
Council

You are hereby summoned to attend the Annual Meeting of Cirencester Town Council,
to be held at the Winstone Learning Centre, Corinium Museum, Park Street, Cirencester
on 14th May 2024 at 6.30pm



Andrew Tubb, Chief Executive Officer
2nd May 2024

Pledge:

"Let our debating be reasoned and temperate, recognising that others may have a different point of view; and may we always remember that our deliberations and decisions are ultimately for the good of the people of Cirencester."

Summary of Agenda

Items 1-3, 5-10, 12-17 & 23-24	Procedural and Standing Items
Item 4	Standing Orders 2024-25
Item 11	General Power of Competence
Item 18	Schedule of Payments
Item 19	Record of Attendance 2023-24
Item 20	Interim Internal Audit Report
Item 21	Co-option Arrangements – Abbey Ward Vacancy
Item 22	Gloucestershire County Council – Memorandum of Agreement – Town Centre Maintenance
	Confidential
Item 25	Norman Arch and Cottage – Tender

Bingham House, 1 Dyer Street, Cirencester, Gloucestershire, GL7 2PP
Tel: 01285 655646, www.cirencester.gov.uk



Agenda

1. **Election of the Chair of Council and Mayor of Cirencester (6.30pm)**
To hold office as Chair of the Council and Mayor of Cirencester, until the Annual Meeting in May 2025.
2. **Declaration of Acceptance of Office (6.31pm)**
The Chair, in the presence of the Council and witnessed by the Chief Executive Officer, shall sign the declaration of acceptance of office.
3. **Election of Vice-Chair and Deputy Mayor of Cirencester (6.32pm)**
To hold office as Vice-Chair and Deputy Mayor of Cirencester, until the Annual Meeting in May 2025.
4. **Standing Orders 2024-25 (6.35pm)**
To receive and adopt the updated Standing Orders for 2024-25.
5. **Appointment of Lead Members (6.40pm)**
To appoint lead members to the following committees and groups, until the Annual Meeting in May 2025:
 - a) Corporate Governance and Personnel
 - b) Finance and Audit
 - c) Planning
 - d) Climate and Environment
 - e) Land and Property
 - f) Community Services
6. **Appointment of Standing Committees, Groups and Substitute Members (6.50pm)**
To appoint the standing committees, groups and substitute members. If any Town Councillor would like to express an interest in serving on a committee or group, please e-mail the Chief Executive Officer in advance of the meeting at andrew@cirencester.gov.uk. Membership of each committee and group is set at a minimum of 5 Councillors, in accordance with Standing Orders, to enable as many Councillors as possible to serve:
 - a) Corporate Governance and Personnel Group
 - b) Finance and Audit Committee
 - c) Planning Committee
 - d) Climate and Environment Committee
 - e) Land and Property Committee
 - f) Community Services Committee
 - g) Health and Safety Group
 - h) To appoint all members as substitute members, in accordance with Standing Orders
7. **Appointment of Representatives to other Groups and Organisations (7pm)**
To confirm the appointments of representatives to other groups and organisations up to May 2025.
8. **Apologies (7.05pm)**
To receive and consider approval of the apologies presented.
9. **Declarations of Interest (7.06pm)**
To receive declarations of interest and to note any dispensations which have been approved.
(Members are reminded to declare pecuniary or non-pecuniary interests relating to any item on the agenda in accordance with Cirencester Town Council's Code of Conduct and to ensure that their register of interests forms are up to date.)
10. **Council Minutes (7.07pm)**
To approve the Minutes of the Meeting held on Tuesday 23rd January 2024, as an accurate record and to provide updates and information on any matters arising.
11. **General Power of Competence (7.09pm)**
To formally confirm that the Council meets the requirements under statute, to exercise the general power of competence. Eligibility is a two thirds electoral mandate and having a qualified clerk. As of May 2024, the Council has a 93.75% electoral mandate and the CEO is qualified with a Certificate in Local Council Administration, Level 7 qualification in Strategic Management & Leadership and an MBA.

- 12. Public Participation (Standing Order 68 refers) (7.10pm)**
If a member of the public wishes to speak at the meeting, or would like to submit correspondence they are asked to notify the Chief Executive Officer in advance and no later than 5pm on the day before the meeting. For the purpose of public speaking, a member of the public is defined as someone who lives, has a business or represents an organisation within the electoral boundary of Cirencester. Members of the public who wish to submit a written question for inclusion as part of public participation may do so at any time.
- 13. District and County Council Participation (Standing Item) (7.20pm)**
To receive important updates and information from Cotswold District Council and Gloucestershire County Council. Questions relating to any District or County Council matter to be submitted in advance of the meeting to the CEO.
- 14. Youth Participation (Standing Item) (7.25pm)**
To receive an update on youth engagement and provide an opportunity for young people to participate.
- 15. Member Participation (Standing Orders 27 to 30 refer) (7.26pm)**
A member may ask the Chair any question concerning the business of the Council.
- 16. Delegation of Urgent and Routine Matters (Standing Order 11 c) refers) (7.27pm)**
To provide a summary of any matter which has required urgent or routine attention under Standing Order 11 a) and 11b) and operational delegated authority.
- 17. Climate and Environment Action Plan (Standing Item) (7.28pm)**
To receive, for information, an update on the action plan progress.
- 18. Schedule of Payments (7.30pm)**
To approve payments made during the period 1st January and 29th February 2024 in accordance with the budget estimates, including contractual increments and other honoraria in consultation with the Personnel Group. Each individual payment has been authorised by two Councillors. A list of all individual payments is forwarded to Finance and Audit and made available on the Town Council website:
- Corporate - £9,725
Office - £12,395
Community - £15,548
Land and Property - £37,368
Priority Projects (Earmarked Reserves) - £22,964
Salaries (including PAYE/National Insurance and Pension) - £145,729
- 19. Record of Attendance 2023-24 (7.31pm)**
To receive and confirm the record of attendance for members in respect of May 2023 to April 2024.
- 20. Interim Internal Audit Report (7.35pm)**
To receive and note the interim Internal Audit Report.
- 21. Co-option Arrangements – Abbey Ward Vacancy (7.40pm)**
In light of no bye-election being called by ten electors, a casual vacancy has arisen for the Abbey Ward. The Council can adopt its own procedure for co-option, the only pre-requisite is that the process is transparent and made known in advance to all candidates. The successful candidate is co-opted by an absolute majority of Council.
- It is proposed that the process be, to express an interest by way of a letter/e-mail outlining the reasons for standing to be received by the CEO no later than Friday 14th June at 4pm and that each candidate be invited to give a brief 5-minute talk to Council on June 25th at which meeting a vote will be taken.
- 22. Gloucestershire County Council – Memorandum of Agreement – Town Centre Maintenance (7.45pm)**
To receive a report relating to the memorandum of agreement with Gloucestershire County Council in respect of town centre maintenance of the public highway.
- 23. Announcements (7.50pm)**
To receive and note any important announcements from Members relating to Council business.
- 24. Correspondence (7.55pm)**
a) Council Information Sheet; including details of any actions taken arising from previous meetings.
b) Any other correspondence received in accordance with Standing Orders.

CONFIDENTIAL

Confidential items in respect of which a resolution may be passed in accordance with the Public Bodies (Admission to Meetings) Act 1960, excluding the press and public on the grounds that the agenda item relates to legal matters

25. Norman Arch and Cottage – Tender (8pm)

To consider arrangements for the appointment of a contractor in respect of improvements to the Norman Arch and Cottage.

Notes & Information

1. All reports referred to, including recommendations, are available online at www.cirencester.gov.uk or on request via email at info@cirencester.gov.uk

2. You can join us live via the Town Council's YouTube channel or you can watch the recording afterwards.

3. This meeting may be filmed by the Council for live and/or subsequent broadcast online at: <https://www.youtube.com/channel/UCrNizX0bVb7HpmZZn5XtlwA>. At the start of the meeting, the Chair will confirm if all or part of the meeting will be filmed. The footage will be on the YouTube channel indefinitely and may be used for training purposes within the Council. If you make a representation to the meeting you will be deemed to have consented to be filmed. By entering the meeting room, you are also consenting to be filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

4. Members of the public are welcome to submit questions under public participation, in advance of the meeting via email, info@cirencester.gov.uk

5. Future meetings:

Venue: The Winstone Learning Centre, Corinium Museum, Park Street, Cirencester.

May 28th 4.30pm Planning Committee

May 28th 6.30pm Finance and Audit Committee

June 11th 4.30pm Community Services Committee

June 25th 4.30pm Planning Committee

June 25th 6.30pm Council

6. Follow us on Facebook, Twitter and Instagram.



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Standing Orders

2024 - 25

STANDING ORDERS

MEETINGS OF THE COUNCIL

1. The Council shall in every year hold an Annual Meeting and at least three other meetings for the transaction of general business.
2. The Statutory Annual Meeting shall be held: -
 - a) In an election year, on or within 14 days following the day on which the members elected take office.
 - b) In a year which is not an election year, on the second Tuesday of May, subject to statutory provision enabling the Annual Meeting to be held on any other given day and month.
3. All meetings of the Council, committees and groups shall take place on ~~a the second and fourth~~ Tuesday ~~of each month~~. The schedule of such meetings shall be approved in advance by Council and may only be varied in exceptional circumstances by resolution.
4. The Chair of the Council may convene an extraordinary meeting of the Council at any time.
5. If the Chair of the Council refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two members, those two members may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two members.
6. At least three clear days¹ before a meeting of the Council, i.e. no later than the Thursday preceding the meeting, a notice of the time and place of the intended meeting shall be made available at the Town Council's Local Information Centre and will be displayed on the town's notice boards, website and other social media.

Note: If a meeting is called by members of the Council following the refusal or failure of the Chair of the Council to do so, the notice shall be signed by those members and shall specify the business proposed to be transacted.
7. A summons to attend meetings, specifying the business proposed to be transacted, shall be signed by the Chief Executive Officer and delivered to every member of the Council (under an amendment to the LGA 1972 this includes electronic communication). If the served summons has not been received this shall not affect the validity of the meeting.

APOLOGIES

8.
 - a) Subject to exceptional circumstances, apologies for absence must be received in advance of the meeting; along with the specific reason for absence. In respect of Council, the apology for absence will be considered for approval and recorded in the minutes as either 'personal' or 'Council related business'.
 - b) Apologies received during or after the meeting, may be included within the minutes/notes, subject to agreement, when the minutes/notes for that meeting are formally approved.
 - c) Apologies are to be communicated to the lead officer/administrator for the respective meeting.
 - d) It is the responsibility of the member who cannot attend a meeting to arrange a substitute; a member may also substitute if they have initially attended the meeting as an observer.
 - e) If a member doesn't attend any meetings for a period of six consecutive months, without the approval of Council, they may automatically cease to be a member of the Council. Local Government Act 1972, Section 85(1) and (2) refers.

¹ excluding the day on which the notice was issued, the day of the meeting, a Sunday, a day which forms part of the Christmas or Easter break, a bank holiday, public thanksgiving or day of mourning.

CHAIRING COUNCIL MEETINGS

9. a) The Chair, if present, shall preside and if absent, the Vice-Chair. If both are absent, the members shall choose a member to Chair the meeting, by way of a proposal being seconded and duly put to the vote.
- b) The person presiding at the meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.

PROPER OFFICER

10. Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council that officer shall be the Chief Executive Officer and in the absence of the Chief Executive Officer, the Deputy CEO, acting as the Assistant Proper Officer. The remit of the Proper Officer is: -
 - a) To receive declarations of acceptance of office.
 - b) To receive and record disclosures of personal and prejudicial interests at meetings.
 - c) To sign notices or other documents on behalf of the Council.
 - d) To receive copies of byelaws made by another local authority.
 - e) To certify copies of byelaws made by the Council.
 - f) To sign and issue summons to attend meetings of the Council.
 - g) To keep proper records for all Council meetings.

DELEGATION OF URGENT AND OPERATIONAL MATTERS

11. a) The Chief Executive Officer has delegated authority to act in respect of any function of the Council on a matter which requires urgent attention and for whatever reason needs to be determined on behalf of the Council prior to the next available meeting. **This authority is to be exercised in consultation with the Chair and/or Vice-Chair of Council and a member of the Corporate Governance and Personnel Group.**
- b) The Chief Executive Officer has delegated authority to act in respect of any function of a Committee/Group or Sub-Committee/Group on a matter which requires urgent attention and for whatever reason needs to be determined on behalf of the Council prior to the next available meeting. **This authority is to be exercised in consultation with the Chair and/or Vice-Chair of Council and the Chair and/or Vice-Chair of the respective Committee/Group or Sub-Committee/Group.**
- c) Each matter dealt with under this authority is to be reported for information to the next available meeting of Council, the Committee/Group or Sub-Committee/Group. In addition, there shall be a standing item on the agenda of Council ~~and Corporate Group~~ to report a summary of any such matter.
- d) The Chief Executive Officer has the authority of Council to act in respect of all operational matters relating to the staffing and management of the organisation and delivery of services and projects, including personnel matters relating to all posts, excluding the Senior Management Team which is overseen by the CEO in consultation with the **Corporate Governance and Personnel Group.**
- e) **Delegated authority may be given by Council, Committee or Group to officers, in consultation with the respective Lead Member or relevant Chair.** The authority within this Standing Order does not extend to any decision or action being taken which relates to, or is: -
 - i) outside the agreed budget;
 - ii) contradictory to any policy of the Council;
 - iii) the issuing of a precept;
 - iv) determining borrowing limits;
 - v) approving a lottery scheme;
 - vi) consideration of an Auditor's report.

