

Our Ref: 30/CAP

27th November 2013

Dear Councillor

You are summoned to a meeting of the **Council** to be held at the **Town Hall, Felixstowe** on **Wednesday 4th December 2013 at 7.30 pm** for the transaction of the following business preceded by:

- i. Public Question Time.
 - ii. The Mayor will call for a Minute's Silence in memory of former Mayor and Town Councillor Malcolm Minns
 - iii. Prayers: Reverend David Kemble, Trinity Methodist 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 Meeting of the Council held on Wednesday 2nd October 2013**
To confirm the minutes of the meeting of Full Council held 2nd October 2013 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 2nd, 16th and 30th October, and 4th, 13th and 27th November 2013**
To note the receipt of the minutes of the Plans Committee meetings held on 2nd, 16th and 30th October, and 4th, 13th and 27th November 2013 – *copies attached.*

- 8. To note the receipt of the minutes of the Newsletter Editorial Committee held on 6th November 2013**
To note the receipt of the minutes of the Newsletter Editorial Committee held on 6th November 2013 – *copy attached*.
- 9. To note the receipt of the minutes of the Finance and General Purposes Committee held on 23rd October 2013**
To note the receipt of the minutes of the Finance and General Purposes Committee held on 23rd October 2013 – *copy attached*.
- 10. To note the receipt of the minutes of the Cemetery and Allotments Sub-Committee held on 26th November 2013**
To note the receipt of the minutes of the Cemetery and Allotments Sub-Committee held on 26th November 2013 – *copy attached*.
- 11. To Receive and Agree to Adopt a Policy for Dealing with the Media (attached)**
To Receive and Agree to Adopt a Policy for Dealing with the Media - (*attached*).
- 12. To Receive and Agree to Adopt Revised Standing Orders**
To Receive and Agree to Adopt Revised Standing Orders - (*attached*).
- 13. To Consider and Agree Action on the Proposal from Councillor Walker that “In light of the free parking for Woodbridge Town Centre provided by Suffolk Coastal District Council for this Christmas period, this Town Council requests that the District Council implements a ‘Free after 3’ policy for Felixstowe for the Summer Season 2014”**
To Consider and Agree Action on the Proposal from Councillor Walker that “In light of the free parking for Woodbridge Town Centre provided by Suffolk Coastal District Council for this Christmas period, this Town Council requests that the District Council implements a ‘Free after 3’ policy for Felixstowe for the Summer Season 2014”.
- 14. To agree to respond to Suffolk County Council’s consultation on the future of home care and community meals in Suffolk (attached).**
To agree to respond to Suffolk County Council’s consultation on the future of home care and community meals in Suffolk - (*attached*).
- 15. To Receive and Agree to Adopt a Policy for Presentations to Council and Committees**
To receive and agree to adopt a policy for Presentations to Council and Committees - (*attached*).
- 16. To Consider and Agree a Procedure for Applications to be made under the Community Right to Bid Scheme (attached)**
To consider and agree a procedure for applications to be made under the Community Right to Bid Scheme (*attached*)
- 17. To Agree to Redefine Assets in the Council’s Accounts (attached)**
To agree to redefine assets in the Council’s accounts.
- 18. Exclusion of Press and Public. Standing Order 60**
“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”.

- 19. To Agree to Amend the Funding Arrangements for the CCTV Scheme**
To Agree to Amend the Funding Arrangements for the CCTV Scheme - (*attached*).

A handwritten signature in black ink, appearing to read "Gordon" followed by a stylized flourish.

TOWN CLERK

ITEM 11

PROCEDURE FOR DEALING WITH PRESS AND MEDIA

1. INTRODUCTION

1.1 The purpose of this policy is to define the roles and responsibilities within the Council for working with the media and deals with the day-to-day relationship between the Council and the media.

1.2 It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, it provides guidance on how to deal with issues that may arise when dealing with the media.

2. KEY AIMS

2.1 The Council is accountable to the local community for its actions and this can only be achieved through effective two-way communications. The media – press, radio, TV, internet – are crucially important in conveying information to the community so the Council must maintain positive, constructive media relations and work with them to increase public awareness of the services and facilities provided by the Council and to explain the reasons for particular policies and priorities.

