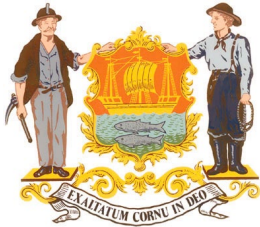


TRURO CITY COUNCIL



CITY OF TRURO

Roger Gazzard
Town Clerk

Town Clerk's Department
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CS

February 2024

YOU ARE HEREBY SUMMONED TO ATTEND A MEETING OF THE TRURO CITY COUNCIL TO BE HELD AT 7.00 pm ON MONDAY 26 FEBRUARY 2024 IN THE LARGE COMMUNITY ROOM (TOP FLOOR), TRURO COMMUNITY LIBRARY, UNION PLACE, TRURO

For the transaction of the under-mentioned business:-

- 1 **Prayers**
Prior to the formal business of the Council, Reverend Patrick Gilbert, the Mayor's Chaplain, to say prayers.
- 2 **To receive apologies for absence**
- 3 **Disclosure or Declarations of Interest**
Councillors will be asked to make disclosures or declarations of interest in respect of items on this agenda
- 4 **To confirm the Minutes of the Council Meeting (Precept) held 29 January 2024 pages 136 - 143 (Minute Nos: 317 - 330)** *(Appendix 1)*
- 5 **Open Session for Cornwall Councillors verbal, written or tabled reports (15 minutes)**
This is an opportunity to discuss Cornwall Council issues relevant to the Council. If there are any matters that require a Council decision, please notify the Town Clerk four working days before the meeting.
- 6 **Open Session for Electors of Truro – Verbal Questions (15 minutes)**
This is an opportunity for electors to raise issues with the Council. The Council is unable to make any resolutions at this meeting on any issues raised.
- 7 **To receive verbal communications from the Mayor**
- 8 **To receive Correspondence**
- 9 **Question Time pursuant to Standing Order No. 6k – Written Questions only** *(Appendix 2)*
Councillors may ask the Mayor or the Town Clerk questions in writing. A minimum Of four clear working days is required, unless the matter is urgent, when the question must be received by the Town Clerk before twelve noon of the day of the meeting.
- 10 **To receive information and/or determine action as appropriate in the following report:**

MEETING OF THE PLANNING COMMITTEE HELD 1 FEBRUARY 2024
Page Nos: 144 - 147, (Minute nos: 331 - 337) *(Appendix 3)*

MEETING OF THE PARKS AND AMENITIES COMMITTEE HELD 5 FEBRUARY 2024
Page Nos: 148 - 152, (Minute nos: 338 - 347) *(Appendix 4)*

**MEETING OF THE FINANCE AND GENERAL PURPOSES COMMITTEE HELD 12
FEBRUARY 2024**

Page Nos: 153 - 158, (Minute nos: 348 – 359)

(Appendix 5)

- 11 Exclusion Of The Press And Public**
In accordance with s1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public will be excluded from the meeting during consideration of the following items by reason of its confidential or special nature.
- 12 Antisocial Behaviour Officer Funding**
Members to consider a brief presentation by Stephen Lennon, Antisocial Behaviour Officer.
- 13 Readmittance Of The Press And Public**
Press and public will be permitted to rejoin the meeting following the conclusion of the confidential items.
- 14 Boscawen Park Tennis Courts – Draft Safeguarding Policy and Procedures**
To consider adopting the Lawn Tennis Associations' template venue safeguarding policy and procedures for Boscawen Park Tennis Courts. *(Appendix 6)*
- 15 Mayor/Deputy Mayor Selection 2023/2024** *(Appendix 7)*
In accordance with Procedural Guidance (attached). Proper Officer to report.
- 16 Langarth Garden Village Stewardship - Update** *(Appendix 8)*
Members to consider an update report provided by consultant Mark O'Brien.
- 17 Organisational Review Working Group - Meeting held on 26 February 2024**
Verbal Report by Chairman of Finance & General Purposes Committee
- 18 Proper Officer's Report**
Proper Officer to update.
- 19 Truro/Roseland Community Network Panel**
Councillor Mrs Carlyon to report.
- 20 To receive verbal or written reports of meetings or conferences attended by members**
If members wish the Council to pass resolutions based on their reports, the reports must be in writing and submitted to the Town Clerk at least four clear working days prior to the meeting.
- 21 To authorise the sealing of documents to give effect to any Resolutions passed by the Council at this meeting**