QUORUM AND DURATION

12. a) No business may be transacted at a Council meeting unless at least one third of the whole number of members of the Council are present.
- b) The quorum of a Committee/Group or Sub-Committee/Group shall not be less than three of its members or one third, whichever the greater.
- c) In the absence of a quorum the meeting shall be adjourned and the business to be considered deferred to the next meeting or on such other day as may be determined.
- d) Meetings which are scheduled to commence at 6.30pm should aim to conduct the business on the agenda within 2 hours.
- e) Meetings which are scheduled to commence between 9am and 5pm should aim to conduct the business on the agenda within 1½ hours. If items on the agenda cannot be determined within a maximum time of 1¾ hours, they shall be deferred to the next meeting without discussion or debate.

VOTING

13. Members shall vote by a clear show of hands, or if at least two members so request, by a ballot. **This Standing Order is applicable to Council and Committee meetings, and any meetings where formal decisions are to be taken.**
14. If a member so requires, at any point during a debate and prior to a vote being taken, the Chief Executive Officer shall record the names of the members who voted on any question so as to show whether they voted for, against, or abstained.
15. a) Subject to b) and c) below, the presiding Chair may vote on any matter put to the vote.
- b) Subject to c) below, the presiding Chair may not vote in the election of the Chair on any occasion when they themselves will immediately, after such election, retire from the Council.
- c) In the case of equal votes, the presiding Chair may give a casting vote; however, a casting vote must be given in the election of the Chair of the Council and Mayor.
- d) In the event of a vote not being unanimous, a named recorded vote will be taken, excepting in the case of abstentions given in the following circumstances:
 - approving Minutes;
 - election of Chair and Vice-Chair;
 - lead member, committee and group appointments;
 - procedural matters;
 - being absent for part or all of the debate;
 - a declared and recorded interest.

ORDER OF BUSINESS

16. At each Annual Meeting the first business shall be:
 - a) To elect the Chair of the Council and Mayor. ~~who shall serve on, and Chair, the Corporate Group.~~

When the Chair has been elected at the Annual Meeting of the Council, they shall serve for a period of one year and shall be eligible² for re-election in the next following year. They shall not serve for more than two consecutive years.
 - b) To receive the Chair's declaration of acceptance of office.
 - c) To elect a Vice-Chair and Deputy Mayor. ~~who shall serve on the Corporate Group.~~

² This eligibility is subject to re-election to the Town Council in an election year.

When the Vice-Chair has been elected at the Annual Meeting of the Council, they shall serve for a period of one year and shall be eligible for re-election in the next following year.

- d) To appoint lead members who shall serve for a period of one year and shall be eligible, subject to re-election to the Town Council in an election year, for re-election in the next following year up to a maximum of four consecutive years, in total, as lead member of any respective service area. ~~The lead members shall serve on the Corporate Group [effective to end of August 2023] and be the ex-officio Chair of their respective committee/group.~~ The Chair and Vice-Chair of Council may only be appointed as a lead member or Chair of a maximum of one committee/group. The lead member appointments for 2024-25 being:

- Corporate Governance and Personnel
- Finance and Audit
- Planning
- Climate and Environment
- Land and Property
- Community Services

e) To appoint members to the Council's standing Committees/Groups.

f) To appoint members to advisory groups.

g) To appoint the Council's representatives on other organisations.

17. **At every other meeting other than the Annual Meeting, the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.**

18. After the first business of any meeting has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows: -

a) Apologies.

b) Declarations of Interest.

c) To receive, consider and approve the Minutes.

d) To sign, by the presiding Chair, the Minutes as a correct record.

e) To deal with business expressly required by statute to be done.

f) To receive questions from the public (Standing Order 68 refers).

g) To receive updates relating to Cotswold District Council/Gloucestershire County Council.

h) To receive updates and information from young people.

i) To receive questions from members of the Council to the Chair, specifically relating to the business of the Council; including, through the Chair, for a Lead Member to be asked to consider a matter relating to the business of the Council within the remit of the respective Committee/Group.

j) To dispose of any business remaining from the last meeting.

k) To consider motions or recommendations in the order in which they have been notified.

l) To report the delegation of any urgent matters.

m) To receive and consider recommendations from Committees/Groups.

- n) To receive and consider reports from officers of the Council, including the schedule of payments for approval.
 - o) To receive such announcements as the presiding Chair may wish to present relating to the business of the Council.
 - p) Other business only as specified in the summons, including the receipt of correspondence and written updates from members on any official business undertaken on behalf of the Council.
19. A motion to vary the order of business on the ground of urgency or expediency may be proposed by the Chair/presiding Chair or any member and put to the vote; if proposed by the Chair, the matter may be put to the vote without being seconded.

RESOLUTIONS MOVED ON NOTICE

20. Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Chief Executive Officer no later than 9am on the Monday in the week preceding the next meeting of Council. This is to ensure that the Notice of Motion can be considered for inclusion on the agenda prior to preparation, printing and dispatch.
21. The Chief Executive Officer, as the Proper Officer of the Council, shall date and number each notice of motion or recommendation when received, and shall enter it in a book which shall be open to inspection of every member of the Council.
22. The Chief Executive Officer shall insert in the summons for every meeting, the notices of motion or recommendations accepted and properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that they intend to move at the meeting that the motion be withdrawn.
23. If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without being formally re-notified in respect of a future meeting.
24. If the subject matter of a resolution comes within the province of a Committee/Group of the Council, it shall, upon being moved and seconded with time being given for an initial discussion about the motion, stand referred to such Committee/Group or to such other Committees/Group as the Council may determine for report and recommendation; provided that the presiding Chair, if they consider it to be a matter of importance, may allow it to be dealt with at the meeting at which it was moved.
25. Every resolution or recommendation shall be relevant to some question over which the Council has the power and/or responsibility or which directly affects the town of Cirencester as a local issue. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final. The Proper Officer shall notify Council if a notice of motion is rejected and the reason for not including it on the agenda.

RESOLUTIONS MOVED WITHOUT NOTICE

26. Resolutions dealing with the following matters may be moved without notice:-
- a) To appoint a person to preside at a meeting.
 - b) To approve the absence and apologies of members.
 - c) To approve the accuracy of the minutes of the previous meeting.
 - d) To correct an inaccuracy in the minutes of the previous meeting.
 - e) To dispose of business, if any, remaining from the last meeting.
 - f) To alter the order of business on the agenda for reasons of urgency or expedience.

- g) To proceed to the next business on the agenda.
- h) To close or adjourn debate.
- i) To refer by formal delegation a matter to a Committee/Group or to a sub-Committee/Group or an employee.
- j) To appoint a Committee/Group or sub-Committee/Group or any members (including substitutes) thereto.
- k) To receive nominations to a Committee/Group or sub-Committee/Group.
- l) To dissolve a Committee/Group or sub-Committee/Group.
- m) To note the minutes of a meeting of a Committee/Group or sub-Committee/Group.
- n) To consider a report and/or recommendations made by a Committee/Group or a sub-Committee/Group or an employee.
- o) To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- p) To authorise legal deeds.
- q) To authorise the payment of monies.
- r) To amend a motion relevant to the original or substantive motion under consideration but in doing so not nullifying it.
- s) To extend the time limit for speeches.
- t) To exclude the press and public for all or part of a meeting.
- u) To silence or exclude from the meeting a member or a member of the public for disorderly conduct.
- v) To give the consent of the Council if such consent is required by standing orders.
- w) To suspend any standing order except those which are mandatory by law.
- x) To adjourn the meeting.
- y) To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- z) To answer questions from members.

QUESTIONS

- 27. A member may ask the presiding Chair any question concerning the business of the Council.
- 28. A member with or without notice, may ask the Chair of a Committee/Group any question upon the proceedings of the Committee/Group, which are being considered by Council, subject to the question being put before the Council's consideration of those proceedings is finished.
- 29. Every question shall be put and answered without discussion.

30. A person to whom a question has been put may decline to answer but shall present a written response to the question within seven days of the meeting unless such response would be prejudicial or detrimental to the Council.

RULES OF DEBATE

31. No discussion shall take place upon the Minutes except as to their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chair.
32. a) A resolution or amendment, made under Standing Orders 20. to 26., shall not be discussed unless it has been proposed and seconded.
- b) A member, when seconding a resolution or amendment may, if they then declare an intention to do so, reserve the speech until a later period of the debate.
- c) A member shall direct their speech to the question under discussion or to a personal explanation or to a question of order.
- d) No speech shall exceed five minutes, except by consent of the Council.
- e) An amendment shall be either: -
- i) To leave out words.
 - ii) To leave out words and insert or add others.
 - iii) To insert or add words.
- f) An amendment shall not have the effect of negating the motion before the Council.
- g) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- i) The mover of a resolution or of an amendment shall have a right of reply.
- j) A member, other than the mover of a resolution or of an amendment, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move the closure and except further that the mover of a resolution may speak on the debate or an amendment to support or to reject the amendment.
- k) A member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by the member, which may have been misunderstood. A member rising for these purposes shall be heard forthwith.
- l) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion and no member may speak upon it after permission has been asked for its withdrawal, unless such permission has been refused.
- m) When a resolution is under debate, no other resolution shall be moved except the following: -
- i) To amend the resolution.
 - ii) To proceed to the next business.
 - iii) To adjourn the debate.
 - iv) That the question be now put.
 - v) That a member named be not further heard.
 - vi) That a member named leaves the meeting.
 - vii) That the resolution be referred to a Committee/Group.
 - viii) To exclude the public or the press or both.
 - ix) To adjourn the meeting.

33. At Council meetings a member shall stand when speaking unless permitted to remain seated by the Chair.
34. a) The ruling of the presiding Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
- b) Members shall address, what they say, through the presiding Chair.
- c) If two or more members rise, the presiding Chair shall call upon one of them to speak and the others shall resume their seats.
- d) Whenever the Chair rises during the debate, all other members shall be seated and silent.

CLOSURE

35. At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council does now adjourn". If such motion is seconded and if the Chair is of the opinion that the question before the Council has been sufficiently debated (but not otherwise) they shall forthwith put the motion. If the motion "that the question be now put" is carried, they shall call upon the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

DISORDERLY CONDUCT

36. a) All members must observe the Council's Code of Conduct.
- b) No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
- c) If, in the opinion of the Chair, a member has broken the provisions of paragraph (b) of this order, the Chair shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named leaves the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

RIGHT TO REPLY

37. a) The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed, the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.
- b) If a member is named in a debate that member shall have a right of reply immediately before any other matter is discussed.

ALTERATION OF RESOLUTION

38. A member may, with the consent of their seconder, move amendments to their own resolution.

RESCISSION OF PREVIOUS RESOLUTION

39. a) A resolution, whether affirmative or negative, of the Council **or Committee** shall not be reversed within six months except either by a special motion, the written notice which bears the names of at least five members of the Council **or at least three members of the Committee**, or by a motion moved in pursuance of the report or recommendation of a Committee/Group.
- b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

NOMINATIONS FOR CHAIR, VICE-CHAIR AND LEAD MEMBERS

40. a) All nominations for Chair and Vice-Chair, who shall be the Mayor and Deputy Mayor of Cirencester respectively, shall be communicated by e-mail or in writing to the Chief Executive Officer by 4pm on the Friday preceding the meeting at which the vote is to be conducted.

- b) All nominations for lead member roles shall be communicated by e-mail or in writing to the Chief Executive Officer by 4pm on the Friday preceding the meeting at which the vote is to be conducted.
- c) All nominations must be confirmed in advance of the meeting by the person nominated, the proposer and seconder.

VOTING ON APPOINTMENTS

- 41. Where two or more persons have been nominated for any position to be filled by the Council, voting shall be by way of a ballot. If there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken and so on until a majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote.

EXPENDITURE

- 42. The resolution of Council to accept the recommendations of the **Finance and Audit Committee** in structuring the budget shall be deemed by implication to constitute authority for the payments of money by the **Town** Council in pursuance of its ordinary business. Exceptional items of expenditure will require the resolution of Council.
- 43. Motions relating to an increase in Council expenditure or the reduction of revenue, unless recommended by the **Finance and Audit Committee** and supported by a report shall, when proposed and seconded, stand adjourned without discussion until such time as the Committee/Group affected by it and the **Finance and Audit Committee** has reported on the matter.

SEALING OF DOCUMENTS

- 44. a) The Council's Common Seal shall be used for sealing documents where required by statute. It shall be applied by the Chief Executive Officer (or in their absence the Assistant Proper Officer); **where applicable the document shall be sealed in the presence of the Chair (or in their absence the Vice-Chair) who shall in addition, sign the document as a witness.**
- b) Authority to seal a document on behalf of the Council shall be deemed to have been authorised by resolution when the matter **being the subject of the deed** has previously been approved by Council. In such circumstances, the Chair, Chief Executive Officer or any member of the **Corporate Governance and Personnel Group** will be deemed to be acting with the full authority of the Council provided that a schedule of all documents, so sealed, is provided at a future meeting of Council.

