing Order 21.

5. To confirm the Minutes of the Extra-ordinary Meeting of the Council held on Wednesday 19th March 2014

To confirm the minutes of the Extra-ordinary meeting of the Council held 19th March 2014 as a true record. - *copy attached.*

6. Mayor's Communications.

- 7. To note the receipt of the minutes of the Plans Committee meetings held on 5th and 19th February and 5th and 19th March 2014**
To note the receipt of the minutes of the Plans Committee meetings held on 5th & 19th February and 5th and 19th March 2014 – *previously circulated.*
- 8. To note the receipt of the minutes of the Newsletter Editorial Committee held on 3rd March 2014**
To note the receipt of the minutes of the Newsletter Editorial Committee held on 3rd March 2014 – *previously circulated.*
- 9. To note the receipt of the minutes of the Premises Committee held on 4th March 2014**
To note the receipt of the minutes of the Premises Committee held on 4th March 2014 – *previously circulated.*
- 10. To note the receipt of the minutes of the Felixstowe Libraries Advisory Committee held on 11th March 2014**
To note the receipt of the minutes of the Felixstowe Libraries Advisory Committee held on 11th March 2014 – *previously circulated.*
- 11. To note the receipt of the minutes of the Cemetery & Allotments Committee held on 26th February 2014**
To note the receipt of the minutes of the Cemetery & Allotments Committee held on 26th February 2014 – *previously circulated.*
- 12. To note the receipt of the minutes of the Personnel Committee meetings held on 17th March 2014**
To note the receipt of the minutes of the Personnel Committee held on 17th March 2014 – *previously circulated.*
- 13. To note the receipt of the minutes of the Finance and General Purposes Committee held on 19th March 2014**
To note the receipt of the minutes of the Finance and General Purposes Committee held on 19th March 2014 – *copy attached.*
- 14. To Consider the Production of an Emergency Plan for Felixstowe - attached**
To Consider the Production of an Emergency Plan for Felixstowe
- 15. To Consider A Request a Full External Financial Audit of the Town Councils Finances for the period 1st March 2010 to 28th February 2014 - attached**
To request a full external financial audit of the Town Councils finances for the period 1st March 2010 to 28th February 2014
- 16. That the Labour Group be represented by Cllr Kimberley Williams on the interview panel to appoint a new Town Clerk for Felixstowe Town Council**
That the Labour group be represented by Cllr Kimberley Williams on the interview panel to appoint a new Town Clerk for Felixstowe Town Council

17. To Note the Correspondence from Brandon Lewis MP, Minister for Local Government to Principal Authorities Regarding With-holding of Council Tax Transition Funding from Town/Parish Councils, and Agree to Write to Suffolk Coastal District Council Accordingly - attached

To note the correspondence from Brandon Lewis MP, Minister for Local Government to Principal Authorities regarding with-holding of Council Tax Transition Funding from Town/Parish Councils, and agree to write to Suffolk Coastal District Council accordingly

18. To Consider and Comment on the Planned Introduction of Part Night Lighting to Suffolk Coastal District Council Footway Lighting -attached

To consider and comment on the planned introduction of part night lighting to Suffolk Coastal District Council footway lighting

19. To Respond to Consultation on Revised Opening Hours of Suffolk Record Offices – attached

To respond to consultation on revised opening hours of Suffolk Record Offices

20. To Reconsider Adopting a Policy for Presentation by External Organisations at Council and Committee meetings – attached

To reconsider adopting a policy for receiving presentations by external organisations at Council and Committee meetings

21. To Confirm the Recommendation from the Finance & General Purposes Committee to Revise the Financial Arrangements with Trimley St Martin Parish Council Regarding Burial of its Residents (attached)

To confirm the recommendation from the Finance & General Purposes Committee to revise the financial arrangements with Trimley St Martin Parish Council regarding burial of its residents as recommended by the Cemetery & Allotments Sub-Committee.

22. To Note the Recent Trends in Burials and Interments and Confirm the Recommendation from the Finance & General Purposes Committee to Revise the Cemetery Fees (attached)

To note the recent trends in burials and interments and confirm the recommendation from the Finance & General Purposes Committee to revise the cemetery fees as recommended by the Cemetery & Allotments Sub-Committee.

23. To Confirm the Recommendation from the Finance & General Purposes Committee to Offer a Maintenance Agreement for Graves (attached)

To confirm the recommendation from the Finance & General Purposes Committee to offer a maintenance agreement for graves as recommended by the Cemetery & Allotments Sub-Committee.

24. To Confirm the Recommendation from the Finance & General Purposes Committee to Revise the Allotment Tenancy Agreement in Line with the NALC Model (attached)

To confirm the recommendation from the Finance & General Purposes Committee to revise the Allotment Tenancy Agreement in line with the NALC Model as recommended by the Cemetery & Allotments Sub-Committee.

25. To Confirm the Recommendation from the Finance & General Purposes Committee to Revise the Cemetery Regulations (attached)

To confirm the recommendation from the Finance & General Purposes Committee to revise the Cemetery Regulations as recommended by the Cemetery & Allotments Sub-Committee.

26. To Note the New Cemetery Booklet and Confirm the Recommendation from the Finance & General Purposes Committee as to its Reproduction (attached)

To note the new Cemetery Booklet and confirm the recommendation from the Finance & General Purposes Committee as to its reproduction as recommended by the Cemetery & Allotments Sub-Committee.

27. To Note the Current Situation Regarding Allotments and Vacant Plots and Confirm the Recommendation from the Finance & General Purposes Committee to Offer a First Year Discount (attached)

To note the current situation regarding Allotments and Vacant Plots and agree to offer a First Year Discount as recommended by the Cemetery & Allotments Sub-Committee.

28. To Confirm the Recommended Comments from the Finance & General Purposes Committee on the Draft Recommendations of the Local Government Boundary Commission's Electoral Review (attached)

To confirm the recommended comments from the Finance & General Purposes Committee on the draft recommendations of the Local Government Boundary Commission's Electoral Review

29. To Confirm the Recommendation from the Finance & General Purposes Committee as to the Allocation of Additional Earmarked Reserves from General Balances at Year End (attached)

To confirm the recommendation from the Finance & General Purposes Committee as to the allocation of additional Earmarked Reserves from General Balances at year end

30. To Confirm the Recommendation from the Finance & General Purposes Committee to the Introduction of WiFi and Broadband to the Council Chamber (attached)

To confirm the recommendation from the Finance & General Purposes Committee to the introduction of wifi and broadband to the Council Chamber

31. To Confirm the Response from the Finance & General Purposes Committee to Consultation on Proposed Changes to VAT rules affecting Local Councils (attached)

To confirm the response from the Finance & General Purposes Committee to consultation on proposed changes to VAT rules affecting Local Councils

32. To Confirm the Recommendation from the Finance & General Purposes Committee to Agree to the Request from the Trustees of the De la Roche and Felixstowe Widows Charity, Felixstowe War Memorial Cottages and King George VI Coronation Memorial Homes Charities that the Council second the Town Clerk, and such other staff as required from time to time, to support the administration of the Charities (attached)

To confirm the recommendation from the Finance & General Purposes Committee to agree to the request from the Trustees of the De la Roche and Felixstowe Widows Charity, Felixstowe War Memorial Cottages and King George VI Coronation Memorial Homes Charities that the Council second the Town Clerk, and such other staff as required from time to time, to support the administration of the Charities

33. To Receive the Report of the Internal Auditor and Confirm the Recommendation from the Finance & General Purposes Committee in Respect of those Matters Raised (attached)

To receive the report of the Internal Auditor and confirm the recommendation from the Finance & General Purposes Committee action in respect of those matters raised

34. To Note and Confirm the Action Taken by the Finance & General Purposes Committee Agree to Change the Financial Software Package (attached)

To note and confirm the action taken by the Finance & General Purposes Committee to change the financial software package

35. To Confirm the Recommendation from the Finance & General Purposes Committee as to the Production and Publication of a Mayor's Handbook (attached)

To confirm the recommendation from the Finance & General Purposes Committee as to the production and publication of a Mayor's Handbook

36. To Confirm the Recommendation from the Finance & General Purposes Committee to Recommend to Full Council the Recommendation from the Premises Committee to Investigate and Resolve the Damp Issue at the Town Hall (attached)

To confirm the recommendation from the Finance & General Purposes Committee to recommend to Full Council the recommendation from the Premises Committee to investigate and resolve the damp issue at the Town Hall

37. To Confirm the Recommendation from the Finance & General Purposes Committee to Recommend to Full Council the Recommendation from the Premises Committee that the Town Clerk be Authorised to Negotiate Off-peak Hire Rates for the Council's Premises (attached)

To confirm the recommendation from the Finance & General Purposes Committee to recommend to Full Council the recommendation from the Premises Committee that the Town Clerk be authorised to negotiate hire rates for the Town Hall

38. To Confirm the Recommendation from the Finance & General Purposes Committee to Recommend to Full Council that an Investigation into the Future Replacement of the Windows at the Town Hall be Undertaken (attached)

To confirm the recommendation from the Finance & General Purposes Committee to recommend to Full Council that an investigation into the future replacement of the windows at the Town Hall be undertaken

39. To Note the Need for Urgent Repairs to the Cemetery Roadways and Confirm the Recommendation from the Finance & General Purposes Committee to Prepare Schedules of Works, Invite Tenders and Investigate Legal Issues Regarding Langley Avenue (attached)

To confirm the recommendation from the Finance & General Purposes Committee that schedules of works be prepared and tenders invited to reconstruct the cemetery roadways and that the legal issues regarding Langley Avenue be investigated

40. To Determine Whether to Support the Motion Brought by Sevenoaks Town Council in Accord with the Sustainable Communities Act (attached)

To determine whether to support the motion brought by Sevenoaks Town Council in accord with the sustainable communities act

41. To Approve the Following Cheque Lists for Payment

To approve the following payments made since the last meeting:-

Date	Cheque Numbers	Amount £
5/2/14	102556-102564	12,067.70
6/2/14	102565-102576	2,108.37
13/2/14	102577	671.00
13/2/14	102578-102581	1678.00
26/2/14	102582-102590	4,157.11
4/3/14	102591-102599	1,879.15
14/3/14	102600-102610	27,209.41
19/3/14	102611-102614	359.42
25/3/14	102615-102621	2,491.37
	TOTAL	52,621.53

42. To Determine Why The Annual General Meeting of the Council has not Confirmed the Arrangements for Insurance in Previous Years – attached

To determine why the Annual General Meeting of the Council has not confirmed the Arrangements for Insurance in previous years

43. Mayor of Felixstowe Town Council – Standing Order No: 10 [2] “Nominations in writing for the post of Mayor and Deputy Mayor shall be received before or at the April meeting of the Council and reported to that meeting, except in an election year when nominations shall be received not later than eight days prior to the Annual General Meeting. Such nominations shall be circulated with the notices of the Annual General Meeting and voted on at that meeting.” - The Clerk to give a verbal report.