DATED this Twenty First of February, Two Thousand and Twenty Four



Proper Officer

**MEETING OF TRURO CITY COUNCIL HELD ON
MONDAY 29 January at 7.00 pm
in the Large Community Room, Top Floor, Truro Public Library**

PRESENT: Councillor Mrs Swain (Mayor), Honorary Freeman Councillor Wells, Councillors Biscoe, Mrs Carlyon, Mrs Eathorne-Gibbons, Green, Mrs La Borde, Pascoe, Rabey (Deputy Mayor), Rich, Roby, Roden, Ms Southcombe, Sunderhauf, Webb and Ms Wetherill

Also in attendance: Richard Budge, Proper Officer
Adrian Darch, Interim Responsible Financial Officer
Joanne Trevelyan, Financial Officer

APOLOGIES: Apologies of absence were received from Councillors Green, Nolan, Mrs Nolan, Sealy, Tamblyn and Unwin

PRAYERS

Prior to the formal business of the Council, The Mayor said prayers.

317 DISCLOSURES OR DECLARATIONS OF INTEREST

Councillor Wells disclosed an interest in item 11 as he is a trustee of an organisation currently in receipt of a grant from the Council. Councillor Pascoe declared an interest in item 10, Minutes of the Finance and General Purposes Committee recommendation regarding the Council's website.

318 MINUTES OF TRURO CITY COUNCIL MEETING 27 November 2023 and the associated Confidential Minute.

The minutes of the above Council meeting held 27 November were received by Council.

It was proposed by Councillor Pascoe, seconded by Councillor Roden and

RESOLVED that the Public and Confidential Minutes of Council held 27 November were considered a correct record with the following comments or corrections, that the spelling of the Interim Responsible Financial Officer be corrected to read Darch; minute 271 be amended to read that both Councillor Mrs Stokes and Mrs La Borde had submitted written questions after the deadline; that the Reverend had left the meeting after saying prayers and that the Reverend's name be removed from the Confidential minute.

319 CORNWALL COUNCIL

Councillor Wells Cornwall Councillor for Moresk & Trehaverne

Councillor Wells advised that the next stage of works had commenced in Boscawen Street at the junction of St Nicholas Street. Traffic control lights would be required during some stages of the works. Cornwall Council had begun their budget setting process and the recommendation was for a 4.99% increase in Council Tax, including the 2% levy for Adult Social Care. Despite the increase they would also be using reserves to support revenue spending. In response to a question from a Member he confirmed that the Boscawen Street works would include the removal and replacement of tarmac road surface outside Barclays Bank.

Councillor Rich, Cornwall Councillor for Tregolls

Councillor Rich advised that the Truro Harbourmaster had begun the process of removing abandoned end of life boats from the river, a power they had received following the adoption of the Harbour Revision Order. This was to be welcomed as abandoned boats were unsightly, took up mooring space and could be a source of pollution in the river. The work

done so far had done much to improve the overall look and feel of the river. He expressed disappointment that the Town Deal Board had dropped plans to improve the access to the City Centre for pedestrians. The current access was via a very depressing subway entrance which was not attractive to visitors planning to spend money in the City. He was very sorry the opportunity had been missed and hoped that in future the project would go ahead as in his view it could help transform the City.

In response to a question from a Member he was not aware of any particular arrangements regarding the provision of moorings at Malpas, however he stressed that Truro Harbour made every effort to keep the cost of moorings as affordable as possible to enable residents to use the river. He agreed to investigate further and report back to the Member concerned.