COMMITTEES, SUB-COMMITTEES AND GROUPS

- 45. The Council may at the Annual Meeting appoint standing Committees/Groups and may at any other time appoint such other Committees/Groups as are necessary. Subject to statutory provision the Council will: -
 - a) Approve terms of reference.
 - b) Shall not appoint any member to hold office later than the next Annual Meeting.
 - c) May at any time dissolve or alter the membership of a Committee/Group.
 - d) Appoint all members as being able to substitute in the absence of a member of a Committee/Group.; **~~subject to Corporate Group on which only the respective Vice-Chair of planning, personnel, finance and audit, land and property and, community may substitute.~~**
 - e) Require all members and substitute members of the Planning Committee to attend planning induction **and annual planning** training.
 - f) Require that a summary of the material and non-material points discussed on each planning application be included within the minutes of the respective meeting; where an objection is raised for which the matter is subsequently determined by the regulatory authority committee, the Planning Committee **shall be required to may** nominate a speaker on behalf of the Town Council – equally where an application is supported then consideration must be given to the expediency of a speaker being nominated.

- g) Require that members appointed as Chair/Vice-Chair of the Council/Committees/Groups shall undertake formal training within six months of the appointment unless formal training has been received in the past three years.
46. The Chair of a Committee/Group may convene a special meeting of that Committee/Group at any time, in consultation with the respective lead officer.
 47. A special meeting shall also be convened, in consultation with the lead officer, on the requisition in writing of not less than a quarter of the members of the Committee/Group delivered to the Chief Executive Officer. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
 48. Every Committee/Group may appoint Sub-Committees/Sub-Groups for purposes to be specified by the Committee/Group, subject to the purpose falling within the remit of that Committee/Group. In the event of an advisory group being formed the terms of reference of such a group shall be clearly defined within the resolution, the tasks to be identified by reference to timescale and an end date to review the work.
 49. Every Committee, Group, Sub-Committee or Sub-Group may appoint a Vice-Chair and co-opt up to three non-voting members/individuals at any given time to assist and advise on specific, and to be stated, matters, subject to this being within the respective role and remit of that Committee/Group and the provisions as outlined under Standing Order No. 45.
 50. The Standing Orders on rules of debate and the Standing Order on interests of members in contracts and other matters shall apply to Committee/Group meetings insofar as they are appropriate.

ADVISORY GROUPS AND SUB GROUPS

51.
 - a) Advisory groups, their composition and terms of reference may be formed by the Council when necessary and may include non-members who have relevant knowledge, experience or expertise.
 - b) The Chief Executive Officer shall provide a copy of the terms of reference to all members of the group.
 - c) An advisory group may make recommendations to Council.
 - d) Unless there is a Council resolution to the contrary, every group may appoint a sub-group whose terms of reference and members shall be determined by resolution of the group.

VOTING IN COMMITTEES/GROUPS (Standing Orders 13 to 15 applicable)

52. Members of a Committee/Group shall vote by a clear show of hands.
53. **The Chair of a Committee/Group shall have a second or casting vote.**

PRESENCE OF NON-MEMBERS OF COMMITTEES, SUB-COMMITTEES AND GROUPS AT MEETINGS

54. A member who has proposed a motion, which has been referred to any Committee, Sub-Committee or Group of which they are not a member, may explain their motion to the Committee, Sub-Committee or Group but shall not vote.
55. Any Council member shall, unless the Council otherwise orders, be entitled to be present as an observer at the meetings of any Committee, Sub-Committee or Group of which they are not a member and may be invited to speak at the discretion of the presiding Chair.

ACCOUNTS, FINANCIAL STATEMENT AND ESTIMATES

56.
 - a) All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually by the Responsible Financial Officer in consultation with the **Finance and Audit Committee**.

- b) The Responsible Financial Officer shall supply to each member, as soon as practicable, after each financial quarter, a statement summarising the Council's income and expenditure for the period to date and the bank balances held at that time.
 - c) The summary statement should include a comparison against the budget estimate and explain any material variances. For this purpose, 'material' shall be in excess of, or below, 15% of the total service budget estimate for income and expenditure.
 - d) A draft year end financial statement shall be presented to each member of the Council before the end of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before the end of June.
57. The Responsible Financial Officer shall supply to each member at each ordinary meeting of the Council, the schedule of payments for noting and approval. A list of all individual payments is to be regularly provided to the **Finance and Audit Committee and**, shall be signed by two members of the Council **and published on the Council's website.**
58. The Council shall approve annual written budget estimates at its meeting before the end of January. Any Committee/Group wishing to incur expenditure should give a written estimate of the expenditure recommended for the forthcoming financial year, to the Responsible Financial Officer, no later than October.

INTERESTS

59. If any member has a disclosable pecuniary or non-pecuniary interest, as defined by the Localism Act 2011 and the Council's Code of Conduct appended to these Standing Orders, including those of their husband or wife, civil partner or of any person with whom they are living as if husband or wife or as civil partners, then they shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required. The Chief Executive Officer has delegated authority to determine any requests for dispensation in accordance with the Council's Code of Conduct Dispensation Policy.
60. If any member who has at first declared a non-pecuniary interest then considers the interest to be a disclosable pecuniary interest, for which a dispensation has not been granted, they must withdraw from the room during consideration of the item to which the interest relates.
61. The Chief Executive Officer shall hold a register of member's interests as required by statute along with a record of all disclosable pecuniary and non-pecuniary interests declared by members at Council, Committee, Sub-Committee or Group meetings.
- 62. The Chief Executive Officer shall record in a book to be kept for the purpose, particulars of any notice given by any member or any officer of the Council of an interest in a contract and the book shall be open during reasonable hours of the day for the inspection of any member.**
63. a) If a candidate for any appointment under the Council is to their knowledge related to any member of or the holder of any office under the Council, they and the person to whom they are related, must disclose the relationship in writing to the Chief Executive Officer.
- b) A candidate who fails so to do shall be disqualified for such appointment and if appointed, may be dismissed without notice.
- c) The Chief Executive Officer shall report to the Council or to the appropriate Committee/Group any such disclosure. Where a relationship to a member is disclosed, the Standing Orders on interests of members in contracts and other matters shall apply.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

64. a) Canvassing³ of members of any Committee/Group, directly or indirectly, for any appointment under the Council, shall disqualify the candidate for such appointment. The Chief Executive Officer shall make known the requirement of this Standing Order to every candidate.
- b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion, but nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
65. Standing Order No. 63 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

66. a) A member may, for the purpose of their duty (but not otherwise) inspect any document in possession of the Council or a Committee/Group, and if copies are available shall, on request, be supplied with a copy.
- b) **All Minutes kept by the Council and by any Committee/Group shall be open for the inspection of any member of the Council.**
- c) The Minutes of the Council are available on the Town Council's website www.cirencester.gov.uk and at the Local Information Centre at Bingham House, Dyer Street for any member of the public to view. Photocopies can be made available on request and may be the subject of an appropriate fee.
- d) In all cases, a member or member of the public wishing to inspect or take copies of any document under the control of the Council may do so on request identifying the documents in question. Photocopies can be made available on request and may be the subject of an appropriate fee.

UNAUTHORISED ACTIVITIES

67. Unless authorised by a resolution of Council, no individual member shall in the name, or on behalf of the Council, a Committee/Group or a Sub-Committee/Sub-Group: -
- ~~i. inspect any land and/or premises which the Council has a right or duty to inspect;~~
 - i. inspect or visit, any land and/or premises which the Council owns, leases or is responsible for without the prior knowledge of the respective Lead Member and Lead Officer;
 - ii. issue requests, orders, instructions or directions to any member of staff or other Councillors;
 - iii. ~~where an individual member wishes to suggest work that needs to be carried out or for an issue to be addressed then this must be done through the respective lead member. unless this is through the respective Lead Member and Lead Officer.~~

PUBLIC QUESTIONS AND PARTICIPATION AND THE ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

68. a) **The Public and press shall be admitted to all meetings of the Council and its Committees which may, however, temporarily exclude** the public and press by means of the following resolution:
- That in the 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.
- b) The reason for exclusion shall be stated clearly, as listed below: -
- i. Personnel (e.g. the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council).
 - ii. Legal or Litigation.
 - iii. Contractual.

³ This Standing Order does not relate to the appointments of Chair of the Council/Mayor, Vice-Chair/Deputy Mayor, Lead Members or the Chairing of Committees, Sub-Committees, Groups or Sub-Groups.

- c) In the event of a decision being made, when the public and press are excluded, that decision shall be made known in public session and for the public record.
- d) In accordance with the Openness of Local Bodies Regulations 2014 the following is permitted at any public meetings of the Council/its Committees: -
 - i. Filming/taking photographs/making an audio recording of the meeting.
 - ii. To use any other means for enabling persons not present to see/hear proceedings as it takes place/later.
 - iii. To report/comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.
- e) In consultation with the Chair of the Council, the Chief Executive Officer may arrange a public forum in advance of a Council meeting at which an important matter is due to be discussed. This is to provide an opportunity for the public to have an open discussion with the Council prior to formal proceedings of the Council meeting.
- f) Members of the public who wish to submit a written question for inclusion as part of public participation at a Council/Committee meeting may do so at any time; the respective lead member, within whose remit the question falls, shall provide a response within 7 days of receipt, unless such a response is prejudicial to the Council under exemption within the Freedom of Information Act. When a written response is available at the meeting the member of the public may ask a supplementary question. Every effort will be made to respond to the question in advance of the meeting in order for a supplementary question to be prepared.
- g) If a member of the public wishes to speak at a meeting, or would like to submit a question or written correspondence they are asked to notify the ~~Chief Executive Officer~~ **respective Lead Officer** in advance of the meeting and no later than 5pm on the day before the meeting. For the purpose of public speaking, a member of the public is defined as someone who lives, has a business or represents an organisation within the electoral boundary of Cirencester.
- h) At meetings of the Council and its Committees the presiding Chair shall adjourn the meeting so as to allow members of the public to speak in relation to any business of the Council. If a member of the public wishes to speak on a matter which does not directly relate to the business of the Council, this will be at the discretion of the presiding Chair; subject to notice being given as at Standing Order 68 g).
- i) A maximum of 3 minutes is allowed per person to speak and the total length of time afforded for public participation at each meeting shall be no more than 20 minutes, subject to the extension of this time, in exceptional circumstances, being agreed by the presiding Chair.
- j) Correspondence received on a matter before Council or a Committee/Group will be considered; correspondence which does not relate to an agenda item will be tabled for information and will not be the subject of discussion.
- k) The press shall be afforded reasonable facilities for the reporting proceedings at which they are entitled to be present.
- l) **As part of its openness and transparency culture, the Council will live stream on the Council's YouTube channel and record for subsequent transmission all of its meetings of Council and Committees. The presiding Chair has the discretion to terminate or suspend the webcast if continuing the webcast would prejudice the proceedings of the meeting.**

DISTURBANCE BY MEMBERS OF THE PUBLIC AT MEETINGS

69. If a member or members of the public interrupt proceedings at any meeting, the presiding Chair may, after warning, order that they be removed from the meeting and may immediately adjourn proceedings for such period as is necessary to restore order, including the adjournment to such other date as convenient.

CONFIDENTIAL BUSINESS

70.No member of the Council or Committee/Group, Sub-Committee/Sub-Group shall disclose to any person not a member of the Council any business declared to be confidential by the Council, Committee/Group, Sub-Committee/Sub-Group.

LIAISON WITH COUNTY AND DISTRICT MEMBERS

1. The agenda for Council and Committee meetings will be sent, together with an invitation to attend, to the town's County Council Members, to the District Council and District Members for the wards of Cirencester.
72. Unless the Council directs otherwise, a copy of each letter authorised to be sent to the County or District Council shall be transmitted to the respective County Member(s) or District Member(s).