44. Exclusion of Press and Public.

“In accord with the Public Bodies (Admissions to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw”.

45. To investigate unauthorised overpayment of salary to certain Town Council employees

To investigate unauthorised overpayment of salary to certain Town Council employees.

46. Closure

A handwritten signature in black ink, appearing to read "Gordon Allan". The signature is written in a cursive style with a long horizontal stroke extending to the right.

TOWN CLERK

ITEM 14

To Consider the Production of an Emergency Plan for Felixstowe

As a consequence of the recent storm surge and consequent flooding and evacuation of parts of Felixstowe, Members have suggested that the Town Council should consider the production of an Emergency Plan for the town. This would cover all emergencies, including, but not confined to flooding, power outages, natural and man-made disasters, and other major incidents.

In Suffolk there is a well-established Suffolk Community Resilience concept. The key driving force behind how Suffolk prepares for and, when needed, reacts to major natural or man-made incidents is the Civil Contingencies Act¹. This legislation provides a single framework for civil protection within the UK and requires certain organisations to undertake defined duties to prepare for emergencies, to respond to them and then to support community recovery. Within Suffolk, the Suffolk Resilience Forum oversees the civil protection framework and is made up of a partnership of key responder agencies and supporting organisations that are required to prepare for, respond to and assist the recovery from major incidents.

The concept accepts that communities may wish to play a more formal role in being prepared for emergencies, both to reduce any local impact but also to make any response more effective, but stresses that they will need to be linked into the formal Suffolk civil protection framework.

A range of options have been developed to allow communities to choose how they wish to be more involved. The following range of options is offered throughout Suffolk allowing emergencies services to adopt a common approach to engaging with communities once they have decided how much or how little they wish to be involved.

Option	Involvement
0. No Formal Resilience Arrangements	No community engagement in relation to civil protection arrangements
1. Basic Contact	Community group provides a contact number to be used during emergencies to allow emergency responders to seek information about local situation
2. Community Contact Point	As above plus: 1. Contact point agrees to pass on information and advice to the community during emergencies. 2. Contact point agrees to pass on local queries and concerns before emergencies through existing community networks (eg SNT) or as a default to Suffolk Joint Emergency Planning Unit. 3. Receive information on ad-hoc support that can be provided from the community and develop community issues during recovery.

<p>3. Community Emergency Plan & Focal Point</p>	<p>As above plus:</p> <ol style="list-style-type: none"> 1. Develops and maintains a Community Emergency Plan that will be held by Suffolk local authorities. 2. Develops a Community Focal Point (building) that can be a visible location for people within communities to pass on and receive information during an incident (including public meeting). 3. Act as a monitor on emergency situation, feeding into local authority Operations Rooms
<p>4. Community Emergency Team</p>	<p>As above plus:</p> <ol style="list-style-type: none"> 1. Maintain a list of accredited volunteers that can be used by emergency services and others, such as social care, to support response within the community.

A diagrammatic representation of how communities fit into the Emergency Response structure is shown below.

Appendix 1- How Communities Can Fit into the Emergency Response

RESPONSE

RISK ASSESSMENT

<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Produce a risk register showing natural and man made risks in Suffolk. 2. Publish the Risk Register on Suffolkresilience.com 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Use the Risk Register to understand what risks their community faces. 2. Request risk information at no cost to help develop a Community Emergency Plan. 3. Provide information to Responders to update the Risk Register
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SHARE INFORMATION

<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Share information to help risk assessment and develop plans before emergencies occur. 2. Protect information within Data Protection Act. 3. Share Community Contact Point Information via Suffolkresilience.com 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Provide Responders with information that might be relevant for county-wide contingency plans.
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COOPERATION

<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Work together before emergencies through meetings, training and exercises to promote understanding of what each agency will do during an emergency. 2. Use the Suffolk Resilience Forum to develop and agree how to work together during emergencies. 3. Publish an accreditation system that allows people with specific skills or equipment to be used by the emergency services. 4. Provide insurance for accredited community volunteers acting in support of the emergency services. 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Use Emergency Planning Officers to help develop community resilience arrangements. <p style="text-align: center;">SEE CONTACT DETAIL AT BOTTOM OF THIS PAGE</p> <ol style="list-style-type: none"> 2. Use the accreditation system to register skills and equipment that could be used by the emergency services. 3. Be provided with insurance for accredited people supporting emergency services.
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BUSINESS CONTINUITY

<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Respond 24/7 to major emergencies to save and protect life in a coordinated manner using pre-prepared contingency arrangements where available. 2. Work together, normally under a Police lead, to maximise the use of available responder capabilities. 3. Arrange for additional assistance from outside the county for large scale emergencies. 4. Provide information on Suffolkresilience.com and seek information from communities/individuals via a Public Access Number on what is happening to ensure the right response is provided 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Provide information to responders via a Community Contact Point on what the community concerns are during emergencies (eg vulnerable people, language issues). 2. Use the Public Access Number to provide general information or seek advice. 3. Offer community help (people and equipment) to help the response (ideally this will be pre-arranged using the accreditation scheme to overcome Health & Safety and Insurance issues). 4. Use a Community Emergency Plan to provide basic self help and to reduce call on emergency services.
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TRAINING & EXERCISE

<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Train together before emergencies to enhance collective performance. 2. Exercise together to reinforce training and confirm emergency plans work 3. Publish details of major exercises on Suffolkresilience.com 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Be provided with free training on certain emergency response activities: <ul style="list-style-type: none"> o REST CENTRES o COMMUNITY FOCAL POINT 2. Take part in exercises related to their community (using the published exercise programme).
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<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Maintain arrangements to keep their own core services going during any emergency, at the same time as responding. 2. The Joint Emergency Planning Unit will provide free advice & information to local businesses and voluntary organisations to help them keep trading/operating during emergencies. 3. Develop arrangements with key utilities to ensure business impact can be understood, communicated and help provided where needed 	<p>Suffolk Business Communities can</p> <ol style="list-style-type: none"> 1. Make use of the free advice & information service to help produce business continuity arrangements. 2. Be provided with information on what external help might be available to help businesses/voluntary organisations continue to operate during emergencies or incidents.
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NOW

INCIDENT OCCURS

RECOVERY

CONTINGENCY PLANS

<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Use the Suffolk Resilience Forum to agree multi-agency Contingency Plans to cover a joined up response to HIGH and VERY HIGH risks within county on Risk Register. 2. Develop operational plans for each agency to deliver agreed activities in multi-agency Contingency Plans. 3. Include how to best utilise voluntary organisation support to emergency services in multi-agency Contingency Plans. 3. Publish multi-agency Contingency Plans on Suffolkresilience.com 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Develop a Community Emergency Plan to understand who may be involved, what the community can do itself, how to contact responders before and during emergencies and what buildings or equipment may be useful during emergencies. 2. Understand what Suffolk responders will do during a particular emergency by reading multi-agency Contingency Plans on Suffolkresilience.com.
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PUBLIC INFORMATION

<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Publish information on risks, advice on preparing for emergencies on Suffolkresilience.com. 2. Provide a Public Access Number for community and individual use for reporting information and seeking specific advice before emergencies. 3. Provide general emergency advice information through libraries, Police and Fire stations and council offices. 4. Use Suffolk radio, TV and newspapers to reinforce advice on what to do during emergencies. 5. Provide specific information for communities within industrial risk areas direct to households. 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Assist the delivery of emergency information and advice via existing community networks: eg Neighbourhood Watch schemes, faith groups, Parish meetings. 2. Highlight where the emergency information/advice message may not be getting through using the Public Access Number.
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WARNING & INFORMING

<p>Suffolk Responders may:</p> <ol style="list-style-type: none"> 1. Reinforce national warnings by Met Office or Environment Agency on adverse weather or flooding. 2. Use Suffolk radio, TV and newspapers to provide local advice on what to do during emergencies. 3. Provide a Public Access Number for community and individual use for reporting information and seeking specific advice during emergencies. 4. Provide information/advice in leaflets through doors for urgent situations. 5. Promote systems used by utilities companies to protect vulnerable people. 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Sign up to the Environment Agency FLOODLINE WARNING DIRECT system to receive flood warnings - 0845 988 1188. 2. Assist the delivery of emergency information and advice in emergencies via a Community Contact Point. 3. Highlight where the emergency information/advice message may not be getting through using the Public Access Number. 4. Assist responders by reporting hazards (eg where flooding actually is) within communities using a Public Access Number.
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CRISIS MANAGEMENT

<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Manage any emergencies in a pre-agreed joint manner 2. Use local councillors to provide a link with communities and responder Operations Rooms. 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Link into local authority Emergency Operations Rooms during emergencies if invoking a Community Emergency Plan.
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RECOVERY

<p>Suffolk Responders will:</p> <ol style="list-style-type: none"> 1. Start planning for community recovery post any emergency as soon as possible (ideally while the response is still happening). 2. Work together, under a Suffolk local authority lead, to clear up and provide support to effected communities. 3. Bring in other organisations to help community recovery. 4. Make use of a Community Focal Point to understand what communities need and to keep communities briefed on recovery activity. 5. Provide help to remember in the longer term, especially if community loss. 	<p>Suffolk Communities can</p> <ol style="list-style-type: none"> 1. Link into local authority Emergency Operations Rooms during emergencies if invoking a Community Emergency Plan 2. Use local councillors to highlight community concerns and aspirations during a recovery.
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Contact Numbers for Communities

<p>Local Authorities Emergency Planning officers</p> <p>Babergh area - Forest Heath area - Ipswich area - Mid Suffolk area -</p>	<p>Suffolk Coastal area - St Edmundsbury area - Waveney area -</p>	<p>General Public Access Number (Before and During Emergencies):</p> <p>E-Mail:</p>
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The question for Members to consider is, given the resources of the Town Council, and the size of the community, which degree of involvement, based on the options listed above, the Town Council should aspire to.

ITEM 15

To Consider A Request a Full External Financial Audit of the Town Councils Finances for the period 1st March 2010 to 28th February 2014

This item has been placed on the agenda in accord with the Standing Order which enables Members to place items on the agenda.