320 OPEN SESSION FOR ELECTORS OF TRURO

A Member of the public referred to an item in the budget report entitled "Martyn's Law" and the fact the Council's Emergency Committee who had advised that funding would be required to meet the requirements of impending legislation, regarding protection of events from terrorism. He asked if this funding had been allowed for in the estimates for 2024/25. The Interim Responsible Financial Officer responded that no allocation had been made at present because the extent of the detail regarding the revised Health and Safety legislation requirements for events was not yet totally clear. But wanted to flag the importance of the issue. The Mayor added that the Council was aware that all premises and event procedures would require review in light of the legislation.

In answer to a supplementary question asking if organisations such as the British Red Cross had been contacted by Truro City Council it was clarified that any such contact would be made by Cornwall Council as they had overall responsibility for emergency planning in Cornwall.

321 MAYOR'S COMMUNICATIONS

The Mayor's written communications were considered. She advised that her complete list of engagements had not been included, however she would forward this to any Member who requested to see a copy.

322 CORRESPONDENCE

There was no correspondence to report.

323 QUESTION TIME PURSUANT TO STANDING ORDER NO. 6K – WRITTEN QUESTIONS ONLY

The Mayor advised that Councillor Mrs Stokes and Councillor Mrs La Borde had submitted questions after the deadline for the 27 November Council meeting, however they had both received a written response which was included with the reports for this meeting. She advised Councillor Mrs Carlyon that her question for this meeting had been received after the deadline and confirmed that a written reply would be forwarded to the Member and that the response would be circulated to all Members at the same time.

324 COMMITTEE REPORTS

The Minutes of the meetings of the under-mentioned Committees were received by the Council, with recommendations adopted except where otherwise stated.

MEETING OF THE PLANNING COMMITTEE

4th January 2024

There were no recommendations to Council.

It was clarified that although the Vice Chairman had resigned prior to the meeting, notification had only been received the day before and as the Agenda had already been published the election of Vice Chairman was deferred to the next meeting.

MEETING OF THE PARKS AND AMENITIES COMMITTEE**8th January 2024**

The Mayor advised that the recommendation of the Parks and Amenities (minute 307) was to the Finance and General Purposes Committee not to the Council and would be considered under item 11. The Chairman of the Parks and Amenities Committee confirmed this amendment would be made to the minutes at their next meeting.

MEETING OF THE FINANCE AND GENERAL PURPOSES COMMITTEE**15th January 2024**

Councillor Mrs Carlyon advised that she had voted against the draft estimates (minute 314) and asked that her name be recorded as such.

Item	Min No.	Page no.	Recommendation from Committee	Resolution
Truro City Council Website Review	313	6/129	that; at least two members of staff be identified and given the relevant training to administer and update the website and this to be concluded by the end of the financial year and once the site was completed Councillor Pascoe will then hand over the site.	This recommendation was amended; Proposer: Councillor Eathorne-Gibbons Seconder: Councillor Biscoe 1. at least two members of staff be identified and given the relevant training to administer and update the website and this to be concluded by the end of the financial year; and 2. that immediate legal advice be sought, and delegation given to The Mayor and Proper Officer to act accordingly on the advice when received.
<p>During discussion a Member raised concerns that if this work was being carried out on a pro-bono basis by a Councillor would they be personally liable for costs following a data breach or any other legal issue with the website. During debate a number of issues were discussed, including:</p> <p>1. The Member working on the website advised that he had his own public liability insurance for other website work he undertook and during discussions with the then Town Clerk and Compliance Officer he had been advised that this would be sufficient indemnity cover. He added that the greater risk at the time was with security issues with the then website which was not able to be accessed via mobile devices.</p> <p>2. A Member raised a further concern that there was no formal contract in place for the work which was contrary to Council procedures. He suggested that the website review should be adopted as an internal staff-led project supported by the Member concerned.</p>				

3. A Member suggested that legal advice be sought, and The Mayor and Proper Officer consider the advice and act accordingly. It was questioned that if the advice given at the time was sound if there was a need for further advice to be sought.

4. The Member working on the website clarified that he had never had overall responsibility for the project. It has and would always be the Council's website, with the original content which had been moved to a modern and compliant system.