FINANCIAL MATTERS

73. a) The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following: -
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by members and local electors of the Council's accounts and/or orders of payments;
 - v. procurement policies (subject to standing order 73(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £25,000.
- b) Authority to approve orders for goods and services is as follows: -
 - i. Up to the value of £250 – all staff,
 - ii. Up to the value of £1,000 – Team Leaders and Officers,
 - iii. Up to the value of £2,500 – Senior Management Team,
 - iv. Up to the value of £5,000 – Deputy CEO,
 - v. Up to the value of £10,000 – Chief Executive Officer (CEO),
 - vi. Over the value of £10,000 – Committee (subject to pre-approved budget),
 - vii. Over the value of £25,000 – Council.
- c) Where an order for goods or services is in excess of £5,000 and below £25,000 the following procedures need to be followed: -
 - i. information relating to the justification for the purchase must be provided to Corporate Group in advance, including the respective Council minute reference, where relevant;
 - ii. three quotes must be obtained which include a break down of the costs;
 - iii. the quotes must be analysed and a brief note prepared about the preferred supplier which must then be approved by the respective lead member prior to any order being placed;
 - iv. consideration is to be given to local, added value and value for money;
 - v. at least one reference should be taken up, preferably from another town/parish council, about the preferred supplier.
- d) **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order 73(e) below**
- e) Any formal tender process shall comprise the following steps: -
 - i. a public notice of intention to place a contract to be placed in a local newspaper, social media and appropriate media outlet relevant to contract;
 - ii. to add the notice of intention to the Government's 'Contract Finder' website;
 - iii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iv. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - v. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;

- vi. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee/Group;
 - vii. Tenders may be considered and approved by Committee, subject to the project and funding being authorised by Council.
- f) Neither the Council, nor any Committee/Group, is bound to accept the lowest tender, estimate or quote.
- g) The Council shall take into consideration the Legal Topic Note published by NALC on the 24th March 2022 relating to procurement (LTN87 refers), as well as the World Trade Organisation's Government Procurement Agreement thresholds, including whether or not VAT is applicable to the contract. The current thresholds, as at 1st January 2022 are £5,336,937 in respect of a public works contract and £213,477, for any public service or supply contract.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

74. Any part of the Standing Orders, except those printed in **bold** type, may be suspended by resolution in relation to any specific item of business.
75. In addition to the annual review of Standing Orders by Council, a motion to add, vary or revoke a Standing Order, not mandatory by law, may be proposed by a special motion, the written notice whereof shall bear the names of at least three members.

GENERAL POWER OF COMPETENCE

76. a) Before exercising the power of general competence, a meeting of the Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish/town council.
- b) The Council's period of eligibility begins on the date that the resolution was made and expires on the day before the Annual Meeting of the Council that takes place in a year of ordinary elections.
- c) After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the general power of competence which was not completed before the expiry of the Council's preceding period of eligibility.

FREEDOM OF INFORMATION ACT 2000, DATA PROTECTION ACT 2018 AND GENERAL DATA PROTECTION REGULATIONS AND SMALLER AUTHORITIES (TRANSPARENCY REQUIREMENTS) (ENGLAND) REGULATIONS 2015

77. a) All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b) Correspondence from, and notices served by, the Information Commissioner shall be referred by the Chief Executive Officer to the Corporate Governance and Personnel Group. The said Group shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.
- c) Under the General Data Protection Regulations, the Council shall appoint a Data Protection Officer.
- d) The Council shall have policies and procedures in place to respond to individual exercising statutory rights concerning their personal data.
- e) The Council shall have a written policy in place for responding to and managing a personal data breach.
- f) The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- g) The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.

- h) The Council shall maintain a written record of its processing activities.
- i) The Council shall publish information in accordance with the requirements of the smaller authority transparency regulations.

RELATIONS WITH THE PRESS/MEDIA

78. a) All requests from the press or other media for an oral or written statement or comment from the Council shall be co-ordinated by the Deputy CEO in consultation with the Chair of the Council and respective lead member, unless agreed otherwise.
- b) Members shall not, in their official capacity, provide oral or written statements/articles to the press or other media on behalf of the Council unless authorised by the Chief Executive Officer in consultation with the Chair of the Council/respective lead member.

ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

79. a) In the event of an alleged breach of the Code of Conduct, revised as at June 2021, a complaint can be made to the Monitoring Officer at Cotswold District Council using the on-line general enquiry form at www.cotswold.gov.uk; alternatively, the complainant can write to the Monitoring Officer directly at Trinity Road, Cirencester, GL7 1PX.
- b) Upon notification by the District Council that it is dealing with a complaint relating to a member or non-member with voting rights of the Council, who is alleged to have breached the Council's code of conduct, the Proper Officer shall report the matter to the Corporate Group.
- c) Where the notification of a breach relates to a complaint made by the CEO/Proper Officer, the CEO/Proper Officer shall notify the Chair of the Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take.
- d) The Council may: -
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- e) Upon notification/recommendation by **Cotswold** the District Council that a member has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office but could include removing the member from a committee, group or role as lead member.
- f) Whilst the code of conduct only applies to elected and co-opted **Councillors Members** in respect of their role as **Councillors Members**, and any individual co-opted with voting rights by the Council on to a committee, all other community-led, ex-officio and co-opted appointees are expected to comply with the Council's code of conduct. In the event of an alleged breach of the code, effective from June 2021, and formal complaint through the CEO/Proper Officer, the matter will be considered for referring to the **Corporate Governance and Personnel Group** and upon recommendation to the Council could lead to the appointee ceasing in their role.
- g) **Complaints relating to breaches of Standing Orders or the Member-Officer Protocol shall be considered by the Corporate Governance and Personnel Group and upon recommendation to the Council could lead to a member being removed from a committee, group or role as lead member.**

DISTRIBUTION OF STANDING ORDERS

80. An electronic copy of these Standing Orders shall be **given made available** to each member of the Council by the Chief Executive Officer upon delivery of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct.

APPOINTMENT OF COMMITTEES AND GROUPS (including the role, remit and work programme)

Each committee and group shall be served by a minimum of 5 members. The role and remit for each committee and group can only be approved by Council, as outlined below in Standing Orders; the work programme for the year is delegated to each committee and group to determine, but must focus primarily on the projects and priorities funded through the budget estimates and outlined in the medium term financial plan.

81. CORPORATE GOVERNANCE AND PERSONNEL GROUP

- 81.1 To advise Council on administrative, policy, strategy and governance matters and to ensure the effectiveness of the Council's policies and procedures, including matters relating to devolution and local government reviews.
- 81.2 To draft the response on any consultation document which relates to the remit of the Group or which does not fall within the remit of any other Committee/Group, for consideration by Council.
- 81.3 To consider, on behalf of the Council, any matter of concern/complaint as raised through the formal complaint procedure.
- 81.4 To oversee and advise Council on human resource management, conditions of employment, staff and member training and development, staff pensions.
- 81.5 To assist the Chief Executive Officer and advise Council on any human resource matter (including vacancies which arise, annual increments and honoraria) relating to the Senior Management Team, posts with a salary in excess of £40k pro-rata and any strategic post, irrespective of salary, directly approved or appointed by Council.
- 81.6 To consider any matter of concern/complaint relating to the Member/Officer protocol and Code of Conduct in respect of any non-Councillor group/committee appointments.
- 81.7 To ensure that the Employee Handbook is up-to-date and fit for purpose.
- 81.8 To oversee the implementation of a competency-based framework and performance appraisal system.
- 81.9 To prepare and agree a work programme within the role and remit of the Group for 2024-25.

82. PLANNING COMMITTEE

- 82.1 To advise Council on any strategic planning, transport, highways or environment matter, including overseeing the preparation of a Neighbourhood Plan, the preparation of a Town Centre Masterplan and any matter relating to the Community Infrastructure Levy.
- 82.2 Delegated authority from Council to consider and respond to all planning, street naming, licensing, street trading, tree preservation, planning enforcement and other related applications, including consultations, traffic regulation orders, road closures and public rights of way and all other regulatory applications.
- 82.3 To support and advise the Neighbourhood Plan Steering Group on the preparation of a plan.
- 82.4 To support and advise on the preparation of a Town Centre Masterplan, in accordance with the Memorandum of Understanding with Cotswold District Council.
- 82.5 To prepare and agree a work programme within the role and remit of the Committee for 2024-25.

83. FINANCE AND AUDIT COMMITTEE

- 83.1 To assist the RFO with the preparation of budget estimates and Medium-Term Financial Plan for recommendation to Council.
- 83.2 To consider internal and external audit reports and make recommendations to Council on any action arising.

- 83.3 To oversee the income and expenditure of the Council in accordance with the approved budget estimates and earmarked reserves.
- 83.4 To respond to any consultation document, which relates to finance and audit.
- 83.5 To oversee matters relating to the accounts, banking and investments; and make recommendations to Council.
- 83.6 To carry out a review of the systems of internal control in March 2025.
- 83.7 To carry out a risk management review in June 2025 and ensure that all finance and audit related policies and procedures are up to date and fit for purpose including financial regulations and investments.
- 83.8 To consider applications and award grants for 2024-25.
- 83.9 Delegated authority to approve expenditure, up to the value of £25k, and to make virements within the approved budget estimates.
- 83.10 To prepare and agree a work programme within the role and remit of the Committee for 2024-25.

84. LAND AND PROPERTY COMMITTEE

- 84.1 To oversee the day to day maintenance, management, and improvements of the Town Council's land and property assets, and any land or property that the Town Council is responsible for maintaining including delegated authority to approve the leasing of land or property, consents for events, fees and charges, use of plastics, approving catering/refreshment licences and the operation of sluice gates.
- 84.2 To oversee the Town Council's response to environment issues, including fly-posting and improvements to the public realm and public space protection order issues such as litter, dogs on leads and dog fouling.
- 84.3 To consider and approve the sale or purchase of land up to the value of £5,000.
- 84.4 To make recommendations to Council on the sale and purchase of land over the value of £5,000.
- 84.5 To oversee the effectiveness of the Emergency Planning and Flood Plan Policy and to advise Council on such issues, including our winter response support to the County Council.
- 84.6 To oversee partnership and volunteering initiatives including effective liaison with, and support to, 'friends of' and local community groups such as the Phoenix Gardeners.
- 84.7 To liaise with local sports clubs and activity providers, supporting joint initiatives relating to provision of, and access to, sport and recreation.
- 84.8 To oversee the delivery and project management of any tendered or procured service, consultancy appointment, land or buildings project which has been approved by Council over the value of £25k.
- 84.9 To consider and approve use of the Council's assets to generate revenue income, including annual approval of the fees and charges relating to land and property.
- ~~84.10 To oversee the implementation and delivery of the Open Space and Amenity Land Review, under delegated authority of Council. N.b. superseded by the Green Spaces Strategic Review~~
- 84.10 Delegated authority to approve expenditure, up to the value of £25k, and to make virements within the approved budget estimates.
- 84.11 To prepare and agree a work programme within the role and remit of the Committee for 2024-25.

85. COMMUNITY SERVICES COMMITTEE

- 85.1 To oversee and deliver initiatives which relate to supporting the local community (including children and young people) and local business, including the allocation of ward-based community projects funding, as approved by Council.
- 85.2 To oversee the management and delivery of events and markets, including the Charter Market (including all aspects relating to charitable status) Mop Fair and Christmas in Cirencester.
- 85.3 To oversee the maintenance of town centre CCTV and liaise with the Police and relevant partners and stakeholders on issues relating to CCTV and community safety.
- 85.4 To ensure that the local needs of children and young people are identified and that through the Ozone initiative the Town Council takes a lead role in seeking to meet such needs, encouraging a multi-agency partnership approach.
- 85.5 To work collaboratively with twinning and friendship groups on civic twinning events and to build on the town's twinning and friendship links, subject to budget, including Itzehoe, Germany, Saint-Genis-Laval, France and Bathurst, Australia.
- 85.6 To oversee delivery of the Council's communications plan, and ensure the effective promotion and awareness of all that the Council does for and on behalf of the community; ensuring that the public is able to communicate effectively and engage with the Council towards shaping how social, economic and environmental needs are met. Inclusive of overseeing the preparations for the Annual Meeting of the Town.
- 85.7 To oversee and support partnership and volunteering initiatives with local community groups, ensuring effective community representation in each ward.
- 85.8 To oversee and approve, under delegated authority of Council, partnership arrangements and support to the Cirencester Community Development Trust and The Steadings Community Management Trust.
- 85.9 To lead on supporting the business briefing group and provide town centre business and community support, advising on and assisting, subject to funding and resources, initiatives which promote the local economy and tourism.
- 85.10 To oversee the day to day management and running of the Local Information Centre **in liaison with the Office Services Team and respective Lead Officer.**
- 85.11 To consider and approve fees and charges relating to community services.
- 85.12 **Delegated authority to approve expenditure, up to the value of £25k, and to make virements within the approved budget estimates.**
- 85.13 To oversee the delivery and project management of any tendered or procured service, consultancy appointment, which has been approved by Council over the value of £25k within the remit of Community Services.
- 85.14 **To prepare and agree a work programme within the role and remit of the Committee for 2024-25.**

86. CLIMATE AND ENVIRONMENT COMMITTEE

- 86.1 To initiate and oversee the process of Cirencester Town Council becoming a carbon neutral organisation no later than 2030, reporting progress to each meeting of Council.
- 86.2 To prepare and oversee the delivery of an Action Plan which reduces the carbon footprint of the Council and prepare an annual achievements and progress report for the Annual Meeting of the Town.