2.2 It is important that the press have access to the Clerk/ Members and to background information to assist them in giving accurate information to the public. To balance this, the Council will defend itself from any unfounded criticism and will ensure that the public are properly informed of all the relevant facts using other channels of communication if necessary.

3. THE LEGAL FRAMEWORK

3.1 The law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. The Council must also have regard to the governments Code of Recommended Practice on Local Authority Publicity.

3.2 The Town Council's adopted Standing Orders should be adhered to.

4. CONTACT WITH THE MEDIA

4.1 The Clerk and Members should always have due regard for the long-term reputation of the Council in all their dealings with the media.

4.2 Confidential documents, exempt Minutes, reports, papers and private correspondence should not be leaked to the media. If such leaks do occur, an investigation will take place to establish who responsible and appropriate action taken.

4.3 When the media wish to discuss an issue that is, or is likely to be, subject to legal proceedings then advice should be taken from the Council's solicitor before any response is made.

4.4 There are a number of personal privacy issues for the Clerk and Members that must be handled carefully and sensitively. These include the release of personal information, such as home address and telephone number (although Member contact details are in the public domain); disciplinary procedures and long-term sickness absences that are affecting service provision. In all these and similar

situations, advice must be taken from the Clerk before any response is made to the media.

4.5 When responding to approaches from the media, the Clerk and Town Mayor are authorised to make contact with the media. In specific cases the Town Clerk and/or Mayor may authorise other Member/s to respond to media requests.

4.6 Statements made by the Town Mayor and the Clerk should reflect the Council's opinion.

4.7 There are occasions when it is appropriate for the Council to submit a letter, for example to explain important policies or to correct factual errors in letters submitted by other correspondents. Such letters should be kept brief and balanced in tone and correspondence should not be drawn out over several weeks. All correspondence must come from the Clerk.

4.8 Should a Member decide to submit a letter to the press on any subject they should not use the term 'Town Councillor' or give the impression, directly or implied, that they are writing on behalf of the Council.

5 ATTENDANCE OF MEDIA AT COUNCIL MEETINGS

5.1 The Local Government Act 1972 requires that agendas, reports and minutes are sent to the media on request.

5.2 The media are encouraged to attend Council meetings and seating and workspace will be made available.

5.3 Any filming, recording or transmitting of Council proceedings by the media must be with prior agreement of the Council.

6 PRESS RELEASES

6.1 The purpose of a press release is to make the media aware of a potential story, to provide important public information or to explain the Council's position on a particular issue. It is the responsibility of the Clerk and Members to look for opportunities where the issuing of a press release may be beneficial.

6.2 All press releases must be issued by the Clerk in order to ensure that the principles outlined in section three (Legal Framework) are adhered to, that there is consistency of style across the Council and that the use of the press release can be monitored.

ITEM 14

TO AGREE TO RESPOND TO SUFFOLK COUNTY COUNCIL'S CONSULTATION ON THE FUTURE OF HOME CARE AND COMMUNITY MEALS IN SUFFOLK

The County Council is currently consulting on the future of home care and community meals in Suffolk.

Home care covers a range of care and support activities delivered to a person in their own home. It can include support with domestic tasks, house maintenance and repair, shopping, cleaning, as well as personal care, medication, and nutrition, and also fulfils an important social role. Suffolk County Council currently spends £28 million on home care services and buys the service from over 60 home care providers.

There are approximately 4500 people that receive home care, which is either partially or fully funded by Suffolk County Council. There are also a large number of people that receive home care that they privately fund themselves. The current home care service is delivered in short time slots focused on completing set personal care tasks. This way of delivering services does not always meet the aspirations of customers for a personalised service that meets their individual needs.

There around 900 people who receive community meals in Suffolk. The provision of community meals has developed and changed in recent years and there are also now many sources of ready prepared meals available to people commercially. In addition, there are innovations emerging including sourcing meals through local enterprise such as pubs, cafes, and day centres which help people keep in touch with their local community.

Members are asked to consider whether the Town Council should formally respond to the consultation.