Draft Estimates 2024/2025	314	6/131	<p>that:</p> <ol style="list-style-type: none"> 1. to accept the recommendations arising from the Parks and Amenities Committee meeting held on 8 January 2024 regarding the draft estimates 2. <ol style="list-style-type: none"> a) the estimate for Lemon Quay/Events, Winter Gift Fayre for 2024-25 and future years of £55,000 costs and £75,000 income be deleted from the report b) the new fees and charges be agreed and everyone to pay fairly 3. to retain the contribution to the ASB officer as set out in the report and approach BID to discuss the possibility of funding part of the inflationary increase 5. to approve the revised estimates for 2023-24 with the above amendments 6. to agree the proposed reductions or increases set out above and incorporate into the Proposed budget for 2024-25 7. to approve the contributions to the Committee Funds 8. to approve the fees and charges as set out 	Deferred to be considered under item 11. To resolve the Precept upon Cornwall Council for 2024-2025.
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The Chairman of the Finance and General Purposes Committee advised that as all the recommendations from the Committee were incorporated in item 11 on the meeting's agenda -

To resolve the Precept upon Cornwall Council for 2024-2024 that it was in order for these to be debated and resolved under that item.

MEETING OF THE EMERGENCY COMMITTEE

19 September 2023

There were no recommendations to Council.

MEETING OF THE EMERGENCY COMMITTEE

14 November 2023

There were no recommendations to Council.

325 TO RESOLVE THE PRECEPT UPON CORNWALL COUNCIL FOR 2024-2025

The Interim Responsible Financial Officer advised Members that the summary of changes following the debate at, and recommendations of the Finance and General Purposes Committee 15th January 2024 were set out on the final page of the report. He added that the increase reflected the requirement to increase the general reserve. He recommended that, in future, Members should have the opportunity to comment on strategies such as those for Human Resources, Information Technology, Training and Renewals Programme etc, prior to the precept setting. He further recommended that the Council undertake a zero-based budget exercise to build the budget from the ground up as the process offered the opportunity to check that current estimates correctly reflected the revenue requirement to provide services and reflect the MTP (Medium Term Plan).

During discussion a number of issues were discussed, including:

1. A Member thanked the Interim Responsible Financial Officer for all his hard work in producing the budget report and the Finance Team for their lengthy work in producing the detailed estimates. She stressed that she understood many of the reasons for the increase in costs, such as the additional role of the Deputy Town Clerk, recruiting a new Town Clerk and the contribution to reserves. She expressed concerns regarding the capital projects currently underway. It was not clear if the anticipated grant funding applications to support projects such as the Boscawen Sport and Recreation Hub would be successful and what the resulting financial burden on the Council would be. She felt the residents in her ward were not clear on what services they were receiving for their precept and expressed disappointment in the regularity of planting around the City. She suggested the Council should undertake a zero-based budget exercise for 2025/26 so that all Members could understand how the estimates were calculated.

2. A Member expressed concern at the level of the proposed precept increase of 25.5% and the burden it would place on residents. He was aware that it was not the Council's money that was being spent but that of the residents. In his view the Council agreed too many acquisitions for projects such as land and building without considering the financial risk and resources required. The Council needed to carefully consider this type of spending and ensure it was affordable. He further added that he had made repeated requests for a list of projects being undertaken by the Council, so he could clearly see where and how funds were being spent but this had not been provided.

3. The Chairman of the Finance and General Purposes Committee advised that the Council were not alone in recommending a large increase in the precept this year. Other Councils had made similar recommendations, and it was clear that they faced similar cost pressures. In addition, provision had to be made in the estimates for financing leaseholder responsibilities for the repairs to the Clock Tower, an above inflation pay rise for staff and the increase in the reserves. All items were listed line by line in the estimates and whilst he would not argue against a zero-based budget exercise, he stressed that many of the increases were outside the control of the Council and where there was no option but to incur the cost. He did not like the level of increase but understood it was better to make

the hard decision this year so that a lower increase can be made in future years. Next year would see a new management team in place at the Council with the Deputy Town Clerk focussing on operational matters so there would be opportunity for the team to take a fresh look at the budgets.