ITEM 16

That the Labour Group be Represented by Councillor Kimberley Williams on the Interview Panel to Appoint a New Town Clerk for Felixstowe Town Council

This item has been placed on the agenda in accord with the Standing Order which enables Members to place items on the agenda.

ITEM 17

To Note the Correspondence from Brandon Lewis MP, Minister for Local Government to Principal Authorities Regarding With-holding of Council Tax Transition Funding from Town/Parish Councils, and Agree to Write to Suffolk Coastal District Council Accordingly



Department for
Communities and
Local Government

Leaders of all Local Authorities

Brandon Lewis MP
Parliamentary Under Secretary of State

*Department for Communities and Local
Government*
Eland House
Bressenden Place
London SW1E 5DU

Tel: 0303 444 3430
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E-Mail: brandon.lewis@communities.gsi.gov.uk

www.gov.uk/dclg

21 February 2014

Localising council tax support grant

I am writing to follow up my letter of 6th January in which I set out the Government's position on the passing down of the localised council tax support grant to parish and town councils.

In the Government's written ministerial statement, laid in parliament on 5th February (link below), I made it clear that the Government's intention was that part of the funding provided to local authorities in respect of the localised council tax support should be passed down to parish and town councils.

<http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm140205/wmstext/140205m0001.htm#14020567000002>

Following my earlier letter, I am disappointed to learn from the National Association of Local Councils (NALC) that a number of authorities are refusing to pass down any such funding. Without this funding, Parishes will be under pressure to increase their council tax precept in order to fill the void or to scale back the services they provide. In the spirit of localism I would therefore encourage you to pass down funding to avoid indirectly putting pressure on your council taxpayers. However, if an authority does insist on not passing down funding I would expect the authority to justify to their council taxpayer as to the reasons why.

BRANDON LEWIS MP

ITEM 18

To Note the Decision by Suffolk Coastal District Council to Reduce the Hours of Operation of Community Lighting

Suffolk Coastal District Council

Melton Hill, Woodbridge, Suffolk IP12 1AU
Tel: (01394) 383789
Fax: (01394) 385100
Minicom: (01394) 444211
DX: Woodbridge 41400
Website: www.suffolkcoastal.gov.uk



Mrs Caroline Barrett
Clerk of Felixstowe Town Council
Town Hall
FELIXSTOWE
IP11 2AG
caroline.barrett@felixstowe.gov.uk

Please ask for: Mr David Gallagher
Direct Dial: (01502) 523007
Email :
lacey.crowe@suffolkcoastal.gov.uk
Our Ref: MW/AC/24.41.1
Your Ref:
Date 28th February 2014

Dear Mrs Caroline Barrett

Suffolk Coastal District Council Footway Standard Lighting: Planned introduction of Part Night Lighting

I am writing to you in connection with Suffolk Coastal District Council's planned introduction of Part Night Lighting to its Footway Standard Lighting installations.

On 3 December 2013 SCDC's Cabinet approved a Part Night Lighting Exemption Criteria that is attached to this letter. This criteria is the basis for capital expenditure by the District Council for an Invest to Save Scheme which involves fitting "Telecell" equipment to its lighting assets. These will communicate with SCC base stations that support an Intelligent Lighting System (ILS) called Telensa which allows the monitoring and control of each lighting unit.

The estimated energy saving for SCDC is £30k per year (based on 2013/14 cost estimates). This has been calculated on the basis that where deemed appropriate the Council's lighting is switched to "Part-Night Lighting" which in this context means, the lighting will continue to switch on when the ambient light falls to a pre-determined level but will then switch off at midnight.

Attached is a list of Parishes where footway lighting units are located in the Suffolk Coastal District Council area.

A link to a list of maps available by Parish showing the location of lighting units owned by SCC and SCDC is at <http://www.suffolkcoastal.gov.uk/yourdistrict/streetlighting/>.

Part night lighting and dimming has already been introduced to Suffolk County Council (SCC) Street Lights. Part night lighting is when a street light can be switched off for part of the night, generally between midnight and 5.30am. Suffolk Coastal District Council (SCDC) is to introduce a similar part night light switching regime for the footway standard lighting that it is responsible for.

The lighting will switch on again from 5.30am to dawn if dawn is not earlier than 5.30am.

SCC will manage the ILS and the SCDC Part Night Lighting for the District Council. This will be in conjunction with the County Council managing the ILS and Part Night Lighting regime for its owned street lighting assets.

The SCDC Part Night Lighting Exemption criterion is attached. This is in line with the Suffolk County Council criteria and is based on guidance from the Institute of Lighting Engineers, experiences of other Lighting Authorities and concerns raised by the public regarding part-night operation midnight to 5.30am.

In applying the exemption criteria a list by Parish and Location and showing which lighting units are considered not to be switched to part night operation has been compiled and is also attached.

Appended to this letter are a series of Frequently Asked Questions (FAQs), providing the background to the proposals, detailed information about the equipment that will be used and criteria for the introduction of part-night lighting.

SCC engaged with the Police as part of the implementation of their project to introduce Part-Night Lighting during late 2010 and early 2011. The SCC street lighting management have stated the Police continue to be generally very supportive of the County Council's part-night lighting policy. SCDC is also consulting with the Police as part of its planned introduction of Part-Night Lighting.

Public feed back, through Town and Parish Councils, will also be invited by SCDC after a settling down period of one month following the operational introduction of part night, where appropriate, to the District Council's footway standard lighting installations. The system does provide complete flexibility of settings and allows for reversals of settings in the event that they proved to be hazardous or ineffective in any particular area.

Please send your written comments to me at SCDC Melton Hill Offices, Woodbridge IP12 1AU or by email for the attention of David Gallagher to lacey.crowe@suffolkcoastal.gov.uk by 30th April 2014.

Yours sincerely



David Gallagher
Head of Commercial Partnerships & Strategic Commissioning

Exemption criteria for Intelligent Lighting System part-night lighting conversions

All units six metres in height and below are to be switched off between the hours of midnight and 5:30am, with the following criteria requiring closer examination of whether lights should be kept on for a longer period:

- Lights at major junctions/roundabouts.
- In town centres with CCTV, high security businesses e.g. banks, areas of high night time pedestrian usage for example near nightclubs and train stations, outside community facilities or leisure centres.
- Areas where street lights are needed to reduce road accidents.
- Areas where there could be an increase in crime through reduced lighting, e.g. pubs and specific residential areas.
- Remote alleys linking residential streets.
- Near pedestrian crossings, footbridges, subways
- In public car parks.
- At bus stops.
- At level crossings, speed humps and traffic lights.
- Where there is sheltered housing for the elderly.

Lights which will remain illuminated all night:

<u>FELIXSTOWE</u>	CONVALESCENT HILL	2952	IN CAR PARK BESIDE HILL (MAINS SUPPLY FROM TICKET MACHINE F/P)	In public car park
	CRESCENT ROAD	3488	IN DISTRICT CAR PARK	In public car park
		3489	IN DISTRICT CAR PARK	In public car park
	HIGHFIELD ROAD	3002	IN CAR PARK	In public car park
		3460	ON WALL OF S/STATION IN CAR PARK	In public car park
		3627	ON WALL OF S/STATION IN CAR PARK	In public car park
	LINCOLN TERRACE	2422	FOOTSTEPS DOWN TO UNDERCLIFF RD WEST	Remote alley linking residential street
	RANELAGH ROAD	3223	IN RANELAGH GARDENS CAR PARK	In public car park
		3224	IN RANELAGH GARDENS CAR PARK	In public car park
		3225	IN RANELAGH GARDENS CAR PARK	In public car park
		3226	IN RANELAGH GARDENS CAR PARK	In public car park
		3227	IN RANELAGH GARDENS CAR PARK	In public car park
		3452	IN RANELAGH GARDENS CAR PARK	In public car park
	SEA ROAD	2441	IN CAR PARK	In public car park
		2442	IN CAR PARK	In public car park
	UNDERCLIFF ROAD WEST	3215	BY NO 1 PAY & DISPLAY METER IN SPA PAVILLION CAR PARK	In public car park
		3216	BY NO 2 PAY & DISPLAY METER IN SPA PAVILLION CAR PARK	In public car park
	WADGATE ROAD	960	ON F'PATH LEADING TO GARAGES REAR OF SHOPS	Remote alley linking residential street

Members are asked to note the above and indicate any other lights which need to be illuminated all night and the reasons therefore

ITEM 19

To Respond to Consultation on Revised Opening Hours of Suffolk Record Offices

Suffolk County Council proposes using record office resources more efficiently and effectively by opening each SRO branch for 35hrs a week offering full access to collections from 10.00-17.00, Monday, Tuesday, Thursday, Friday and Saturday. Staff resources would be concentrated on cataloguing, inputting and digitisation on Wednesdays.

35hrs a week in each branch (105 hours in total) compares favourably with the opening hours offered by record offices elsewhere in the country, many of which close a day or more a week. The National Archives (TNA) opens 44 hours a week. TNA views a reduction in opening hours to improve digitisation and online services more favourably than long opening hours providing limited access to physical records and little chance of service development.

A full Saturday service would be a great improvement on the current limited offer. This caters for those visiting the county for a long weekend to carry out their research or those who can only come in at a weekend and also meets national standards which recommend opening outside 9.00-17.00 Monday-Friday.

Members are asked to consider these changes and agree comments to the consultation

ITEM 20

To Reconsider Adopting a Policy for Presentations by External Organisations to Council and Committee Meetings

With increasing regularity external organisations ask, or are asked, to make presentations to the Council and/or a Committee. Examples include the District and County Councils as part of their consultation exercises, major developers as part of their community engagement ahead of a formal planning application submission, and other organisations servicing the town and its residents.

For most of these presentations the information is not of a confidential nature, yet is of interest to a wider audience than the Council. However the current Council policy is for such presentations to be refused, or for them to be given solely to Council with no public present. In the former case the Council is not formally represented if the presentation is held elsewhere, and attendance by individual Councillors is sketchy, depending upon time of day. In the latter case the public are deprived of the opportunity to hear/see the presentation and/or contribute to any subsequent questioning, and because the presentation takes place outside of a formal meeting, no formal comment can be made by the Council.

There is a risk in this policy that the voice of Felixstowe (Town Council and residents) may not be effectively heard by the external organisations during their consultations, and/or that the responses of a few isolated Councillors are taken as Council policy.