- 86.3 To lead on projects and liaise with other committees/groups within the Council, establishing sub-groups/working groups as and when necessary to reduce the carbon footprint of the Council and improve sustainability, the environment and bio-diversity that the Council is responsible for.
- 86.4 ~~To encourage oversee a ward member led, community, competition in 2023-24~~ **community initiatives** to reduce our carbon footprint as a town through exploring lifestyle changes which contribute towards sustaining our social, environmental and economic well-being.
- 86.5 To encourage the co-operation of local organisations in endeavours to become more ecologically sustainable in their practices and/or work on initiatives to reduce and/or mitigate against the effects of climate change.
- 86.6 To encourage constructive links with Cotswold District Council (CDC) and Gloucestershire County Council (GCC), along with other bordering Parish Councils, concerning best practice and joint initiatives.
- 86.7 **Delegated authority to approve expenditure, up to the value of £25k, and to make virements within the approved budget estimates.**
- 86.8 To oversee the delivery and project management of any tendered or procured service, consultancy appointment, which has been approved by Council over the value of £25k within the remit of Climate and Environment.
- 86.9 **To prepare and agree a work programme within the role and remit of the Committee for 2024-25.**

87. HEALTH AND SAFETY GROUP

- 87.1 To oversee arrangements relating to health and safety and ensure risk assessment compliance.
- 87.2 To carry out a safety audit of systems and procedures, to ensure compliance, and recommend actions to Council.
- 87.3 To review safety training arrangements for staff and members including the adequate provision and availability of personal protective equipment.
- 87.4 To oversee and support the working environment audit.
- 87.5 To review the health and safety aspects of the organisational response to, and impact of, local emergencies, ~~as well as wider pandemics such as COVID-19:~~ **including pandemics and any national emergency which has a local impact.**
- 87.6 **To oversee the introduction of a plan, do, check, act health and safety management system.**
- 87.7 **To co-opt staff safety representatives in respect of the office, grounds and markets/events operations of the Council.**
- 87.8 **To prepare and agree a work programme within the role and remit of the Group for 2024-25.**

Updated: March 2024
Adopted by Council: May 2024

Agenda Item 7 - REPRESENTATIVES ON OUTSIDE BODIES AND PARTNERSHIPS 2024-25

Organisation	Representatives(s)	Meetings held and venue	Role and remit of the Group/Organisation	The purpose of having a Town Council representative.	Specific project priorities for which support is needed from or which we can partner within 2024-25	CEO Comment
Cirencester Open Air Swimming Pool Association (COASP)	Lead Member for L&P and Chair of the Council	Venue - Cirencester Open Air Pool. Meetings are usually every 4 weeks out of season and fortnightly in season.	To maintain and improve Cirencester Open Air Swimming Pool for the benefit of the local community and the wider public. The promotion of good physical and mental health for the benefit of the local community and wider public. The promotion of water safety principles. The protection of the site and the original function of Cirencester Open Air Swimming Pool as part of the local and national heritage.	Having a Town Council representative is not a requirement of our constitution, it relates to our leasing of the pool site from Cirencester Town Council and our remit to run the pool effectively and responsibly as a charity for the benefit of the people of the town.		For Info Only
Christopher & Sarah A Bowly's Almshouse Charity	Jenny Hincks Naomi Bloomer Vacant	Venue - Friends Meeting House, Thomas Street.	This Charity provides 16 almshouses for persons of limited means who live in Gloucestershire but by preference in the Parish of Cirencester or one of its adjoining Parishes	The Scheme approved by the Charity Commission states that three of the Trustees shall be appointed by Cirencester Town Council.	At present there are no plans for any projects but we would like to give an opportunity to view an empty property which will be ready to let in June time (details tbc.)	To appoint a Councillor to the vacancy

Organisation	Representatives(s)	Meetings held and venue	Role and remit of the Group/Organisation	The purpose of having a Town Council representative.	Specific project priorities for which support is needed from or which we can partner within 2024-25	CEO Comment
Friends of Cirencester Parish Church	Mayor of Cirencester	Venue – Parish Church. Meetings take place 4 times a year. The AGM is on Sunday 23rd June 2024- time to be confirmed. Future plans will be discussed at this meeting.	The Friends is a Charity (no. 272334) which was formed over 40 years ago to support the PCC in the preservation, maintenance repair and enhancement of the fabric of the Parish Church, Holy Trinity, Watermoor, and St. Lawrence, Chesterton. The Parish website gives details of the friends’ activities, https://cirenparish.co.uk/about-us/friends-of-the-parish-church/	It is written in the Constitution - point 6.3 (1b) that 'The Mayor of Cirencester, or a representative nominated by the Mayor in their place for the duration of his Mayoralty' is a member of the Council and as such, a charity trustee.		For Info Only
Cirencester Temperance Trust	Shirley Alexander Spencer Mort Jenny Hincks	Venue - Salvation Army, Thomas Street.	The Trust exists "to apply funds to further the cause of temperance, either directly or through the medium of grants or contributions in aid of the funds of any religious or other body or organisation whose objects, teachings or special activities further this cause". The trustees interpret this to include local causes which deal either directly with issues of alcoholism, drug abuse etc., or help those affected directly or indirectly by such issues - e.g. housing problems, food shortages, living conditions and family problems.	The Trust is set up to consist of a committee of:- Three representatives from Churches Together in Cirencester Three representatives from Cirencester Town Council One representative from Gloucestershire County Council		Shirley Alexander will step down if there is a Cllr who wishes to represent the Council on this Trust

Organisation	Representatives(s)	Meetings held and venue	Role and remit of the Group/Organisation	The purpose of having a Town Council representative.	Specific project priorities for which support is needed from or which we can partner within 2024-25	CEO Comment
Stratton Educational Foundation	Vacant	Venue - Stratton Rectory. Twice a year.	The aim of the Stratton Education Foundation is to provide small grants in aid of persons under the age of 25 years who, or whose parents, are resident in the Ecclesiastical Parishes of Stratton with Baunton, and who require financial help towards the cost of preparing for a profession or trade or in furthering their education, or in providing group facilities for recreation and social and physical training.	Point 3 (1) of the Charity's Scheme (dated 16th August 1973) states: 'The body of Trustees of the Foundation (hereinafter called "The Trustees") shall, when complete and except as in this clause provided, consist of seven persons, that is to say:- Two Representative Trustees to be appointed:- One by the County Council of Gloucester as Local Education Authority and One by Cirencester Urban District Council.		To appoint a Councillor to the vacancy
CCTV Partnership	Community Services Manager and Lead Member for Community Services	Quarterly GTEC Waterwells	To oversee the delivery of a partnership approach to the provision of CCTV and active monitoring.	The Town Council is a member of the Partnership.		For Info Only
Town Centre Masterplan Programme Board	Chief Executive Officer (Lead Member for Planning reserve)	Quarterly Cotswold District Council Offices, Trinity Road	To oversee the preparation of a Town Centre Masterplan for Cirencester.	To support officers at CDC and to oversee the memorandum of agreement for working collaboratively across the masterplan and Neighbourhood Plan.		For Info Only

Organisation	Representatives(s)	Meetings held and venue	Role and remit of the Group/Organisation	The purpose of having a Town Council representative.	Specific project priorities for which support is needed from or which we can partner within 2024-25	CEO Comment
Flood and River Related Issues	Land and Property Manager and Lead Member for Land and Property	Quarterly	Any groups, organisations or meetings held in respect of flooding and river related issues.	The Town Council operates two sluice gates and oversees and updates the Memorandum of Operation.		For Info Only
Neighbourhood Plan Steering Group	Chief Executive Officer – Ex-officio Lead Member of Climate and Environment Committee – Ex-officio Cllr N Robbins Cllr P Coleman Cllr A Jopp	Monthly	To deliver a community led Neighbourhood Plan; through active involvement at various stages of its development, in reviewing consultations and local planning documents, preparing a sound evidence base and being involved in and overseeing the preparing of planning policies, signposting non-planning issues and responding to planning applications and consultations.	This Steering Group has been convened by the Council and as the qualifying body is important that it has representation.		For Info Only
The Steadings Community Management Trust	Cllr A Pellegram	Quarterly	An independent, not-for-profit organisation which will own the community buildings and land within The Steadings estate for social, economic and environmental benefit, including managing and maintaining green open spaces, community facilities and services, children play areas and other community assets.	This is a planning requirement.		For Info Only

There is no longer a requirement to appoint a Councillor to the Upper Thames Catchment Partnership Steering Group. Information relating to the work of this Group will be provided to the Land and Property Committee as and when received.



CIRENCESTER TOWN COUNCIL

MINUTES of the Council Meeting held on 23rd January 2024 at 6.30 p.m. at the Winstone Learning Centre, Corinium Museum, Cirencester.

PRESENT: Councillor Sabrina Dixon – Chair of Council
Councillor Sarah Orr – Vice Chair of Council
Councillors: Nick Bridges
Naomi Bloomer
Patrick Coleman
Christine Gore
Jan Gronow
Bob Irving
Andy Jopp
Andrea Pellegram
Gary Selwyn
Pete Smith
Andrew Tubb – Chief Executive Officer
Johan Newman – Deputy Chief Executive Officer

87.24 Apologies

Councillors J Hincks, R Hughes, N Robbins and G Selwyn apologised for personal reasons, which were noted and approved.

88.24 Declarations of Interest

None.

89.24 Council Minutes

RESOLVED that the Minutes of the Meeting held on Tuesday, 14th November 2023 be approved as an accurate record.

Voting Record:	For – 10	Against – 0	Abstentions – 2	Absent - 4
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90.24 Public Participation (Standing Order 68 refers)

None.

91.24 District and County Council Participation (Standing Item)

Councillor P Coleman, as a District Councillor, reported that the Cotswold District Council was considering financial matters such as increasing parking charges, closure of some public conveniences and had reduced its telephone helpline hours.

Councillor A Jopp asked whether anyone knew when the mosaic restoration in Brewery Court would be completed. Cotswold District Council to be contacted to provide a response.

92.24 Youth Participation (Standing Item)

A report was received from the T Level Placement Student, Daniel, on the projects he was working on, including the development of a new income stream for the Council, which was noted and appreciated by Members.

It was noted that the Council was committed to providing support to young people and in conjunction with the Community Services Committee would be launching a new initiative with the schools, college and university to encourage young people to stand for election and being more proactive.

93.24 Member Participation (Standing Orders 27 to 30 refer)

None.

94.24 Delegation of Urgent and Routine Matters (Standing Order 11c) refers)

It was noted that the following matter had required urgent or routine attention under delegated authority:

- A response to the Gloucestershire County Boundary Review.

95.24 Climate and Environment Action Plan

It was noted the Climate Competition is live until 31st March 2024 and the prize is to fund local innovative eco-friendly projects. The competition has three distinct themes: increasing biodiversity, reducing waste and reducing carbon footprint. Winning proposals will be selected by an independent panel of judges and will receive funding towards delivering their project.

The first prize winner will receive an award of £1,000 towards their project, while other exceptional entries will be awarded a share of £2,000, as determined by the judges.

96.24 Schedule of Payments

- i) **RESOLVED that the schedule of payments made between October and November 2023 in accordance with the budget estimates be approved. Each individual payment has been authorised by two Councillors. A list of all individual payments is forwarded to Finance and Audit and made available on the Town Council website:**

Total payments are:

Corporate £34,451

Office £10,620

Community £49,233

Land & Property £28,087

Priority Projects/Earmarked Reserves £55,889

Salaries/NI/Tax/Pension £170,576

Voting Record:	For – 12	Against – 0	Abstentions – 0	Absent – 4
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97.24 Committee/Group Vacancies and Appointments to Outside Organisations

- i) It was noted that there are no vacancies arising on any committee/groups;
- ii) Councillor Naomi Bloomer was appointed as representative to serve on the Sarah Aldam Bowly's Almshouse Charity further to the resignation of Geoffrey Adams and a letter to formally thank Mr Adams be drafted.

Voting Record:	For – 12	Against – 0	Abstentions – 0	Absent - 4
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98.24 Corporate Peer Challenge – Progress Review Report

Members received and noted the Progress Review of the Corporate Peer Challenge carried out by the LGA on 11th October 2023. The feedback was outlined and will be referred to the appropriate group/committee. The action plan is also to be updated and considered by the Corporate Governance and Personnel Group.

99.24 Income and Expenditure Update and Variance Report

Members received and noted the Income and Expenditure Update and Variance Report for the period April to December 2023.

It was noted that 'material' variations have been defined by Council as being 15% above or below the respective percentage for the 'total' service budget.

Concern was raised with regard to the variances and provision of further detail. The RFO confirmed that in respect of markets and events, that this had been raised with the respective Lead Officer and Lead Member and that consideration is being given to reformatting financial reports with more detail.

100.24 Budget Consultation 2024-25

Members received and noted feedback from the budget consultation through the Commonplace platform. Whilst the response rate was low, feedback would be used as guide in considering the budget estimates.

101.24 Budget Estimates 2024-25

Members considered the Budget Estimates for 2024-25, which incorporated information relating to the fees and charges, as approved by the respective Committees. The financial risks, proposed decreases and increases in income and expenditure and Councillors basic allowances were also outlined.

It was noted that Council needed to increase its reserves, as advised by the internal and external auditor and allocate funds for priority projects such as the Norman Arch and Cottage and the Amphitheatre. The Council continues to provide value for money, and enhance services delivered by other providers, such as gritting a much wider area in the town, but also recognising the importance of providing guidance through different means to those facing financial difficulties.

After discussion, it was **RESOLVED that the Budget Estimates for 2024-25 be approved at £1,673,300.**

Voting Record:	For – 12	Against – 0	Abstentions – 0	Absent - 4
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102.24 Medium Term Financial Plan 2024-25

Members considered a report detailing the Plan for 2024-25, covering the period up to 2028-29, including the detailed background and fiscal planning.