4. A Member expressed the view that what the Council did was to spend money. As a result of Cornwall Council being subject to a ceiling on the amount they could levy without a referendum many services had been devolved to City, Town and parish Councils who were able to precept to provide the services. These were not insignificant services and included City Centre safety, the library which offered informal support and education, and health via the provision of toilet facilities. He suggested that the Council be realistic in how this increase would be presented to the public and include the fact that the City Council was now providing services that had been previously the responsibility of Cornwall Council. In his view residents understood this structural adjustment of service provision. He thanked the Interim Responsible Financial Officer and the Chairman of the Finance and General Purposes Committee for all their hard work to produce the estimates.

5. A Member advised that no-one would say that they wanted a 25% increase in the precept, however the increase would amount to approximately £1.50 per week and the Council had so far not had to cut services or staff. He added that residents he spoke to were initially angry and concerned about any increase, however when the reasons for the increase were explained he felt they understood. Many Councils were in a worse financial position than Truro and whilst he did not want a 25% increase, he would support it.

6. A Member, who is also a Cornwall Councillor expressed the view that in terms of positively resolving concerns and issues for his residents, it was his work at Truro City Council which was the most effective. He would be happy to explain to residents the reasons behind the increase. The decision may not be popular, but it was the right one for the Council. He added that he was incredibly proud of the Council and that it really did make a difference to people's lives. The Council needed to take this difficult decision now to avoid financial difficulties in the future.

7. A Member supported many of the points raised in the debate and added that the increase was £1.56 per week, and this should be communicated in context together with a summary of the whole of the services provided by the Council. He added that he would support the zero-based budget exercise if it would first be considered by the Finance and General Purposes Committee and an estimate of costs sought before commencement.

8. A Member also supported many of the points raised, they stressed that a way must be found to explain the increase in a positive manner via the Council's website and through any other appropriate channels. In her view residents could not fail to agree with the services provided by the Council but need to know the cost of these services. She did not like the increase, as it was a huge rise, but would support it because she knew and understood the reasons for the increase. The Mayor advised that a press release had been drafted ready to be released following the meeting.

9. A Member suggested that when considering the fees and charges some flexibility to offer discounted rates should be included to allow for marketing the Municipal Building as and when the rooms became available.

It was proposed by Councillor Roden, seconded by Councillor Wells and

RESOLVED

1. to approve the precept upon Cornwall Council for 2024-2025 set at £3,005,618 and the Revised Estimates 2023-24 as set out in the estimates report including the recommendations of the Parks and Amenities Committee and the Finance and General Purposes Committee; and

2. to agree the schedule of fees and charges for 2024/25 and delegate to the Proper Officer and Mayor to consider and agree any relevant discounts.

It was proposed by Councillor Wells, seconded by Councillor Eathorne Gibbons and

RESOLVED to instruct the Finance and General Purposes Committee to consider the resources and costs involved in a zero-based budget exercise next financial year.

It was proposed by Councillor Biscoe, seconded by Councillor Swain (Mayor) and

RESOLVED to pass on Councillors sincere thanks to all those who worked on the budget setting process.

326 MEMBERSHIP OF THE PLANNING COMMITTEE

The Chairman of the Planning Committee advised that there were currently vacancies on the Committee and encouraged Members to put themselves forward for what was, in his view, an important and interesting part of the Council's work. The Mayor added that as committee membership is determined afresh each May, this would be a good opportunity for any Member who didn't have experience of planning to have the opportunity to gain more experience in the planning process. The Chairman of the Planning Committee added that he wished to give his thanks to the Administrator and Parks and Amenities Manager's Secretary who had taken on a huge additional burden of work following the departure of staff who had yet to be replaced. It was acknowledged that this work was being done in addition to her own workload.

It was proposed by Councillor Pascoe, seconded by Councillor Swain (Mayor) and

RESOLVED to pass on Councillors sincere thanks to the Administrator and Parks and Amenities Manager's Secretary.

327 CHANGES TO ACCOUNT SIGNATORIES

The Finance Officer advised it was necessary to amend a number of bank mandates and the requirement was that such changes were required to be approved by Council.