Most other Town Councils recognise the need to receive formal presentations on strategic issues, and work within a framework that enables external organisations to make relevant presentations. The questions for Members to consider therefore are:-

- a) Should Felixstowe Town Council permit or seek presentations from external organisations as part of its Council or Committee meetings ?
- b) Who, and by what criteria, determines whether an external organisation is permitted, or invited, to make a presentation ?
- c) Should the public be permitted to question the presenter ?
- d) How can Standing Orders accommodate these changes ?
- e) How will this affect the length of meetings ?

Should Felixstowe Town Council permit or seek presentations from external organisations as part of its Council or Committee meetings ?

This is for Members alone to determine. However, by way of example here are some of the issues, consultations and opportunity for presentation that have occurred since September 2013:-

- i) Ordnance Hotel development – request to make a presentation
- ii) Sports Hubs – no request received but of public interest
- iii) SCDC Part-Night Lighting - no request received but of public interest
- iv) East Suffolk Growth Plan - no request received but of public interest
- v) Suffolk Fire & Rescue Service Proposals to Change Crewing at Felixstowe Fire Station – presentation given to Council only but of public interest
- vi) SCC Consultation on future of home care and community meals - no request received but of public interest
- vii) Ferry Road development – request to make a presentation
- viii) Major Logistic Centre, Trimley - no request received but of public interest

All “strategic” issues, all affecting Felixstowe, its residents and the services they receive. Which leads on to:-

Who, and by what criteria, determines whether an external organisation is permitted, or invited, to make a presentation ?

The criteria can be easily defined; the examples given above fit into a simple set of “rules”, viz:-

- a. any national, regional or local plan
- b. a major planning applications – in excess of 200 dwellings, or in excess of 5,000 sq metres employment/retail development
- c. any reviews of service provision by other statutory providers (health, fire, police, etc)

Given that Members, acting individually or collectively, cannot make decisions outside of formal meetings, the only person to whom the decision can be delegated would be the Town Clerk. The Council could insist that the Town Clerk makes that decision in consultation with the Mayor but short of calling a meeting simply to consider the request to make a presentation, there is no other alternative.

Should the public be permitted to question the presenter ?

Depending upon the subject matter of the presentation there may, amongst our residents, be an expert who might therefore be in a position to elicit further information by way of detailed questioning; information which would be of interest to Councillors when making a decision on the matter. It would seem that controlled questioning by the public might be encouraged as it would both bring forward additional information and, perhaps, allay unwarranted fears.

How can Standing Orders accommodate these changes ?

Our recently-adopted Standing Orders already contain the appropriate clauses to accommodate a change to Council and Committee procedures. To integrate presentations into a meeting is easy administratively, e.g.:-

Agenda item 3 – To agree to adjourn the meeting and suspend Standing Orders in order to receive a presentation and receive questions from members of the public

Agenda item 4 – To receive a presentation on proposals to paint the sand green

Agenda item 5 – To receive questions from members of the public

Agenda item 6 – To agree to reconvene the meeting

Agenda item 7 – To Determine Whether to Support the Proposal to Paint the Sand Green

The new policy can be achieved by changing the agenda for all Council/Committee meetings so that, early in the meeting, Standing Orders are suspended in order to receive any presentations on matters within that Committee's remit and to allow members of the public to question both the presenters and the Committee. This would be in line with item 3(e) in the new Standing Orders. On conclusion of the presentation/public forum session Standing Orders would be enforced for the remainder of the meeting.

How will this affect the length of meetings ?

Obviously presentations, and time for questions, will have to be limited. However a succinct fifteen-minute presentation might obviate the need for twenty minutes of ill-informed debate. No need to ponder what might happen if the opportunity is there to ask the question directly.

ITEM 21**To Confirm the Recommendation from the Finance & General Purposes Committee to Revise the Financial Arrangements with Trimley St Martin Parish Council Regarding Burial of its Residents**

At present the Council charges non-Felixstowe residents double fees for internments in the cemetery, although the double fees are waived in respect of longstanding residents who, because of their care needs, have moved from the town shortly before their demise. At some stage, Council agreed to permit residents of Trimley St Martin to be buried in the cemetery without the charging of double fees, in return for an annual contribution of £750 from Trimley St Martin Parish Council.

This fee has not been reviewed for several years, and the net effect is that this Council is losing significant potential income, as demonstrated below:-

Financial Year	No. of Trimley St Martin residents interred/plots purchased	Actual burial Income	Burial income if double rates charged	Fee Paid by Trimley St Martin	Net loss to Felixstowe Town Council
2011/12	4	£2,659	£6,582	£750	£3,173
2012/13	4	£3,518	£5,932	£750	£1,666
2013/14 to date	1	£1,002	£2,004	£750	£252

On this basis the fee for Trimley St Martin Parish Council should be increased to **£2,500** with effect from 1st April 2015 (given that their budget for 2014/15 will have been set). The risks associated with increasing the charge to Trimley St Martin Parish Council are that the Parish Council may withdraw from the arrangement, and Trimley St Martin residents may decide to use other cemeteries for the internment of their relatives. This would only result in a potential net loss of income if no Trimley St Martin residents decided not to use Felixstowe cemetery, as follows:-

Number of Internments	Present Total Income from Trimley St Martin	Income based solely on double fees (i.e. no Parish Council contribution)	Net change in income to Felixstowe Town Council
4	£4,268	£5,932	+£1,664
3	£3,450	£4,500	+£950
2	£2,550	£3,000	+£500
1	£1,750	£2,000	+£250
0	£750	£0	-£750

Members are recommended by the Finance & General Purposes Committee to increase the rate charged to Trimley St Martin Parish Council with effect from 1st April 2015.

ITEM 22

To Note the Recent Trends in Burials and Interments and Confirm the Recommendation from the Finance & General Purposes Committee to Revise the Cemetery Fees

Although not yet computerised, it has been possible to undertake some basic analysis of trends within the use of the cemetery, which has confirmed that:-

- a) Since the opening of the Seven Hills Crematorium in 2010 there has been a marked decrease (a 20% reduction in the 3-year average) in urn plot burials
- b) This level of reduction since 2010 is also reflected in the purchase of lawn plot urn spaces
- c) The impact on interments over the same period has been negligible, with the 3-year average likely to increase at the end of this financial year
- d) Similarly the number of grave spaces purchased, and grave memorials erected over the period has remained static

There are also some anomalies in the present charges; whilst appropriate to charge non-residents double fees for interment (because it brings forward the need to start on the cemetery extension), there is no such rationale with memorials. In setting future charges these matters need to be both addressed and accounted for without reducing potential income.

The proposal is therefore to reduce the fees for urn interments (to compete with Seven Hills Crematorium), to reduce the fees for non-resident memorials, but to increase significantly the fees for non-resident interment. Using the 3-year averages over the period 2010/11 to 2012/13, the following forecasts can be made:-

		Average Last 3 Years	Current Fee	Expected Annual Income	Proposed Fee	Projected Income	
Burials	Urn plots	30	133	£ 3,946	110	£ 3,263	
	Urn plots ex-resident	10	266	£ 2,749	220	£ 2,273	
	Single	25	446	£ 11,299	450	£ 11,400	
	Single ex-resident	5	892	£ 4,460	900	£ 4,500	
	Double	9	712	£ 6,171	725	£ 6,283	
	Double ex-resident	2	1424	£ 2,373	1450	£ 2,417	
	Triple	0	845	£ -	850	£ -	
	Triple ex-resident	0	1690	£ 563	1700	£ 567	
	Scattering of ashes	8	58	£ 464	50	£ 400	
	Scattering of ashes ex-resident	2	116	£ 232	50	£ 100	
	Purchases	Purchase of graves	26	746	£ 19,147	750	£ 19,250
		Ex- resident Purchase of graves	4	1492	£ 5,471	1700	£ 6,233
		Child	3	259	£ 691	250	£ 667
Lawns urn plot		15	578	£ 8,863	550	£ 8,433	
Lawns urn plot ex-resident		2	1156	£ 2,312	1300	£ 2,600	
G of R urn plot		2	254	£ 593	250	£ 583	
G of R urn plot ex-resident		2	508	£ 847	600	£ 1,000	
Renewal Graves		1	373	£ 497	375	£ 500	
Memorials		Memorial	43	209	£ 9,057	220	£ 9,533
		Ex-resident Memorial	4	418	£ 1,533	220	£ 807
	Plaque WofR	7	200	£ 1,333	200	£ 1,333	
	Plaque WofR Ex-resident	0	400	£ 133	200	£ 67	
	Plaque GofR	2	164	£ 328	200	£ 400	
	Plaque GofR Ex-resident	2	328	£ 547	200	£ 333	
	Kerbs	3	209	£ 557	200	£ 533	
	Kerbs Ex-resident	0	418	£ 139	200	£ 67	
	Additional Inscriptions	17	68	£ 1,156	75	£ 1,275	
	Ex-Resident Additional Inscriptions	4	136	£ 499	75	£ 275	
				£ 85,958		£ 85,093	
			Burials	32256		31203	
			Mems	15282		14623	
			Purchase	38420		39267	

Members are recommended by the Finance & General Purposes Committee to introduce these new charges with effect from 1st April 2014 and to change the termination from “Ex-Residents” to “Non-Residents”

ITEM 23

To Confirm the Recommendation from the Finance & General Purposes Committee to Offer a Maintenance Agreement for Graves

At present there are a very small number of graves being maintained on a contracted basis by the Town Council. As this option seems not to have been previously actively marketed it is unclear as to how these few contracts were entered into.

However, it is considered that the practice of offering an annual maintenance contract should be extended, and actively marketed; it would provide “peace of mind” for absent dependants, and contribute towards the appearance of the cemetery.

To assist with administration, contracts would be offered for five years, with the fee payable in advance in one instalment; the cost would be dependent upon a chosen option, and would be based upon estimated labour and plant charges.

Members are recommended by the Finance & General Purposes Committee to agree to introduce maintenance agreements for graves, at a rate to be determined by the Town Clerk

ITEM 24

To Confirm the Recommendation from the Finance & General Purposes Committee to Revise the Allotment Tenancy Agreement in Line with the NALC Model

The current allotment agreement is both out-dated and unenforced. This has resulted in substantial breaches of the agreement, with unauthorised and sometimes dangerous structures being erected on the allotments, and having to be removed at the Council's expense at the end of the tenancy. The National Association of Local Councils has produced a Model Agreement, reflecting the latest legislation and case-law, and it is proposed to introduce this Agreement with effect from 1st April 2014 for all new tenants, and from 1st April 2015 for existing tenants.