RESOLVED that the draft Medium Term Financial Plan be approved.

Voting Record:	For – 12	Against – 0	Abstentions – 0	Absent - 4
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103.24 Local Council Tax Precept 2024-25

Members considered the Local Tax Precept for 2024-25, which was based on the budget estimates for 2024-25. The report included information on how the precept data is calculated, the impact on a Band D equivalent the tax base and comparison precept data.

It was recognised that there are families and individuals who are in financial difficulties and the Council wanted to ensure that it widely publicised financial support information, such as Cotswold District Council Tax Support, Citizens Advice Bureau and energy bills support.

RESOLVED that the Council approves the precept for 2024-25 and recorded vote as follows:

For:

Sabrina Dixon
Sarah Orr
Nick Bridges
Patrick Coleman
Christine Gore
Jan Gronow
Bob Irving
Andy Jopp

Against:

Naomi Bloomer

Andrea Pellegram
Gary Selwyn
Pete Smith

Voting Record:	For – 11	Against – 1	Abstentions – 0	Absent - 4
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104.24 Announcements

None.

105.24 Correspondence

- a) Council Information Booklet – Members noted the Meetings update within the booklet and the weekly information sheet circulated electronically.
- b) Correspondence – None.

106.24 Exempt Information

Public Bodies (Admission to Meetings) Act 1960 section 1 extended by the Local Government Act 1972 section 100.

RESOLVED that in view of the confidential nature of the business about to be transacted, it was in the opinion of this Council and advisable in the public interest, that the public and press be excluded and withdraw from the meeting.

Voting Record:	For – 12	Against – 0	Abstentions – 0	Absent - 4
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107.24 Norman Arch and Cottage - Tender

Members considered the arrangements for the tender in respect of improvements to the Norman Arch and Cottage.

RESOLVED that the Council commission a tender process and subject to costs and the Green Spaces Strategic Review, that refurbishment work commence late summer/early autumn.

Voting Record:	For – 12	Against – 0	Abstentions – 0	Absent - 4
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The meeting closed at 7.47 p.m.

Councillor Sabrina Dixon
Chair of the Council

PART TWO
CONFIDENTIAL

COUNCIL MEETING HELD ON TUESDAY, 23RD JANUARY 2024

108.24 Norman Arch and Cottage - Tender

Members considered the arrangements for the tender in respect of improvements to the Norman Arch and Cottage.

After discussion, it was **RESOLVED** that the Council commission a tender process through James Slater, the tender document be based on the listed building consent and conditions for works, in the spring for refurbishment works to commence late summer/early autumn, subject to costs and Green Spaces Strategic Review. Works to be part funded in 2024-25 at a minimum of £35,000 and potential capital funding in 2025-26 of £160,000.

Voting Record:	For – 12	Against – 0	Abstentions – 0	Absent - 4
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The meeting closed at 7.47 p.m.

Councillor Sabrina Dixon
Chair of the Council



Agenda Item 17 - Climate and Environment Action Plan



In 2019, Cirencester Town Council declared a Climate Emergency; this is because the Council acknowledged that the Intergovernmental Panel on Climate Change (IPCC) released a special report in October 2018 on the subject of 'Global Warming of 1.5°C'.

The report stated that:

- human activity has already caused 1°C of warming to the earth;
- to limit warming to 1.5°C, it will be necessary to halve global carbon emissions by 2030 and to achieve near-zero net emissions by 2050;
- the consequences of 2°C warming is significantly worse than 1.5°C warming across all areas considered in the report.

Extreme weather events happening now can be attributed with confidence to warming at this scale, and the impacts of climate breakdown are already causing serious damage around the world. The UK faces damaging local impacts related to extreme heat, water shortages, sea level rise, and global impacts such as food price shocks and greatly increased migratory pressures.

The Climate Change Advisory Group has already made good progress in starting to audit and benchmark the Council's carbon footprint, the leasing of vehicles and equipment, banking arrangements and investments and switching energy tariffs.

We have also significantly minimised the number of in person meetings and have introduced flexible arrangements for working from home, reducing the need to travel. Our Council and Committee meetings are now streamed live via YouTube, reducing the need for members of the public to physically travel to our meetings.

We are also printing less and using less plastic; thinking more about how we can re-use and recycle. Our open spaces are also important for bio-diversity as well as contributing positively to the climate, this means less manicuring and more appropriate management with partners such as the Gloucestershire Wildlife Trust.



The purpose of this action plan is to record and reference each of the group's priorities in a SMART way as per the template below:

Ref	Specific	Measurable	Achievable	Relevant	Timeframe	Financial	Notes (Lead responsibility)
<i>colour coded tracking ref</i> <i>red = delayed start</i> <i>amber = in progress</i> <i>green = complete</i> <i>no colour = update is before start date and no work has commenced on priority</i>	<i>brief description of strategic priority</i>	<i>bullet point outputs</i>	<i>coded reference identifying how achievable the output is</i> <i>1 = directly deliverable by CTC</i> <i>2 = directly deliverable by third party</i> <i>3 = jointly deliverable/joint responsibility of CTC and third party(ies)</i> <i>4 = outside of CTC direct control – impact and influence to be monitored by CTC</i>	<i>priority origin i.e. public consultation, neighbourhood planning, community plan, planning concept statement</i>	<i>where a priority is a task and finish project, to identify the earliest date by which the project is to be completed; where a project is not task and finish it will be denoted as ongoing</i>	<i>coded reference:</i> <i>1 = funding identified and available in approved CTC budget/medium term financial plan</i> <i>2 = funding needed by CTC to deliver project, to be identified in the budget or raised through precept/external grant or partner funding</i> <i>3 = delivery is dependent on third party funding</i> <i>4 = funding not required</i>	<i>notes for monitoring progress and any arising issues</i> <i>(lead officer and lead committee/group to be identified for providing updates and overseeing delivery)</i>

Ref	Specific Description of Strategic Priority	Measurable Outputs	Achievable	Timeframe a. start date b. estimated completion	Financial	Lead Points of Contact	Information and Updates
1	To audit and benchmark the carbon footprint of Cirencester Town Council	Arrange annual carbon footprint assessment Benchmark against other local councils	1	a. August 2022 b. ongoing	1	Chief Executive Officer Chair of the Climate Change Advisory Group	A Carbon Footprint Appraisal has been undertaken by Carbon Footprint Ltd each year since 2021. CTC submitted the 2022-23 report to the Carbon Footprints public database. The 2023-2024 carbon footprint has been commissioned.
2	To encourage the co-operation of local organisations in endeavours to become more ecologically sustainable in their practices and/or work on initiatives to reduce and/or mitigate against the effects of climate change with a focus on biodiversity net gain and nature recovery,	To lead by example through what we do internally and support CDC on the clean and green projects – we do what we can in a sustainable a way as possible	3	a. September 2022 b. June 2024	1	Chief Executive Officer Land and Property Manager Chair of the Climate Change Advisory Group	CTC is leading on a working sub-group, with representatives from the Friends of the Gumstool Brook, for a one-day Climate and Environment Symposium at the Royal Agricultural University on the 12 June 2024. The Symposium has secured funding from the Winstone Trust. Lead Officer attended GCC Biodiversity week kick off meeting to give Town Council level input. The LIC has joined the Green Tourism certification programme which recognises the commitment of tourism businesses which are actively working to become more sustainable. The bronze, silver and gold awards are recognised as a benchmark of good environmentally friendly practice and a way of promoting this to eco-minded tourists (Award pending).
3	To encourage behavioural change and modal shift, reducing reliance and sole and individual use of CO2 emission vehicles	To raise awareness and host a community workshop to consider ways of achieving modal shift and behavioural change and explore options for community pilots; link with establishing multi modal mobile hubs – see community engagement ref 8 and also ref 1 (multi modal mobile hub)	1	a. August 2022 b. March 2023 b. Sept 2023 (at the earliest)	4	Chief Executive Officer Chair of Council Chair of the Climate Change Advisory Group Lead Member for Land and Property	This links directly to strategic work being undertaken by GCC and CDC, which is supported by CTC. It also forms part of the 20-minute neighbourhood concept being considered as part of the preparation of the Neighbourhood Plan The revised Active Travel Map has been published and is available, free of charge, from the LIC. Two electric vans have joined the Land & Property fleet, with electric charging infrastructure installed in the Abbey Grounds Depot. Options to add publicly accessible charging at Kingshill are also being explored

Ref	Specific Description of Strategic Priority	Measurable Outputs	Achievable	Timeframe a. start date b. estimated completion	Financial	Lead Points of Contact	Information and Updates
4	Commit to becoming a carbon-neutral organisation by 2030, to include scope 1, 2 and 3 emissions	To be assessed and scoped for consideration by the Climate and Environment committee. Commit to a carbon reduction target	1	a. November 2022 b. January 2030	2	Chief Executive Officer Chair of Council Chair of Climate & Environment	Annual assessment to monitor progress on reducing carbon footprint – target waste, fuel and electricity usage in 2023-24. CEO prepared a report with a draft roadmap and interim targets. Staff and Member event in November generated practical ways in which we can reduce our carbon footprint; CTC staff away day was climate themed and generated further everyday changes that have been put into practice.
5	Switch to 100% renewable energy use across the council's land and buildings, rented or owned by the Council	Check scope and type of renewable energy tariff, including response to climate emergency by energy suppliers.	1	a. April 2024 b. March 2025 / ongoing.	4	Chief Executive Officer Chair of Council Lead Member for Land and Property Land and Property Manager	CTC energy usage included in rent and service charge for Bingham House. Smart Meters installed at Bingham House and across CTC sites. Leases run until 2028. Current tariffs on CTC owned sites are not 100% renewable energy. Opportunity to renew CTC owned sites tariff comes in 31 st March 2025; this should include securing lower overnight charging rates for electric vehicles at the depot. Agreed Council should go directly to 100% renewable energy suppliers for quotes.
6	Community Engagement	To lead on community engagement and awareness campaign including schools, business and local community Create a local hub for climate and environmental advice Support Cotswold District Council's clean and green public initiatives and facilitate events such as big clean-up/recycling/re-purposing.	1 / 3	a. September 2022 b. May 2023 b. January 2024	4	Chief Executive Officer Chair of Council Chair of Climate & Environment	There is a permanent information board in the LIC, alongside a leaflet and dedicated climate web page. LIC is a litter pick hub on behalf of CDC's clean and green team where the community can borrow litter pick equipment. The theme of the Community Services Big Lunch in 2024 is sustainability, including reusing and repurposing and growing your own food.

Ref	Specific Description of Strategic Priority	Measurable Outputs	Achievable	Timeframe a. start date b. estimated completion	Financial	Lead Points of Contact	Information and Updates
7	Stakeholder Engagement and Partnership Working	Encourage constructive links with Cotswold District Council (CDC) and Gloucestershire County Council (GCC), along with bordering Parish Councils on best practice and joint initiatives; including Youth Climate Group run by Creative Sustainability in Stroud	1	a. September 2022 b. October 2023	2	Chief Executive Officer Chair of Council Chair of Climate & Environment	Lead Officer invited to GCC climate engagement meetings. A successful Climate Competition and The Big Lunch have created networking and possible partnership opportunities with Youth Climate Group.
8	Roadmap Delivery 2024-25	To deliver the roadmap to net zero by 2030	1	a. April 2024 b. March 2025	4	Lead Officer Chief Executive Officer	Climate Committee are responsible for delivering the roadmap. Q1. <ul style="list-style-type: none"> Offset the green-house gas emissions for 2021-22 Update: Will create a specific carbon reduction target and include this in the roadmap, along with further research to measure the carbon and ecosystem impact of work that the Council is already involved with, how it might be possible to obtain carbon ecosystem credit certification of work on our own land, and to revisit GHG offsetting in April 2025 when we may better understand our unavoidable carbon production. <ul style="list-style-type: none"> confirm all sites using renewable energy tariff review energy usage across all sites introduce annual energy audit Update: See No 5 above. Q2. <ul style="list-style-type: none"> data collection 2023-24 carbon assessment commission carbon footprint assessment for 2023-24 – completed March 2024 evaluate travel to meetings/conferences and events 2023-24 define essential/preferred travel options, local, national and international office services and LIC resources and supply chain screening Q3. <ul style="list-style-type: none"> evaluate transition to electric vehicles evaluate installation of charging points community services resources and supply chain screening L&P resources and supply chain screening Q4. <ul style="list-style-type: none"> Corporate resources and supply chain screening Evaluate budget and medium-term financial planning impact

Agenda Item 19 - Record of Attendance

May 2023 – April 2024

(Councillors please contact Johan Newman at johan@cirencester.gov.uk in advance of the meeting should you have any queries about your record of attendance)

MEETING	COUNCIL 5				PLANNING COMMITTEE 10				CORPORATE GOVERNANCE & PERSONNEL GROUP 4			
TOTAL NO OF MEETINGS												
	Meetings Attended	Personal Apologies	Business Apologies	Absent (no apology received)	Meetings Attended	Personal Apologies	Business Apologies	Absent (no apology received)	Meetings Attended	Personal Apologies	Business Apologies	Absent (no apology received)
NAME												
Councillor Naomi Bloomer	5	-	-	-	-	-	-	-	2 +	-	-	-
Councillor Nick Bridges	5	-	-	-	2** 3 *	-	-	-	1* 1*	-	-	-
Councillor Patrick Coleman	4	1	-	-	-	-	-	-	4	-	-	-
Councillor Sabrina Dixon	5	-	-	-	6	4	-	-	4	-	-	-
Councillor Christine Gore	4	1	-	-	-	-	-	-	-	-	-	-
Councillor Jan Gronow	5	-	-	-	8#	1	-	-	-	-	-	-
Councillor Mark Harris	3	1	-	1	-	-	-	-	4	-	-	-
Councillor Jenny Hincks	2	3	-	-	7	3	-	-	-	-	-	-
Councillor Roland Hughes	2	3	-	-	-	-	-	-	-	-	-	-
Councillor Bob Irving	5	-	-	-	10	-	-	-	-	-	-	-
Councillor Andrew Jopp	5	-	-	-	8	2	-	-	3	1	-	-
Councillor Sarah Orr	5	-	-	-	1*	-	-	-	-	-	-	-
Councillor Andrea Pellegram	5	-	-	-	-	-	-	-	-	-	-	-
Councillor Nigel Robbins	4	1	-	-	-	-	-	-	-	-	-	-
Councillor Gary Selwyn	4	1	-	-	1**	-	-	-	4	-	-	-
Councillor Pete Smith	4	1	-	-	-	-	-	-	-	-	-	-

Personal Apology – A personal apology relates to being absent for a non-Council related reason;

Business Apology – A business apology relates to being absent for a Council related purpose/acting on behalf of the Council at another meeting;

Absent – Where a Member is shown as being absent it means that no apology was given before/after the meeting for not having attended.