It was proposed by Councillor Pascoe, seconded by Councillor Swain (Mayor) and

RESOLVED to

a) amend the signatories and contact for the CCLA account ref PS3077433 authorised by Trustees Councillor Eathorne-Gibbons and Councillor Roden. Councillor Wells to be added as signatory and J Trevelyan as contact; and

b) due to the retirement of the Town Clerk, change the mandate on the following accounts, HSBC John Cooper Furniss-91838326 account signatories B Biscoe, R Budge and C Wells; HSBC Yeoman Bennett-81838237 account signatories B

Biscoe, R Budge and C Wells and the M&G Charibonds, both charity accounts will have B Biscoe, R Budge and J Trevelyan as controllers.

328 TRURO AND ROSELAND COMMUNITY AREA PARTNERSHIP

Councillor Roden advised that he had attended the most recent meeting remotely and would circulate the list of actions to all Councillors. He advised that Councillors Carlyon, Wells, Weatherill and Rich were also in attendance. The meeting had received a number of presentations from the Police, Volunteer Cornwall and Cornish Lithium. The Panel were also asked to consider and agree the action plan for the panel area. A Member of Truro City Council had asked if any funding would be provided to implement the action plan and was informed that there was no specific funding available. He had concerns about the distribution of the Shared Prosperity Funding and the size and nature of the partnership following the most recent revisions. Members expressed frustration that the partnership, without any powers or funding, was in danger of becoming a talking shop. Councillor Roden expressed his own reservations, in particular as Truro had over 50% of the population of the partnership area – which was an artificial construct – that it should receive 50% of the Funding. The group had the opportunity to make an important contribution, however he felt his input into the funding decisions was limited to saying yes or no via email. He advised that he planned to raise these concerns with the Community Link Officer.

A Member who attended the meeting expressed the view that any available funding should be allocated to Councils in the network on a per-capita basis. Officers involved in the Community Area Partnerships were committed and hardworking, but this did not offset the danger of the panels becoming parochial rather than strategic. Another Member in attendance advised that in her view funding was a big concern, at present there was no clarity in what funding would follow the Shared Prosperity fund when it ends in 2025. She added that the greatest benefit from attending the panel was the link to Cornwall Council and its officers and she also appreciated having a named Community Link Officer for the area.

329 REPORTS OF MEETINGS OR CONFERENCES ATTENDED BY MEMBERS

No reports were made.

330 COMMON SEAL

It was proposed by Councillor Biscoe, seconded by Councillor Eathorne-Gibbons and

RESOLVED that the Common Seal be affixed to any document or documents necessary to give effect to the resolutions passed by the Council at this meeting.

The meeting closed at 8.45 p.m.

MAYOR

26 February 2024

Question Time Pursuant to Standing Order 6k

Questions Raised by Cllr Sunderhauf

Question

We have several vacant staff positions, which were all agreed and built into next year's budget as part of the January precept, but as far as I can see no advertisements have gone out. What is the current progress and timeline in recruiting for the vacant positions of Zero Carbon Officer, Events Manager, Administrator, and Compliance Manager?

Answer

The decision to delay filling some of the vacant posts was taken to assist the financial position of the council prior to 1st April 2024. There is money in the budget following that date.

The new deputy clerk Esther Greig takes up her role at the beginning of March and has been asked to prioritise the management of staffing as part of her new role.

This recruitment process will be a priority and we intend to move quickly.

21 February 2024

Cllr. Carol Swain

The Mayor of Truro 2023/24

Council Meeting

26 February 2024

Question Time Pursuant to Standing Order 6k

Questions Raised by Cllr Stokes

Question 1

How many grievances have the three committee chairs dealt with or had knowledge of, throughout the term of this council; Have any dismissals resulted in a termination payment; and could you please provide details such as date and minutes of when any of these matters were 'Reported back and progressed by the resolution of the F&GP committee' as per section 21 F of our Standing Orders or Section 7, 7.7 of the TCC Financial Regulations 'any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council'?

I do not expect any personal or sensitive information to be disclosed, simply number of grievances, yes or no to termination payments, and dates of meetings where the policies and procedures have been followed.