Those tenants who have already breached their existing Agreement will be permitted to retain their unlawful structures as long as they remain tenants. In addition some tenants currently reside outside the Town Council's area, and these too will be permitted to remain tenants.

The draft Model Agreement is set out below:-

NALC's TEMPLATE TENANCY AGREEMENT FOR AN ALLOTMENT GARDEN

THIS AGREEMENT made on the *[insert date]* day of *[insert month]* 20 *[complete]* between *[insert full name of Council]*

of *[insert Council's address]*
(‘the Council’) and *[insert full name of tenant]*

of *[insert tenant's address]* (‘the tenant’) by which
it is agreed that:

1. The Council shall let to the tenant the Allotment Garden situated at *[insert full postal address]* and referenced as *[insert number]* in the Council's Allotment Register (‘the Allotment Garden’) [outlined in red for identification purposes only on the plan attached].
2. The Council shall let the Allotment Garden to the tenant for a term of one year commencing on the *[insert date]* day of *[insert month]* 20*[complete]* [and thereafter from year to year] unless determined in accordance with the terms of this tenancy.
3. The tenant shall pay a yearly rent of £ *[insert amount]* whether demanded or not which shall be payable in full on the *[insert date]* day of *[insert month]* 20*[complete]* [and for every year after the first year of the tenancy on the *[insert date]* day of *[insert month]*].

4. The tenant shall use the Allotment Garden only for the cultivation of fruit, vegetable and flowers for use and consumption by [him/herself] and [his/her] family.
5. The tenant shall not sell or undertake a business in respect of the cultivation and production of fruit, vegetable and flowers in the Allotment Garden.
6. During the tenancy, the tenant shall :
 - a) keep the Allotment Garden clean and in a good state of fertility and cultivation;
 - b) not cause a nuisance or annoyance to the owners or occupiers of land adjoining the Allotment Garden;
 - c) not keep livestock or poultry in the Allotment Garden other than reasonable numbers of hens or rabbits which shall not be kept for a business or a trade;
 - d) not bring to or keep animals in the Allotment Garden except those referred to in (c) above without first obtaining the Council's written consent;
 - e) not assign the tenancy nor sub-let or part with the possession of any part of the Allotment Garden;
 - f) except for buildings or structures which are reasonably necessary for the keeping of hens and rabbits referred to in (c) above and which may be subject to the tenant first obtaining planning permission, the tenant shall not erect a shed, greenhouse or other building or structure on the Allotment Garden without first obtaining the Council's written consent and if appropriate planning permission;
 - g) not fence the Allotment Garden without first obtaining the Council's written consent;
 - h) maintain and keep in repair the fences and gates forming part of the Allotment Garden;
 - i) trim and keep in decent order all hedges forming part of the Allotment Garden;
 - j) not plant any tree, shrub, hedge or bush without first obtaining the Council's written permission;
 - k) not cut, lop or fell any tree growing on the Allotment Garden without first obtaining the Council's written consent and if appropriate planning permission;
 - l) be responsible for ensuring that any person present in the Allotment Garden with or without the tenant's permission does not suffer personal injury or damage to his property;
 - m) permit an inspection of the Allotment Garden at all reasonable times by the Council's employees or agents;
 - n) not obstruct or permit the obstruction of any of the paths or roads which provide a means of access to and from the Allotment Garden or the Allotment Garden of another tenant [shaded brown for identification purposes only on the plan attached].
7. The tenant shall observe additional rules that the Council may make or revise for the regulation and management of the Allotment Garden and other allotment gardens let by the Council.
8. The Council shall pay all rates, taxes, dues or other assessments which may at any time be levied or charged upon the Allotment Garden.

9. The tenancy may be terminated by the Council serving on the tenant not less than twelve months' written notice to quit expiring on or before the 6th day of April or on or after the 29th day of September in any year.
10. The tenancy may be terminated by the Council by service of one month's written notice on the tenant if:
 - a. the rent is in arrears for 40 days or;
 - b. three months after the commencement of the tenancy the tenant has not observed the rules referred to in clause 7; or
11. If the tenant shall have been in breach of any of the foregoing clauses or on account of the tenant becoming bankrupt, the Council may re-enter the Allotment Garden and the tenancy shall thereupon terminate but without prejudice to any right of the Council to claim damages for any such breach or to recover any rent already due before the time of such re-entry but remaining unpaid.
12. The termination of the tenancy by the Council in accordance with clause 12 or after re-entry by the Council in pursuance of its statutory rights, shall not prejudice the tenant's statutory rights to compensation.
13. The tenancy may be terminated by the tenant by serving on the Council not less than two months' written notice to quit.
14. On the termination of the tenancy, the tenant shall remove any shed, greenhouse or other building or structure erected in the Allotment Garden unless the Council agrees otherwise which shall be confirmed in writing to tenant.
15. Any written notice required by the tenancy shall be sufficiently served if sent by registered post to or left at the parties' address. Any notice to be served by the tenant shall be addressed to the Council's [Clerk/ Allotments' Manager].

Signed by

.....
The tenant

and

.....[signature of the Council's Proper Officer]
[insert name and job title in capital letters]
For and on behalf of the Council

Members are recommended by the Finance & General Purposes Committee to introduce the new Allotment Tenancy Agreement for new tenants from 1st April 2014

and for existing tenants from 1st April 2015 subject to existing structures being retained by existing tenants.

ITEM 25

To Confirm the Recommendation from the Finance & General Purposes Committee to Revise the Cemetery Regulations

The Regulations governing the Cemetery have not been reviewed for many years, and need regularising to reflect current practice and legislation. A new draft set of Regulations has been produced, which are shown below:-



FELIXSTOWE TOWN COUNCIL

Regulations in respect of the Council's Cemetery, Garden of Remembrance and Lawn Cemetery

Introduction

Our aim is to respect the rights and choices of any individual wherever possible, but to be fair to all, and above all to keep everyone safe. To maintain our cemetery to high standards, we need regulations that should be followed by all visitors to our cemetery.

Felixstowe Cemetery is located on Langley Avenue, Felixstowe IP11 2ND. The Cemetery Superintendant has an office situated at the Cemetery. The Superintendant is responsible for the day to day maintenance and running of the cemetery. All administration, including purchasing grave spaces, interments, and memorial applications should be directed to the Cemetery Administrator, Felixstowe Town Hall, Undercliff Road West, Felixstowe IP11 2AG.

Telephone 01394 282086.

In these regulations:

“**Burial Authority**” means Felixstowe Town Council.

“**Cemetery**” means Felixstowe Cemetery, Langley Avenue, Felixstowe IP11 2ND.

“**Cemetery Office**” means the Town Hall Felixstowe.

“**Exclusive Right of Burial**” means a right that may be purchased from the Burial Authority which grants the purchaser, and his or her successors the exclusive right of burial in a designated burial plot for a specified number of years.

“**Grant Holder**” means the owner(s) of an Exclusive Right of Burial.

To comply with the relevant laws, the cemeteries are run in accordance with the Local Authorities Cemeteries Order 1977, as amended by the Local Authorities (Amendment) Order 1986 as well as any regulations made by the Secretary of State.

Opening Hours

The Cemetery opening hours are 8.30 am to 4.00 pm in the Winter and 8.30 am to 8.00 pm in the Summer. The cemetery is open to the public every day of the year. Burials take place between 9.00 a.m. and 3.00 p.m. from Monday to Friday. If you would like a burial to take place outside these hours or at weekends every effort will be made to fit in with your requirements, although additional fees will be charged.

Specified areas in the Cemetery may be temporarily closed to visitors by placing notices warning of the intention in conspicuous positions at the entrance of the Cemetery and adjacent to the relevant areas.

The opening hours for the Cemetery Office, Town Hall are 9.00am to 4pm, Monday to Friday excluding Bank Holidays.

INTERMENTS

1. A Notice of interment must be given on the Council's prescribed form at the offices of the Felixstowe Town Council, Town Hall, Felixstowe, IP11 2AG between 9.00 a.m. and 4.00 p.m. [Mondays to Fridays] at least 48 hours preceding the proposed interment [exclusive of Saturdays, Sundays, Christmas Day, Good Friday and Statutory Bank Holidays.] Three clear days' notice must be given if a bricked grave is required. The notice given may be reduced on request in order to comply with the customary or religious practice of any community group. Details for arranging such burials are available on request from Felixstowe Town Hall.
2. All arrangements for interment made by telephone must be confirmed in writing within 24 hours.
3. In the case of a grave in respect of which the exclusive right of burial has been granted, the notice of interment must be signed by the registered owner or the legal representative.
4. Arrangements with the officiating ministers must be made by the undertaker or relatives. The Burial Authority accepts no responsibility whatsoever in connection therewith.

The Funeral Director is responsible for:

- a) Conducting the coffin to the grave in accordance with standards of safe practice and orderliness acceptable to the Burial Authority; and
- b) Providing enough bearers to lower the coffin.

5. No body must be interred unless contained in a coffin bearing a non-perishable nameplate, which gives details regarding the name of the deceased and date of death.
6. All coffins presented for interment must be constructed of a perishable nature. The use of lead, zinc linings etc is strictly prohibited.
7. Where a right of burial has been granted, the first interment in each grave must be at a depth of not less than five feet six inches and not more than eight feet six inches and no interment must take place in any such grave without a covering of earth three foot in thickness at the least measuring from the surface of the coffin to the ordinary level of the ground.
8. The relevant certificate(s) for the interment of the body issued by the Registrar and/or Coroner must be produced to an Officer of the Burial Authority prior to interment. Failure to produce the relevant certificate(s) will result in the interment being delayed until such a certificate(s) is produced.
9. The Grant holder is responsible for the removal and re-fixing of a memorial in connection with a burial and may only use approved contractors for this purpose, all Stonemasons shall be BRAMM registered. Memorials re-fixed following interment must be installed in accordance with the National Association of Memorial Mason's Recommended Code of Working Practice.
10. Unless the deceased is to be interred pursuant to an Exclusive Right of Burial, the Burial Authority shall specify the burial location.
11. A layer of earth at least six inches in thickness shall be left between each coffin in the same earthen grave.
12. We reserve the right of passage over all graves and to have any grave temporarily covered whilst carrying out excavations. We will tidy any disturbed neighbouring graves as soon as possible after the burial.
13. Only the Burial Authority can authorise or employ people to prepare graves.
14. Urns or receptacles containing cremated remains may be interred in private graves with the consent of the Grant holder and a Notice of Interment application form being submitted to the Cemetery Office. A certificate for Burial of Ashes issued by the Registrar of a Crematorium must be produced before the interment or scattering of the ashes takes place.
15. Cremated remains may not be scattered in any part of the Cemetery without the written permission of:
 - a) Any Grant Holder who's grave would be affected by the scattering; and
 - b) The Burial Authority