- means that the Member is not on that respective Group/Committee

* means substitute

** means observer

+ means resigned

means passed away March 24

MEETING	FINANCE AND AUDIT COMMITTEE				HEALTH AND SAFETY GROUP				CLIMATE & ENVIRONMENT COMMITTEE			
	3				No Meetings				4			
TOTAL NO OF MEETINGS												
	Meetings Attended	Personal Apologies	Business Apologies	Absent (no apology received)	Meetings Attended	Personal Apologies	Business Apologies	Absent (no apology received)	Meetings Attended	Personal Apologies	Business Apologies	Absent (no apology received)
NAME												
Councillor Naomi Bloomer	-	-	-	-			-	-	1*	-	-	-
Councillor Nick Bridges	-	-	-	-		-	-	-	3	1	-	-
Councillor Patrick Coleman	-	-	-	-		-	-	-	-	-	-	-
Councillor Sabrina Dixon	3	-	-	-		-	-	-	4	-	-	-
Councillor Christine Gore	-	-	-	-		-	-	-	3	1	-	-
Councillor Jan Gronow	-	-	-	-		-	-	-	-	-	-	-
Councillor Mark Harris	2	1	-	-		-	-	-	1*	-	-	-
Councillor Jenny Hincks	2	1	-	-		-	-	-	-	-	-	-
Councillor Roland Hughes	-	-	-	-		-	-	-	-	-	-	-
Councillor Bob Irving	1*	-	-	-		-	-	-	-	-	-	-
Councillor Andrew Jopp	2	1	-	-		-	-	-	4	-	-	-
Councillor Sarah Orr	3	-	-	-		-	-	-	4	-	-	-
Councillor Andrea Pellegram	2	1	-	-		-	-	-	-	-	-	-
Councillor Nigel Robbins	1	1	-	-		-	-	-	4	-	-	-
Councillor Gary Selwyn	-	-	-	-		-	-	-	-	-	-	-
Councillor Pete Smith	-	-	-	-		-	-	-	4	-	-	-

MEETING	LAND & PROPERTY COMMITTEE				COMMUNITY SERVICES COMMITTEE			
TOTAL NO OF MEETINGS	6				5			
	Meetings Attended	Personal Apologies	Business Apologies	Absent (no apology received)	Meetings Attended	Personal Apologies	Business Apologies	Absent (no apology received)
NAME								
Councillor Naomi Bloomer	5	5	-	-	5		-	-
Councillor Nick Bridges	6	-	-	-	4	1	-	-
Councillor Patrick Coleman	1**	-	-	-	-	1**	-	-
Councillor Sabrina Dixon	2	4	-	-	-	4	1	-
Councillor Christine Gore	-	-	-	-	-	-	-	-
Councillor Jan Gronow	-	-	-	-	-	4#	-	-
Councillor Mark Harris	-	-	-	-	-	-	-	-
Councillor Jenny Hincks	-	-	-	-	-	-	-	-
Councillor Roland Hughes	-	-	-	-	-	-	-	-
Councillor Bob Irving	5	1	-	-	-	1**	-	-
Councillor Andrew Jopp	-	-	-	-	-	-	-	-
Councillor Sarah Orr	-	-	-	-	-	5	-	-
Councillor Andrea Pellegram	5	1	-	-	-		-	-
Councillor Nigel Robbins	-	-	-	-	-	-	-	-
Councillor Gray Selwyn	6	-	-	-	-	2	3	-
Councillor Pete Smith	-	-	-	-	-	4	1	-

Cirencester Town Council

Internal Audit Report 2023-24 (Second Interim Up-date)

Prepared by Chris Hackett

*For and on behalf of
Auditing Solutions Ltd*

Background and Scope

The Accounts and Audit Arrangements introduced from 1st April 2001 require all Town and Parish Councils to implement an independent internal audit examination of their Accounts and accounting processes annually with the results reported in the Annual Governance and Accountability Return (AGAR) submitted to the External Auditor. The Council has complied with the requirements in terms of independence from the Council decision making process with Auditing Solutions Ltd appointed to undertake the internal audit function on behalf of the Council.

This report sets out those areas examined during the course of our second interim review, undertaken on the 5th March 2024 together with our preparatory work. It does not repeat the findings from our first review, although a consolidated report will be issued after our final 2023-24 audit planned for June 4th 2024.

Internal Audit Approach

In undertaking our review for 2023-24, we have again had regard to the materiality of transactions and their susceptibility to potential mis-recording or misrepresentation in the year-end Statement of Accounts. Our approach is designed to enable us to gather sufficient evidence to complete the Internal Audit Certificate which is part of the Council's AGAR. This requires us to give assurance on specified control objectives. In addition, our programme of cover is designed to afford appropriate assurance that the Council has robust financial systems in place that operate in a manner to ensure effective probity of transactions and to afford a reasonable probability of identifying any material errors or possible abuse of the Council's own and the national statutory regulatory framework. In doing this we undertake a mix of 100% substantive or selected sampling techniques where considered applicable.

Overall Conclusion

We are pleased to report that, on the basis of the work undertaken to date this year, we are able to conclude that the Council continues to operate effective financial control systems. We will extend our testing at our final visit in the summer before signing off the Internal Audit Report in the AGAR.

We would like to record our thanks to Officers for their assistance and co-operation in providing the financial records for the purpose of our review.

Our detailed findings are set out below.

Detailed Report

Review of Accounting Arrangements & Bank Reconciliations

Our objective here is to ensure that the accounting records are being maintained accurately and currently and that no anomalous entries appear in cashbooks or financial ledgers. The Council uses the Rialtas Omega software, with separate cash books for the Current, Wages and Deposit accounts operated at Handelsbanken and for the account at the Bank of Scotland respectively. Further there is a cash book for the Visa Account, the Petty Cash account and for the CCLA deposit account. At this stage we have:

- Run a data check on the Rialtas Software at the time of our review to confirm the Ledger was in overall balance;
- For the Bank of Scotland cash book we agreed the reconciliation between the bank and the cash book at 15th December 2023 and 31st January 2024 and agreed the movements in between these dates between the cash book and the bank. We agreed also the transfer to the Visa account;
- For cash book seven (Visa Account) we agreed the payment in January 2024 to clear the card balance to the card statement;
- For cash book six, petty cash, we confirmed a reconciliation was completed in November 2023;
- For the Cash Book recording the CCLA deposit we agreed the balance reported in Rialtas of £20,000 to the CCLA statement dated 31st January 2024;
- For the Wages account cash book we agreed the reconciliation at 31st January 2024 and also the movements in in the cash book in January to the Handelsbanken printout;
- For the current account at Handelsbanken we agreed the reconciliation at 31st December 2023 and 31st January 2024 and agreed the movements in January between the bank statements and the cash book, (noting that a listing was provided for the period 25th to 31st January 2024 as the statement had not been received from the bank); and
- For the deposit account at Handelsbanken we agreed the reconciliation at 31st December 2023 and 31st January 2024 and agreed the movements in January between the cash book and the bank listing and agreed the transfers to the other accounts.

Conclusions

There are no matters arising in this area currently. The Ledger is in balance and the cash books are being regularly reconciled with no anomalous adjusting entries.

We note that a Councillor has been nominated to check the reconciliations.

We will do further checks at the year-end ensuring the balances are reported correctly in the AGAR.

Review of Corporate Governance

Our objective here is to ensure that the Council has robust corporate governance documentation and processes in place, that Council and Committee meetings are conducted in accordance with the adopted Standing Orders and that, as far as we are able to ascertain, no actions of a potentially unlawful nature have been or are being considered for implementation.

At this stage we have continued our examination of the minutes of Full Council and Committee meetings as posted on the Council website for the year to date to ensure that, as far as we can practically be expected ascertain, no issues exist affecting the Council's financial stability either in the short, medium or long-term.

We note the Council continues to post details of payments on to its website to meet the requirements of the Transparency Code.

Conclusions

There are no matters arising in this area currently. We will complete our review of minutes at our final stage review.

Review of Expenditure

Our aim here is to ensure that:

- Council resources are released in accordance with the Council's approved procedures and budgets;
- Payments are supported by appropriate documentation, either in the form of an original trade invoice or other appropriate form of document confirming the payment as due and/or an acknowledgement of receipt, where no other form of invoice is available;
- An official order has been raised for all purchases and service delivery where one would be expected;
- All discounts due on goods and services supplied are identified and appropriate action taken to secure the discount;
- The correct expense codes have been applied to invoices when processed; and
- VAT has been appropriately identified and coded to the control account for periodic recovery.

We discussed with officers the controls over the processing of payments at our first visit in October 2023, at this stage we have extended our testing, examining all those payments individually in excess of £3,000, together with a further selection of every 50th cashbook transaction (irrespective of value) to the end of February 2024. Our sample now comprises 83 payments and totals £706,848 representing 57% of all non-pay related expenditure in the year to February 2024.

We note that electronic VAT recovery claims continue to be submitted on a regular quarterly basis. We checked and agreed the quarter two and three returns to the underlying Rialtas records confirming receipt of the reclaimed amounts into the cash book.

Conclusions

There are no matters arising in this area currently, payments are supported by suitable documentation.

We will extend our testing to the year end at our final visit as appropriate.

Assessment and Management of Risk

Our aim here is to ensure that the Council has put in place appropriate arrangements to identify all potential areas of risk of both a financial and health and safety nature, whilst also ensuring that appropriate arrangements exist to monitor and manage those risks identified in order to minimise the opportunity for their coming to fruition.

We note that the Risk Management Plan was considered by the Council in June 2023 and that an updated version was reviewed at Finance and Audit Committee in February 2024. The risk assessment identifies a range of financial and governance risks, assesses them and notes the measures to manage them.

Conclusion

There are no matters to report at this stage.

Budget setting and monitoring and Reserves

Our objective here is to ensure that the Council has a robust procedure in place for identifying and approving its future budgetary requirements and level of precept to be drawn down from the District Council; also, that an effective reporting and monitoring process is in place. We aim also to ensure that the Council retains appropriate funds in general and earmarked reserves to finance its ongoing spending plans, whilst retaining appropriate sums to cover any unplanned expenditure. Consequently:

- We note that Full Council reviewed the draft 2024-25 budget at their meeting in November 2023 after initial consideration by the Finance and Audit Committee. Members were provided with a detailed narrative report to support their deliberations, this linked also to detail of changes in fees and charges, consideration of reserves, there was also a detailed analysis of income and expenditure at service level. Following public consultation Full Council approved the budget and precept at their meeting in January 2024;
- Linked to this process the Council updated its medium term financial strategy; and
- We confirmed that budget variance reports are taken to the Finance and Audit Committee during the year to facilitate monitoring of the budget.

Conclusions

There are no matters arising in this area currently. We will review balances and reserve levels in the summer after the year-end accounts are finalised.

Review of Income

Our objective here is to confirm that robust systems are in place to ensure that all income due to the Council is identified and invoiced (where applicable) in a timely manner and that effective procedures are in place to ensure that appropriate recovery is effected within a reasonable time span. At this visit we have extended our testing of income systems, specifically we:

- Confirmed receipt into the accounts in September 2023 of the final instalment of the 2023-24 precept agreeing it to the amount recorded in the minutes;
- Confirmed the Council keeps its fees and charges under review;
- Reviewed the system operated in the Local Information System for recording income, the Square system, test checking income recorded in Rialtas to the Square reports;
- Tested Other Income arising during the year, sample checking receipts from Cirencester Community Development Trust of £41,439 to emails from the paying body; and
- Reviewed the latest unpaid invoices report on Rialtas for the Sales Ledgers.