ITEM 15

POLICY IN RESPECT OF PRESENTATIONS TO COUNCIL AND COMMITTEES

From time to time various organisations ask to make presentations to Council or Committees. Practice would appear to be that these are made to Councillors ahead of, and not part of, a Full Council meeting, with no members of the public present. However members of the public have the right to ask, under the Freedom of Information Act, for copies of any papers issued during those presentations, or notes made of the presentation.

In addition, the District Council's Statement of Community Engagement in relation to planning sets out that for certain classes and scales of proposed development, developers, or their agents, will be required to hold a public meeting on their proposals. Many developers and agents will try to use the existing Council and Committee meeting dates as an opportunity to fulfil this requirement.

Under the previous Code of Conduct regime the subject of pre-determination and bias was a matter which attracted a great deal of attention, and indeed prevented some active campaigning Councillors from participating in debates on the very matter on which they had stood for Council, or caused dual-hatted Councillors to remove themselves from the debate. The Code gradually evolved so that members with a prejudicial interest could remain and speak (but not vote) on a matter provided that members of the public were given the same opportunity to speak on the matter, and many Councils amended their agendas and Standing Orders to reflect this change.

With the current Code of Conduct, the rules regarding campaigning for a particular outcome have been relaxed; members are however expected to demonstrate that up to the time of voting on a particular matter they have an "open mind" on the matter and are prepared to be swayed by additional information received at the meeting. Many dual-hatted members preface their comments at a Town/Parish Council meeting with "This is my opinion at this time but I remain open-minded to additional information changing my opinion before I vote on the matter at the District Council", which clarifies their position for the general public. Clearly a member who has publicly declared "This development will only go ahead over my dead body" has demonstrated pre-determination.

In receiving presentations members will need to be reminded that they are not making any comment or decision on the presentation; should a decision be required it will be a separate agenda item; 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

On this basis therefore, members are asked to consider:-

- a) Changing the agenda for Full Council so that, early in the meeting, Standing Orders are suspended in order to receive any presentations on strategic matters affecting Felixstowe and to allow members of the public to question both the presenters and the Council. 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.
- b) For clarity strategic matters will be defined as:
 - i. any national, regional or local plan
 - ii. a major planning applications – in excess of 300 dwellings, or in excess of 5,000 sq metres employment/retail development
 - iii. any reviews of service provision by other statutory providers (health, fire, police, etc)
- c) Changing the agenda for all 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.
- d) Reserving the right to refuse to receive presentations; this decision to be made by the Clerk in conjunction with either the Mayor or the Committee Chair.

ITEM 16

To Consider and Agree a Procedure for Applications to be made under the Community Right to Bid Scheme

The Community Right to Bid Scheme is designed to enable communities to have placed on a register, held by the District Council, property and land which is of benefit (current or future) to the community and which may be lost to the community should it come, unexpectedly, onto the open market for sale or disposal. Those properties accepted onto the register cannot be sold on the open market until 6 months have passed since the sale was announced; this is to give communities and community groups time to raise funds to acquire the property at the full market price. If the funds cannot be raised then the property is sold on the open market. Properties remain on the register for five years but this can be extended.

There are a number of sites in Felixstowe, which may have community benefit and which, within the next five years, may be at risk of loss to the community. Of most pressing importance at present is the Deben Playing Field site off Langley Avenue, and the Council may wish to consider registering this site. It costs this Council nothing, and does not commit this Council to acquisition if the site is to be disposed of, but does provide six months grace for this Council to consider its options.

In addition, Council are recommended to delegate identification and registration of community assets to the Town Clerk, in order that the most important, at risk, sites/properties are given a degree of protection to enable the community to acquire them in future.

ITEM 17

To Agree to Redefine Assets in the Council's Accounts

The Council is required to maintain, a present as part of its accounts, a register of its assets. However neither the legislation, nor Council policies, defines an "asset", with the consequence that on the current register are low value items which are now generally accepted to be "disposable".

In order to more properly account for assets, it would make sense to set a de minimus asset value of £500; this correlates with the need to make publicly available a schedule of all invoices exceeding £500, and thus makes administration of the register simpler.

Redefining the assets will have no effect on the insurance schedule, which is a separate schedule.

Both Internal and External Auditors will accept such a redefinition and Council are recommended to agree the change.