[B] PURCHASE OF BURIAL RIGHTS

1. The exclusive right of burial in any such grave space may be purchased by an resident or non-resident subject to the payment of the fees for the time being prescribed by the Council, and completion of the relevant application form.
2. The purchaser will have their details entered into a register that will be maintained for this purpose by the Burial Authority.
3. The Grant Holder is entitled to decide who is interred in the grave and whether a memorial can be erected on it (subject to the relevant fee being paid and permission from the Burial Authority).
4. The exclusive right of burial is currently granted for 50 years, this can be extended at any time for a period of either 25 years or 50 years subject to the relevant fee. When the exclusive right of burial period comes to an end the Grant Holder or his/her heirs or successors who have become the Grant Holder) will have the option of renewing that right, subject to any restrictions which may be in force at that time. Any right of burial that has expired must be renewed (and backdated if necessary) before an interment or memorial can be placed on the grave.
5. Ownership of the ground does not at any time pass from the control of the Burial Authority.
6. No transfer of the exclusive right of burial in a grave will be allowed without the approval of the Council and no transfer will be valid unless the Deed of Grant has been properly endorsed by the Clerk of the Council.
7. It is the responsibility of the Grant Holder to notify the Burial Authority of any change of name or address.
8. The Grant Holder is unable to transfer their exclusive right of burial to another grantee without:
 - a) The Grant Holder completing a Form of Assignment (obtainable from Felixstowe Town Hall) notifying the Burial Authority of the transfer; and
 - b) Payment of any prescribed fee as set out in the Table of Fees and Charges.

Upon receipt of the Form of Assignment and the prescribed fee, the Burial Authority will:

- a) Provide written confirmation of the transfer to both the transferor and transferee; and
- b) Update the register.

- 9 If it is not found to be practicable to effect the immediate transfer of the exclusive right of burial following the death of the registered owner, the person signing the notice of interment as owner of the right, shall thereby indemnify the Council against all claims in respect thereof.
- 10 If a Grant Holder dies without bequeathing his or her right in their will, the grave may be transferred to the name of the next of kin by submitting to the Burial Authority either:
 1. Letters of Administration or Grant of Probate;
 2. Statutory Declaration by the next of kin.

If Grant of Probate has been issued the ownership will be transferred to the executor(s) named in the Grant of Probate. Should the executor be a solicitor employed to administer the estate the ownership will be temporarily registered in the name of the executor following which it will be transferred into the name of the beneficiary/ies on receipt of a Form of Assent from the executor.

- 11 The exclusive right of burial can be purchased by joint owners, but no more than four owners per grave space will be allowed.

[C] MONUMENTAL WORK AND ERECTIONS

1. A Memorial Application form (obtainable from the Cemetery Office or local Stonemasons) must be submitted with drawings of every proposed erection with the proposed inscription showing all dimensions, sections etc., for the approval of the Council. The Stonemason must receive written authorisation from the Burial Authority, and the necessary fees must be paid before any memorial may be erected in the Cemetery or additional inscription placed on a memorial.
2. All memorials in the cemetery must be constructed, erected and fixed in accordance with BS8415 and the NAMM or BRAMM standard currently in force.
3. All Stonemasons must be BRAMM registered.
4. All gravestones, monuments and memorials must be of stone, marble or granite. Enclosures, erections and inscriptions are to be subject to the approval of the Council.
5. The stonemason's name and the cemetery plan reference and number of the grave must be cut in the memorial on the back of the headstone, close to the base of each memorial which must be visible after it is placed on the grave. These details must be clearly cut and painted in letters and numerals not exceeding 1" in height and an anchor symbol where a ground anchor has been fitted. This includes memorials that are removed for a second inscription or refurbishment.

6. The Burial Authority reserves the right to remove any unauthorised memorials.
7. While carrying out work within the Cemetery all approved contractors must ensure they:
 - a) report to the office building on arrival at the Cemetery and sign the visitor's book.
 - c) take all necessary precautions to protect the grass, trees, plants, walls, paths and adjacent memorials from damage. Any damage caused must be made good at the approved contractors expense; and
 - d) completely remove all materials, tools and rubbish from the Cemetery when work is not in progress.
8. Glass shades containing artificial flowers, jam jars, milk bottles or similar jars or bottles or other glass receptacles must not be allowed upon graves and the Council reserves the right to remove such shades, jars, bottles or other receptacles from graves together with any dead vegetation etc.
9. No grave space can have a memorial erected thereon unless the exclusive right of burial therein has been purchased.
10. The erection, removal or maintenance of memorials by Memorial Masons must be by prior appointment only.
11. All memorials remain at the sole risk of the owners thereof and the Council is not responsible for any damage or breakage which may occur to the same.
12. It is highly recommended that the owners of memorials obtain insurance including third party insurance.
13. All memorials must be soundly constructed of good material and must be kept in good repair by, or for the owner, and at the expense of the owner.
14. The authority reserves the right to periodically inspect and test memorials for stability and take actions considered appropriate in order to protect public safety. The Burial Authority reserves the right to notify in writing any Grant Holder if a memorial is considered unsafe. If the Grant Holder does not comply with the notice, the Burial Authority shall be entitled, at the Grant Holder's expense to revert the memorial back to a safe condition. If the memorial is felt to be too unsafe, or the grave owner cannot be found, the Burial Authority reserves the right to remove the memorial. After attempts to notify the Grant Holder in writing, and after a period of 60 days the Burial Authority reserves the right to dispose of the memorial without having any liability in respect of its actions.

17. No memorial or part of a memorial shall be removed from a grave without written approval of the Burial Authority. The Burial Authority's approval of a proposed burial shall be considered consent to temporarily remove a memorial from the grave to be opened.

[D] MAINTENANCE OF GRAVE SPACES

1. Wherever an interment has taken place [except in a brick grave] the grave shall forthwith be filled in with earth and the surface of such grave shall be covered with turf.
2. Low level planting only is permitted, flowers, bedding plants or bulbs are recommended. No plant or shrub must project over adjoining grave spaces and any such plants or shrubs planted to enclose a grave space shall not be permitted to grow above the height of 18 inches and the Council reserves the right to remove any plant or shrub.
3. The Burial Authority reserves the right to remove from any grave space and dispose of flowers, plants, floral tributes or wreaths which have deteriorated or become unsightly.

[E] MAINTENANCE OF GOOD ORDER

1. Any child under 16 years of age may be refused admission by the Council unless accompanied by a responsible adult and all visitors shall keep to the paved walks and drives as far as practicable, refrain from touching shrubs and flowers and must observe due decorum in all respects.
2. Any vehicle entering the cemetery or Langley Avenue, the cemetery access road, must observe a maximum speed limit of 5 m.p.h. Drivers must keep to the main roadways and park in a way that does not inconvenience visitors or staff.
3. Cycling is prohibited in any part of the cemetery; cyclists should dismount at the gate.
4. Photographers must not take photographs or film within the precincts of the cemetery during funerals except upon the express desire of the relatives concerned.
5. Every person who shall wilfully destroy or injure any building wall or fence belonging to the cemetery or destroy or injure any tree, plant or shrub therein or who shall daub or disfigure any wall thereof or climb over the walls or gates or put any placard therein or on any wall thereof or wilfully destroy injure or deface any monument, tablet, headstone or inscription or do any other wilful damage or who shall play at any game of sport or discharge firearms [save at a military funeral] or wilfully or unlawfully disturb any persons assembled for the purpose

of burying any body or who shall commit any nuisance within the cemetery is liable to prosecution.

6. Visitors must not stand, sit or lean on any of the memorials within the cemetery.
7. The Council will not accept responsibility for any tribute removed or otherwise damaged by persons not in the employment of the Council.
8. Seasonal tributes and holly wreaths still in place during the second week in February will be collected and disposed of by Cemetery staff.
9. Any person creating a nuisance, or disturbance or interfering with a burial service will be requested to leave the cemetery by a member of the cemetery staff or removed by a person authorised to do so, e.g. a police officer, following notification from the Cemetery office, and will be guilty of an offence.
10. The Council reserves the right of passage over all graves and to have any grave temporarily covered whilst carrying out excavations. Such coverings may comprise of a boxed platform, or similar, onto which excavated soil may be placed prior to a burial in an adjacent grave.

[F] WALL OF REMEMBRANCE

1. The size of wall plaques must be 8" wide by 6" deep by 2" thick square edged all round.
2. Plaques must be made of real, artificial or reconstructed stone.
3. Additional spaces for future use may be purchased provided a blank plaque is supplied for fixing at the same time as the first is purchased.

[G] GARDEN OF REMEMBRANCE

1. No permanent vase may be placed on, or memorial shrub or plant planted in the Urn Burial Garden, except for a plaque set at ground level.
2. Plaques should be set at ground level and their dimensions should be either 6" wide by 4" or 8" wide by 6"

[H] LAWN SECTION

1. A memorial headstone may be erected at the head of the grave, the size of which is to be determined by the Burial Authority and in a position approved by Burial Authority, subject to the payment of the prescribed fee for placing the memorial on the grave.

2. No other part of the grave space must be raised above ground level, and it shall be kept turfed flat all over as a lawn.
3. No memorial or flower receptacle or any other article or plant whatsoever must be placed on or in the turf except as herein provided.
4. The memorial must be of an approved material.
5. The headstone, with or without base, must not exceed 3 feet 6 inches at its maximum height, 2 feet 6 inches at its maximum width, 4 inches at its maximum thickness and 3 inches minimum thickness.
6. Any base above ground level shall be of the same material as the headstone and shall not exceed 5 inches in thickness, 15 inches front to back and 3 feet wide.
7. Provision may be made on the base for the reception of a flower vase or vases.
8. The Stonemason's name, cemetery plan reference and number of the grave must be cut in the memorial in a position visible after it is placed on the grave and must be completed in the same manner as the other inscriptions on the memorial.
9. The grave will be turfed over to its original level as soon as practicable after the burial. Flower tributes will be allowed to remain on the grave for not more than one week after the burial when they will be removed to prevent damage to the turf.
10. The memorial regulations applying to the Lawn Cemetery also apply in their entirety to the Lawn Memorial Garden except that the headstone must not exceed 2 feet at its maximum height and 1 foot 3 inches at its maximum width.
11. No kerb sets is permitted within the lawn cemetery including the lawn memorial garden.
12. The Rules and Regulations of Felixstowe Town Council Cemetery will also apply in the Lawn Cemetery, as far as such Rules and Regulations are not inconsistent with the foregoing Special Regulations nor with any other Rules and Regulations made by the Council applicable only to the Lawn Cemetery.