As noted previously we agreed one month's cashbook receipts to relevant bank statements and confirmed recovery of VAT.

Conclusion

There are no matters arising in this area to warrant formal recommendation currently.

Salaries and Wages

We reviewed arrangements for administering payroll at our first visit. At this stage we have:

- Sample checked the calculation of the application of the national pay award processed by the Council in November; and
- Continued our trend analysis of cash book payroll costs.

Conclusion

There are no matters arising in this area to warrant formal recommendation currently.



Council
14th May 2024

REPORT SUMMARY

AGENDA ITEM NO:	22
REPORT TITLE:	Town Centre Regeneration Project
REPORT AUTHOR:	Andrew Tubb, CEO
LEAD MEMBER:	Councillor Sabrina Dixon, Chair of Council
PURPOSE OF REPORT:	To receive a report relating to a breach of the memorandum of agreement with Gloucestershire County Council in respect of town centre maintenance of the public highway.
LEGAL:	There may be legal implications directly arising from this report.
FINANCIAL:	There are no financial implications directly relating to this report.
PERSONNEL:	There are no personnel implications directly arising from this report.
ENVIRONMENTAL:	There are no significant environmental implications directly arising from this report.
CLIMATE CHANGE:	The climate emergency declared by the Town Council in 2019 is a key consideration in how projects are delivered and opportunities for minimising the impact on, and contributing positively to, the climate.
RECOMMENDATION:	To authorise the CEO in consultation with the Chair of Council to seek a viable resolution on this matter and that until this matter is resolved that the Council suspends any payment to GCC, or participation in respect of the memorandum

1. Background

- 1.1 The Final Completion Certificate for the town centre improvement scheme was signed off by Gloucestershire County Council (GCC) on the 9th November 2023, further to the Highway Agreement being entered into on the 10th February 2016 and substantive works being completed in 2017.
- 1.2 Due to the Town Council being misinformed about blue badge parking not being permissible within a restricted parking zone and only possible within designated parking bays, and in light of concerns about parking in Dyer Street and pedestrian safety in Cricklade Street, the Town Council asked for a TRO review to rectify these issues. This request was made in 2017, part funded @ £15k by CTC. The TRO review has taken until April 2024 to be part-implemented.

- 1.3 As part of the Highway Agreement, CTC agreed to enter into a memorandum of agreement for the future maintenance of the public highway. This agreement is attached for reference.
- 1.4 The agreement ensures that when works and repairs are required that they are undertaken with exactly the same type of enhanced materials, with the Town Council contributing to the cost of the difference between basic tarmac and the enhanced material.
- 1.5 For information, the pedestrian area of the scheme in front of the Parish Church on which markets and events are held is stopped-up; this means it is no longer public highway and is maintainable directly by CTC.

2. Purpose of Report

To receive a report relating to a breach of the memorandum of agreement in respect of town centre maintenance of the public highway.

3. The Breach

- 3.1 As part of the implementation of the TRO review to extend the restricted parking zone through the whole of Dyer Street, Dyer Street was re-surfaced by GCC in March.
- 3.2 Part of Dyer Street, in front of Bingham House, formed part of the town centre improvement scheme and was surfaced with an enhanced tarmac; further to work by Thames Water which wasn't reinstated adequately, GCC instructed the Town Council to resurface this area prior to final inspection and the Final Completion Certificate being issued in November 2023.
- 3.3 In March 2024 this part of Dyer Street was excavated and replaced with basic tarmac, along with the rest of Dyer Street.
- 3.4 Concerns were raised with Kathryn Haworth at GCC who is Head of Highways as to why part of the town centre scheme had been resurfaced in this way. Ms Haworth has been contacted on a number of occasions about various highways issues and not once in recent years has she extended the courtesy of an acknowledgement or a reply to e-mails.
- 3.5 Whilst I have genuine concerns about the poor level of service, the inordinate amount of time it takes for GCC to respond to any matter and the quality of work, this report is probably not the place to vent those frustrations. The 12% public satisfaction rating in GCC speaks for itself.
- 3.6 Having raised concerns, the Area Highways Manager did contact me and explained that the engineer for the scheme:
"attended site as is the usual practice, to assess the condition of the whole carriageway and at this time, it was noted that the area of surfacing in the vicinity of Bingham Hall was beyond economical patch repair and a full resurfacing was the most cost-effective solution. There is no written report as you request, however, please find attached pre-works photographs and a copy of the covering report. The core taken at the Bingham Hall location does show signs of failure in the surface course and the major concern identified was the fact that the section comprises 25mm of 6mm CGSC, which is not normally permitted for use in the carriageway. Therefore, the visible surface course failures and incorrect material, prompted the extension to the scheme originally identified in our forward programme. Could you confirm who provided the specification for the use of 6mm material in the carriageway at this location?"

- 3.7 As far as I am aware this section of the improvement scheme was signed off by GCC, highway's development team, in terms of type of treatment, use of materials and was also signed off as satisfactory by the inspector prior to the Final Completion Certificate being issued.
- 3.8 Whilst I will be following up on this matter with our Project Consultant for the scheme, there is still a breach of the memorandum of agreement as this section of the TRO scheme should have been reinstated using exactly the same materials, as had been approved by the highway's development team.
- 3.9 There is a fundamental concern that the local highways division will simply repair and patch the whole of the town centre with basic tarmac, unless GCC is challenged robustly on this issue.
- 3.10 It is recommended that the CEO be authorised to seek a viable resolution for accountability, reinstatement and compensation, in consultation, and with the support of the Chair of Council.
- 3.11 That until this matter is resolved we suspend any payment to GCC, or participation in respect of the memorandum.

RECOMMENDATION that the CEO be authorised in consultation with the Chair of Council to seek a viable resolution on this matter and that until this matter is resolved the Council suspends any payment to GCC, or participation in respect of the memorandum

CIRENCESTER TOWN COUNCIL

and

GLOUCESTERSHIRE COUNTY COUNCIL

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT is made on the

2023.

BETWEEN

(1) **CIRENCESTER TOWN COUNCIL** of Bingham House 1 Dyer Street Cirencester GL7
2PP ('the Town Council')

and

(2) **GLOUCESTERSHIRE COUNTY COUNCIL** of Shire Hall Westgate Street Gloucester
GL1 2TJ ('the County Council')

THIS AGREEMENT WITNESSES as follows:

1. Definition

1.1 Cirencester Town Council (the Town Council) and Gloucestershire County Council (the County Council) have agreed to enter into a maintenance agreement pursuant to Section 106 of the Town and Country Planning Act 1990 and Section 278 of the Highways Act 1980 Section 111 of the Local Government Act 1972 and Section 1 of the Localism Act 2011.

1.2 This Agreement sets out the terms and conditions for this arrangement and is in respect of landscaping and engineering work associated with the revised layout of the Market Place and Cirencester Town Centre Traffic Management Scheme; the extent of the area shown at Annex A, excluding the area which is stopped up highway.

2. Maintenance Services Provided by the Town Council and County Council

2.1 The Town Council agrees with the County Council that for the period of fifteen (15) years from the date of issue of the Final Certificate the Town Council shall be responsible for payment to the County Council of the Enhanced Material Extra Over Costs that are the cost of repairs to the Works and have been calculated as set out below:

A – B where:

A = the cost of maintaining the Works with Enhanced Materials and, B = the cost of maintaining the Works with standard materials which would otherwise be used to maintain the Works where they do not comprise the Enhanced Materials.

2.2 The Town Council further agrees with the County Council that upon receipt of an Enhanced Materials Cost Notice (setting out the Enhanced Materials Extra Over Costs as identified in the sub-clause above) the Town Council shall pay to the County Council the cost of repairs set out in the said notice within twenty-eight (28) days of such service.

2.3 For the avoidance of doubt no Extra Over Costs will be payable by the Town Council to the County Council where maintenance works merely comprises the relaying of setts and/or flag stones.

2.4 The Town Council agrees to undertake remedial repairs required by the County Council, within a period of twelve months from the date of this Agreement being made, subject to the list of repairs being issued with the Final Certificate.

- 2.5 On an annual basis, in September, the Town Council agrees to clear and jet wash all drain gullies within the revised layout of the Market Place and Cirencester Town Centre Traffic Management Scheme, and on demand if there is a flooding issue.
- 2.6 The County Council agrees to maintain the revised layout of the Market Place and Cirencester Town Centre Traffic Management Scheme, excluding the stopped-up area which is the sole responsibility of the Town Council and/or freeholder of the land, using the same materials as signed off within the Final Completion Certificate.
- 2.7 The County Council agrees to ensure that all other works undertaken within the revised layout of the Market Place and Cirencester Town Centre Traffic Management Scheme, excluding the stopped-up area which is the sole responsibility of the Town Council and/or freeholder of the land, are reinstated using the same materials as signed off within the Final Completion Certificate, at no expense to the Town Council.

3. Agreement Term

The term is 15 years from the date of the Final Completion Certificate being issued by the County Council.

4. Agreement Notice and Termination of Agreement

This Agreement may only be terminated on agreement by both parties and with a minimum of twelve (12) months' notice in writing, by e-mail or letter, subject to being terminated by either party, without notice, if the other party:

commits a material breach of any of its obligations under this Agreement which it does not remedy within one month of written notice of such breach;

or

becomes insolvent; or

ceases to exist.

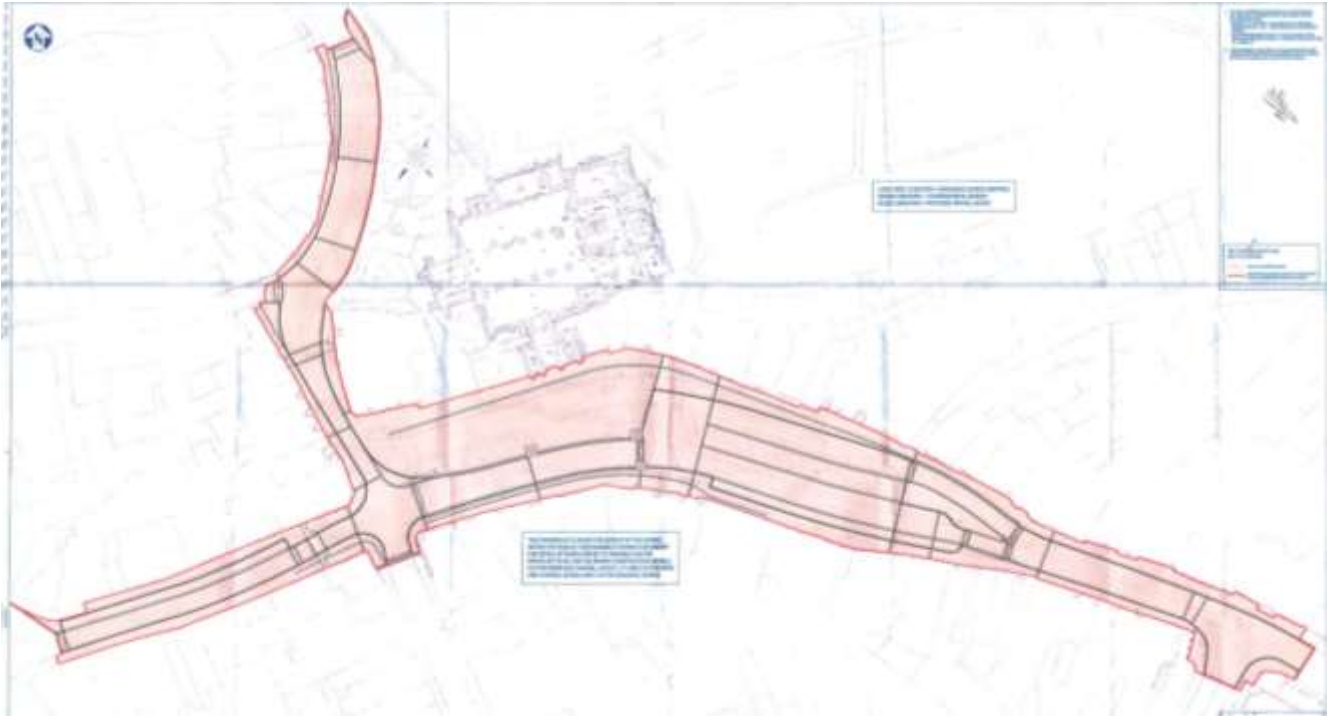
5. Funding Arrangements

The Town Council, commits to setting aside an annual sum of £20,000, index linked to CPI in an earmarked reserve, to fund the 'Enhanced Material Extra Over Costs', in accordance with the S278 Agreement and outlined in Clause 2 of this Agreement, and agrees to fund any remedial repairs issued with the Final Completion Certificate; including a minimum of £10,000 in 2023-24.

6. Variations to the Agreement

Variations to this Agreement will be confirmed in writing and duly signed by both parties.

Annex A - revised layout of the Market Place and Cirencester Town Centre Traffic Management Scheme



Stopped Up Highway