Answer

The council has received 4 formal grievances since May 2021, and these were dealt with within the terms of the Council's grievance procedure.

There have been no dismissals of any employee.

There was one instance of a mutually agreed resignation. This was concluded in a settlement agreement and actions were taken on the advice of the council's legal advisor reported to and resolved by the council in June and July 2023.

Question 2

Hanging Baskets

We were given the following information at the January Council meeting;

City Boxes, Baskets and Tubs Scheme

Hanging Baskets £25

Hayracks £35

Window Boxes £26

Tubs £42

Other items/areas By agreement By agreement

Spring Bedding As above

Watering items-Summer £25

Watering items- Winter £16

I have not been given a business case showing the cost of components for each item. such as compost, plants, water gel, the staff time to make, deliver and hang the basket/troughs etc and the hourly cost, travel time to water the products.

Could you please provide a full breakdown of the cost of the finished products, individualising costs incurred in the production, the delivery and watering etc so that we can be sure that the price of the products covers the cost?

I appreciate that this may have been completed as per the Operation Plan, Fozzard's Field Nursery Jan 23 – 31st March 2024, if so could this please be distributed?

Answer

The Parks and Amenities Manager is on leave this week, but will be able to provide a verbal response during the council meeting on 26 February.

21 February 2024
Cllr. Carol Swain
The Mayor of Truro 2023/24

Full Council Meeting**26th February 2024****Question Raised by Cllr Mrs Carlyon for Full Council 26th February 2024,
previously submitted outside the timeframe for submission to F&GP 12th February
2024****Re. Inspection of Deeds, Leases, Agreements and other Relevant Documentation****Question:**

At the December meeting of Truro City Council, I requested a schedule of the Council Assets. I required to inspect the freehold deeds, leases, tenancies, Agreements and other relevant documents and satisfy myself that these important documents are now lodged in a secure place.

Response:

A verbal response will be provided at the meeting by the Proper Officer.

**MEETING OF THE PLANNING COMMITTEE HELD 1 FEBRUARY 2024
at 7.00 pm**

PRESENT: Councillors Pascoe (Chairman), Mrs Carlyon, Hall, Sunderhauf, Webb, Wells and Wetherill.

APOLOGIES: Apologies of absence were received from Councillors Rabey (Deputy Mayor), Sealy and Mrs Swain (Mayor).

Also in attendance: Councillor Biscoe.
Councillor Dulcie Tudor CC answering questions about PA23/07853 Truro Sport Hub.

331 ELECTION OF PLANNING COMMITTEE VICE-CHAIRMAN

It was noted that a number of Councillors had expressed an interest in joining or re-joining the Committee therefore it was proposed by Councillor Sunderhauf, seconded by Councillor Webb, and

RESOLVED that the election of a Planning Committee Vice-Chairman be deferred to the next meeting.

332 DISCLOSURES OR DECLARATIONS OF INTEREST

There were no disclosures or declarations of interest.

333 PLANNING MINUTES

The Minutes of the Planning Committee meeting held 4 January 2024 were considered for accuracy.

It was proposed by Councillor Mrs Carlyon, seconded by Councillor Wells, and

RESOLVED that the minutes of the Planning Committee meeting held 4 January 2024 were considered a correct record.

334 PLANNING CONSULTATION

(a) Schedule 1A

A typographical error on the schedule heading was corrected: "7 December 2023" was replaced by "1 February 2024". Due to the limited time that Councillors of Truro City Council had been given to submit comments to applications in their Ward (by an agreed deadline), and for Members of the Planning Committee to comment on this Schedule prior to publication of the agenda for this meeting, it was proposed by Councillor Wells, seconded by Councillor Hall, and that it be

RESOLVED that the applications contained within Schedule 1A, with the exceptions of applications 8 & 9 (moved to Schedule 2), be approved and adopted by the Planning Committee.