[I] ADMINISTRATION

1. No gratuities are allowed to be demanded or received by employees.
2. All notices, applications or enquiries under these regulations should be made to Felixstowe Town Council, Town Hall, Felixstowe IP11 2AG.

3. A separate schedule of fees is available on request.
4. The Council reserves the right to alter or vary the foregoing regulations or to deviate therefrom in any particular instance if it shall appear to them desirable to do so.


TOWN CLERK

Members are recommended by the Finance & General Purposes Committee to adopt these revised Regulations with effect from 1st April 2014

ITEM 26

To Note the New Cemetery Booklet and Confirm the Recommendation from the Finance & General Purposes Committee as to its Reproduction

In 2014 the bereaved have a wider range of options regarding the burial of their relatives, and if the cemetery is to continue to attract income it is important that it should be promoted accordingly. The intention is to reproduce the attached draft Booklet to circulate to all the local undertakers, as an item which can be given out to persons responsible for choosing a burial site. Opportunity has been taken to include some photographs of the cemetery. The booklet when printed is A5 size.

 The image cannot be displayed. Your computer may not have enough memory to open the image, or the image may have been corrupted. Restart your computer, and then open the file again. If the red x still appears, you may have to delete the image and then insert it again.

Subject to the use of larger photographs, in a different order, Members are recommended by the Finance & General Purposes Committee to approve this booklet and its production.

ITEM 27

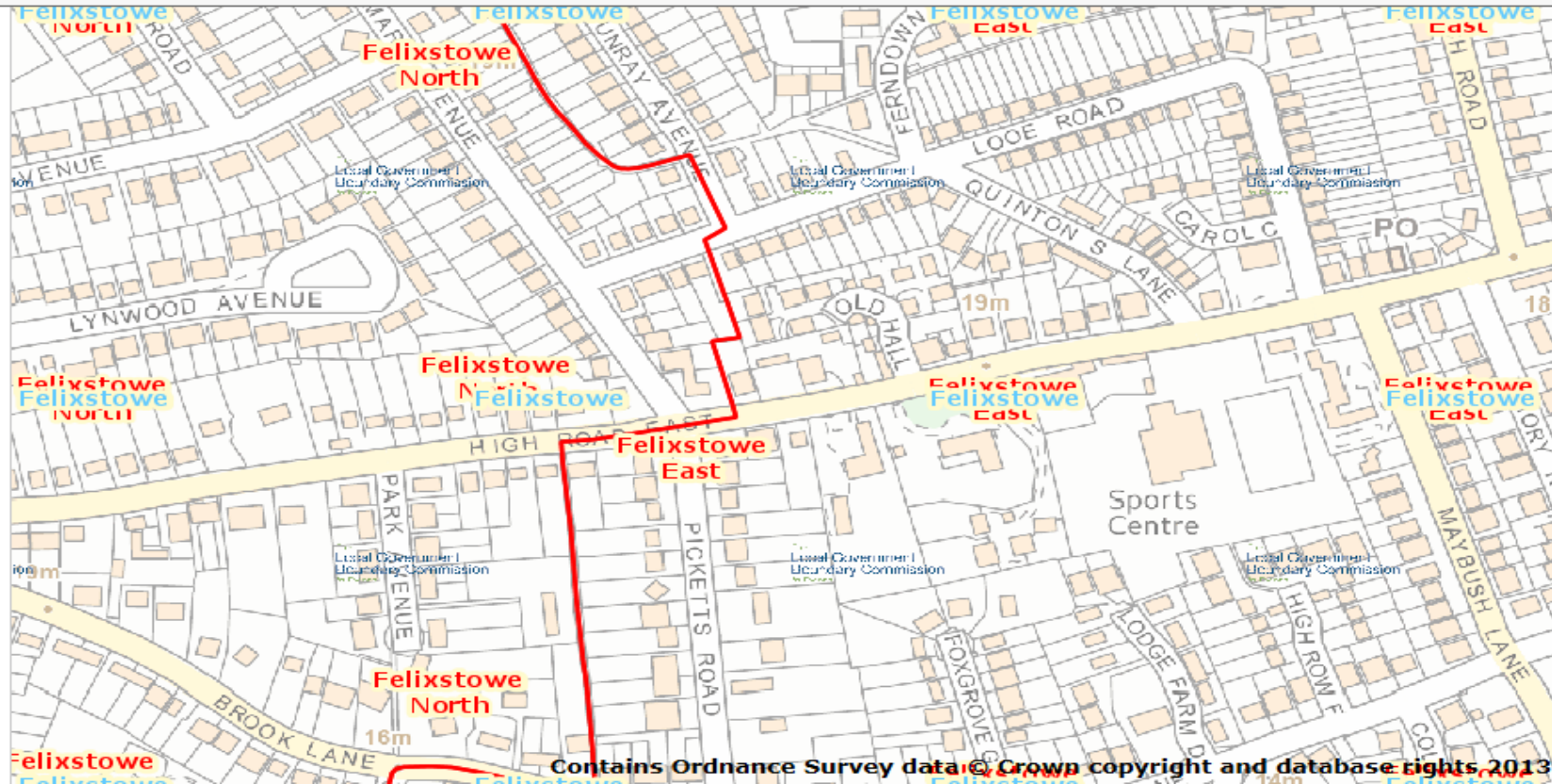
To Note the Current Situation Regarding Allotments and Vacant Plots and Confirm the Recommendation from the Finance & General Purposes Committee to Offer a First Year Discount

For the first time for some years, the situation regarding waiting lists for allotments has changed, and there are now vacant plots at all sites. It is too early to ascertain whether the situation has changed through age/infirmity (and death) of tenants, the release onto the market of several larger (20 rod) plots, the economic situation, or even the weather. Obviously if the trend continues the Council will need to review its provision to accommodate the future demand.

In the meantime the availability of allotments will be widely marketed, and, in addition, **the Council are recommended by the Finance & General Purposes Committee to introduce a “First Year Discount” for new tenants of 5 rod plots.**

ITEM 28

- a)
- b) There should be four 4-member wards rather than a single-member ward (Allenby). ***N.B. Finance & General Purposes Committee had differing opinions on this caveat.***
Members are invited to confirm the comments of Full Council



ITEM 29

To Confirm the Recommendation from the Finance & General Purposes Committee as to the Allocation of Additional Earmarked Reserves from General Balances at Year End

The financial forecasts for the year end indicate that there is likely to be a net underspend of c£60,000. The usual practice is for these monies to return to (and increase) general reserves. However the Council is already aware of a number of likely commitments that will occur during 2014/2015 and is recommended to earmark these savings towards those future projects,

Members are recommended by the Finance & General Purposes Committee to agree to earmark any unspent monies for specific projects

ITEM 30

To Confirm the Recommendation from the Finance & General Purposes Committee to the Introduction of WiFi and Broadband to the Council Chamber

Whilst the Council's administrative computer router has a WiFi signal which extends to parts of the Council Chamber reception is patchy and Members have complained about the poor reception. The proposal is therefore to introduce a new, standalone, broadband line and router into the upper floors in such a way that, hopefully, reasonable WiFi reception can be obtained in all the public areas. The reason for an additional standalone feature is to ensure separation from the Council's own network (if there is a need to access the Council's network there are sufficient wired plugs in the upper public areas to do so).

The estimated cost will be £250 per annum

Members are by the Finance & General Purposes Committee to agree to this action

ITEM 31

To Confirm the Response from the Finance & General Purposes Committee to Consultation on Proposed Changes to VAT rules affecting Local Councils

The European Union is consulting, Europe-wide, on changes to VAT rules regarding local councils. As councils will be aware, Section 33 of the Value Added Tax Act 1994 provides the basic power for local councils to obtain refunds of VAT in certain cases, which is of considerable help to councils in supporting the community

The options being considered are:

a) Full taxation of public bodies and activities in the public interest.

Although, the consultation indicates that this option is unlikely to be carried forward, local councils would not wish to see any chance of this being implemented as it would completely remove the ability for local councils to reclaim VAT. If implemented this would remove the zero rate for VAT on new build community assets, such as village halls, and would remove the ability of local councils to reclaim VAT on goods bought by them for the benefit of the community.

b) Full compensation of input VAT at EU level.

Local councils reclaim VAT and they would no doubt welcome a refund system which enabled work to take place on village assets with a subsequent VAT refund. This can apparently be implemented by national legislatures without recourse to the European Union but the European Commission is considering whether implementing a uniform refund system across the European Union would be worthwhile.

c) Deletion of special rules relating to public bodies (Article 13 of the VAT Directive), while keeping all or most of the current exemptions in the public interest.

This option explores concentrating on the activity rather than which body is carrying out the activity e.g. it might equalise private and public sector activities. What councils would not welcome is a move to withdraw their ability to reclaim VAT for any of their activities which are specifically focussed on supporting the community.

d) Change the treatment for specific sectors

Again this could be problematic for local councils depending on how a reclassification of sectors for taxation purposes is effected. However, the consultation refers to specific sectors, such as hospital and postal services. It is telling that the options explored refer to the 'advantage' 'of moving a step further forward towards reducing the scope of VAT exemptions, which would help Member States in the current process of fiscal consolidation.'

The European Commission indicates that it welcomes contributions from all parties interested and a recent extension of the deadline for submissions perhaps indicates that there has been an unexpectedly high level of interest in this issue.

The Finance & General Purposes Committee recommend to Full Council that option (b) should be their preferred option.

ITEM 32

To Confirm the Recommendation from the Finance & General Purposes Committee to Agree to the Request from the Trustees of the De la Roche and Felixstowe Widows Charity, Felixstowe War Memorial Cottages and King George VI Coronation Memorial Homes Charities that the Council second the Town Clerk, and such other staff as required from time to time, to support the administration of the Charities

Members will be aware that, in accord with the individual Trusts, the Council has a right to appoint Trustees to these charities. For many years the Clerk has acted as (unpaid) Clerk to the charities, together with other staff assisting in an administrative capacity. However no formal agreement between the organisations exists, and the situation needs to be regularised by way of a formal agreement to second such staff, subject to the final decision of the Town Clerk, taking into account overall demands on the Town Council, as to the number of hours which may reasonably be allocated.

Members are recommended by the Finance & General Purposes Committee to formally approve the secondment of staff to these charities subject to existing demands on the Town Council's establishment

ITEM 33

To Receive the Report of the Internal Auditor and Confirm the Recommendation from the Finance & General Purposes Committee in Respect of those Matters Raised

Finance & General Purposes Committee considered the report of the Independent Internal Auditor and recommended the introduction of a new Financial Software Package.

Members are recommended by the Finance & General Purposes Committee to endorse this recommendation

ITEM 34

To Note and Confirm the Action Taken by the Finance & General Purposes Committee Agree to Change the Financial Software Package

The Council currently uses the Edge Accounting package specifically designed for local councils, and is currently nearing the end of its second year of computerised accounting. The Acting Town Clerk, and the Independent Internal Auditor, have both raised the same concern with the package, in that it is possible to "undo" transactions and alter them retrospectively; this is a serious weakness in the system and offers the opportunity for fraud.

In addition the detailed level of reporting for a Council of this size is weak, with the only way to sum the total spend on a common element of spending (say stationery) across a number of account headings (Cemetery, Town Hall, etc) is by way of a calculator. At the closure of the 2012/2013 accounts Edge took three days of their consultant's time, on site, to be able to represent the Public Works Loan Board in the accounts, and during the past six months enquiries to the help-desk have either gone unanswered, or been answered only after unacceptable delays.

It now transpires that on 2nd December 2013 Edge Designs Limited, the major company, went into administration. Although a "new" company has arisen from the ashes, the fact that Felixstowe Town Council was not notified of these difficulties casts doubt as to whether the package will be available in the long-term. This is of particular concern as the arrangement with Edge is that all the inputted data is held on their server and if not available to the Town Council would mean recreating the data from scratch.

The combination of these factors means that Council needs to review its finance package immediately, with a view to initiating a new package from 1st April. The market leader, in terms of number of users (especially larger councils) and simplicity of both operation and reporting is Omega. This package is used by all the larger councils in Suffolk, which means there is a local support network.

The purchase price of the software is £1,000, plus an annual support fee of £587 (for up to five users). This compares to an annual licence fee of £580 for Edge (two users). This sum could be met from the Establishment Costs budget for 2013/2014. Training, which could be met from the 2014/2015 training budget is approximately £1,600 (for four days). **In view of the urgency (Full Council would not meet until after 1st April) Finance & General Purposes Committee agreed to authorize the purchase of the Omega package and report the action to Full Council. Members are to confirm this action.**

ITEM 35

To Confirm the Recommendation from the Finance & General Purposes Committee as to the Production and Publication of a Mayor's Handbook

With the imminent departure of the current Mayor's Secretary the opportunity has been taken to produce a Handbook, containing information for all Councillors and staff on those matters of both civic and ceremonial process and protocol that a Mayor is required to know and enact.

The present Mayor's Secretary has been heavily responsible for the compilation of this Handbook, and the Mayor's Secretary-to-be has had sight of, and input to, the finished booklet. If adopted, will be put onto the website.

Members are recommended by the Finance & General Purposes Committee to adopt the Mayor's Handbook

ITEM 36

To Confirm the Recommendation from the Finance & General Purposes Committee to Recommend to Full Council the Recommendation from the Premises Committee to Investigate and Resolve the Damp Issue at the Town Hall

This winter the damp issue at the Town Hall has become severe, and there has been further water damage through ingress into the ceiling in the Council Chamber. As part of the emergency measures to try and identify the source of this leak, the Acting Town Clerk has commissioned an independent survey of the whole front fascia of the Town Hall with a view to obtaining an independent opinion as to the cause of the damp which is damaging the internal decorations along the front of the building.

A full report will be presented to Full Council as soon as possible as it is important that any remedial works are undertaken during the summer.

Members are recommended by the Finance & General Purposes Committee that this review be agreed and consideration be given as to the resolution of the damp issue affecting the fabric of the building

ITEM 37

To Confirm the Recommendation from the Finance & General Purposes Committee to Recommend to Full Council the Recommendation from the Premises Committee that the Town Clerk be Authorised to Negotiate Off-peak Hire Rates for the Council's Premises

The Premises Committee agreed to authorise the Town Clerk to negotiate hire rates for council premises during off-peak periods.

Members are recommended by the Finance & General Purposes Committee to authorise the Town Clerk to negotiate hire rates for council premises during off-peak periods

ITEM 38

To Confirm the Recommendation from the Finance & General Purposes Committee to Recommend to Full Council that an Investigation into the Future Replacement of the Windows at the Town Hall be Undertaken

The Premises Committee heard that the Town Hall windows, on the sea-facing side, were in need of urgent attention and agreed to attend to the windows at the Town Hall subject to a further report on costs.

Members are recommended by the Finance & General Purposes Committee to attend to the windows at the Town Hall subject to a further report on costs.

ITEM 39

To Note the Need for Urgent Repairs to the Cemetery Roadways and Confirm the Recommendation from the Finance & General Purposes Committee to Prepare Schedules of Works, Invite Tenders and Investigate Legal Issues Regarding Langley Avenue

Since December it has been necessary to close one of the three entrance gateways into the cemetery because of its unsafe condition. Whilst the roadway in the newer part of the cemetery was constructed recently, the roadways in the original cemetery would appear to have had little by way of reconstruction since its opening.

Complaints have been received from both Funeral Directors and the public about the state of the roads and paths in the older part of the cemetery, and it appears that the matter has been raised previously, as there is a quotation for the works on file.

The Council, as landowner, has a duty of care to all persons who might, with approval or otherwise, enter its land, and there is a real danger of an accident, particularly to the more elderly of our population (who, by default, comprise the majority of visitors to the cemetery).

The estimated scale of the works, based on a reconstruction to the same specification as the newer roadway, is in excess of £100,000. The precise figure will be known once tenders have been received. Whilst there is a sum of £100,000 (rising by £5,000 per annum) in earmarked reserves, this is set aside for construction of the future cemetery extension, which will be required within the next ten years.

The proposal is therefore that the financing of the reconstruction of the roadways be by way of a Public Works Board Loan, with a repayment within twenty-five years. Based on the loan repayments for the Town Hall this would give an annual repayment of circa £7,000 per annum.

In the event that the roadways are not reconstructed within the next six months the Town Council will be required to prevent public access to the older part of the cemetery in order to protect its legal position.

If borrowing is agreed, it is perhaps relevant to consider the state, and future, of the cemetery railings, which in places are rusted through. The cost of renewal of the whole length is not known, but likely to be in excess of £50,000. However, subject to legal opinion, it may be possible to achieve the same objective of the present railings (i.e. prevent unlawful access) by way of an alternative scheme which fences off Langley Avenue.

Members are recommended to:-

- a) Agree to the drawing up of specifications and schedules of works**
- b) Agree to invite tenders and appoint contractors**
- c) Agree to investigate the legal issues regarding Langley Avenue**

ITEM 40

To Determine Whether to Support the Motion Brought by Sevenoaks Town Council in Accord with the Sustainable Communities Act

“An opportunity has come up regarding a proposal under the Sustainable Communities Act that would help Parish and Town Councils. I am writing to you to ask that Felixstowe Town Council please add their support to this proposal.

Sevenoaks Town Council have submitted the proposal. It is all about why the campaign for Parish and Town Councils to be able to use the Sustainable Communities Act was run – giving Parish and Town Councils the resources they need to help end ‘Ghost Town Britain’ and create vibrant local communities.

In Sevenoaks, local businesses want a portion of the rates they pay to go to the Town Council so that the place where those businesses operate can directly benefit from the rates they are paying. Many rate paying businesses across the country also hold this view. The proposal is as follows, “That the government take the necessary action to allow a percentage of Business Rates to be paid direct to Parish and Town Councils for the benefit of local economic growth.”

The rationale for the proposal is that Parish and Town Councils are the closest democratic body to the rate paying businesses in their areas and so are best placed to receive at least a portion of those Business Rates. Parish and Town Councils could then use the revenue to assist in protecting and promoting the sustainability of their localities. For example in Sevenoaks the revenue could be put towards the many projects proposed in the Sevenoaks Town Partnership's economic growth strategy.

I would appreciate if you could please let me know as soon as possible if your council supports this proposal. This is an urgent matter as the proposal has already been submitted and so the government could make a decision at any time. A number of leading organisations of Local Works, the coalition that campaigned for Town and Parish Councils to have the right to use the Sustainable Communities Act, also support the proposal."

As Members are aware the Town Council receives no direct financial benefit from the business rates, yet continue to support and enhance the business community through such measures as CCTV, Felixstowe in Flower and support for tourism-related activities. Members may consider that a small proportion of the business rates paid directly to the Town Council may further enable the Town Council to support the local business community through such measures as funding lower-cost parking, additional events designed to attract trade to the town, etc.

Members are asked to consider supporting the proposal by Sevenoaks Town Council

ITEM 42

To Determine Why The Annual General Meeting of the Council has not Confirmed the Arrangements for Insurance in Previous Years

Although this item has been requested by a Member in accord with Standing Order 9, as Town Clerk I believe that it raises fundamental issues regarding the Town Council's Annual General Meeting which perhaps need considering in the round.

Standing Orders have, for many years, set out the business to be transacted at the Annual General Meeting, but the Council's agendas have not addressed the full extent of that business.

The AGM is the meeting at which the Chairman of the Council is elected; in Felixstowe, the Council having agreed to call itself a Town Council, the Chairman may adopt the title of Mayor. The important civic role of the Mayor, and the ceremonial regarding the Mayor's election, together with the post-election soiree may have contributed to a desire to conclude the meeting early; indeed, from the agendas available on the Council's I.T. system there is little evidence of any other business, apart from appointments to Committees, being transacted at the AGM, despite Standing Orders listing eighteen items of business (in addition to other business that may need to be brought before Council).

It is important that, having agreed Standing Orders, some attempt is made to comply with them; either they, or the conduct of the meeting, need amending. However, the matters in Standing Orders which should be transacted at the AGM are important, as they give reassurance and clarity to Members, and to amend Standing Orders to remove them from the agenda would seem a retrograde step.

One option would be, in accordance with Standing Orders, to move to change the order of business and to adjourn the meeting to another date immediately following the minimal business that would be transacted; the agenda for the AGM would still be comprehensive, but would take place over two evenings.

The agenda for the first meeting would include items 5(e), (j)(ii), (j)(v), (j)(vi), (j)(vii), and (j)(viii); the second meeting, held as soon as possible thereafter, would include all the other items scheduled in Standing Orders and any other business needing to be addressed.

Members are recommended to adopt this procedural change