(b) Schedule 1B

The TCAAC recommendations for the February meeting cycle were as follows:

*(i) PA23/08653 – Godolphin House 23 Frances Street Truro TR1 3DP
Approval – Welcomed positively. Subject to comments and/or conditions.*

*(ii) PA23/09678 - 14 St Marys Street & 21 Old Bridge Street Truro TR1 2AF
Refusal – with strong objections.*

(iii) PA23/10366 - 2 The Parade Malpas Road Truro TR1 1QE
Refusal – Not Acceptable in its Present Format.

(iv) PA23/10367 - 2 The Parade Malpas Road Truro TR1 1QE.
All as PA23/10367 above.

(v) PA23/09713 - 10 The Parade Malpas Road Truro TR1 1QE
Approval – Subject to comments and/or conditions

(vi) PA23/10213 – 54 (land adjacent to 55) Castle Street Truro TR1 3AF.
Deferral – with Request to See Again (Subject to comments and conditions)

(vii) PA23/10214 - 54 (land adjacent to 55) Castle Street Truro TR1 3AF.
All as PA23/10213 above.

(viii) PA23/08184 - Bosallen 2 Union Place Truro TR1 1EP.
Deferral – with Request to See Again (Subject to comments and conditions)

(ix) PA23/08981 - Goundry Pearce Ground Floor Front 19 Lemon Street TR1 2LS.
Deferral – with Request to See Again (Subject to comments and conditions)

(x) PA24/00108 Cornwall Council County Hall Treyew Road Truro TR1 3AY.
Deferral – with Request to See Again (Subject to comments and conditions)

(xi) PA24/00314 Cornwall Council County Hall Treyew Road Truro TR1 3AY.
All as PA23/00108 above.

Further to comment on this Schedule prior to publication of the agenda and at the meeting having heard the comments of the TCAAC, it was proposed by Councillor Wells, seconded by Councillor Hall, and that it be

RESOLVED that the applications contained within Schedule 1B, with the exceptions of applications 2, 3a and 3b, be approved and adopted by the Planning Committee.

(c) Schedule 2

A typographical error on the schedule heading was corrected: “7 December 2023” was replaced by “1 February 2024”. The Committee considered plans submitted in accordance with the planning consultation procedure, details of which are attached (Schedule 2), and, it was proposed by Councillor Wells, seconded by Councillor Hall, that it be

RESOLVED that Cornwall Council be informed of the following recommendations as voted upon by Truro City Council’s Planning Committee:

(i) Lighterage Quay Newham Road Newham Truro Cornwall TR1 2SU
(PA23/09346)

A decision on the application was deferred pending the applicant making a presentation on the application at the next meeting following concerns raised by some members on the potential impact of the proposal on the river and surrounding land, and in particular the City Council’s estate nearby.

Proposer: Councillor Webb
Secunder: Councillor Mrs Carlyon

(ii) The Old Orchard Upper School Lane Truro Cornwall TR1 2HS
(PA24/00485)

Refusal recommended pending clarity on the drawings as submitted which appear to show an extension in addition to dormer windows.

Proposer: Councillor Pascoe
Secunder: Councillor Sunderhauf

(iii) Cornwall Council County Hall Treyew Road Truro Cornwall TR1 3AY
PA24/00108

That the additional space created should be used for the storage or parking of cycles instead of for parking cars & the location for this area may need to be adjusted accordingly, to better reflect the aims of Cornwall Council's transport policy.

Proposer: Councillor Wetherill
Secunder: Councillor Webb

(iv) Cornwall Council County Hall Treyew Road Truro Cornwall TR1 3AY
PA24/00314

Approved.

Proposer: Councillor Pascoe
Secunder: Councillor Webb

(v) 59 Rosedale Road Kenwyn Truro Cornwall TR1 3SA
PA23/10295

Approved.

Proposer: Councillor Pascoe
Secunder: Councillor Hall

(vi) 14 St Marys Street And 21 Old Bridge Street
PA23/09678

Refused due to the application site being located opposite a Grade 1 listed building (Truro Cathedral) and being surrounded by listed buildings. Wooden fenestration should be installed appropriate to the Conservation Area.

Proposer: Councillor Mrs Carlyon
Secunder: Councillor Webb

(vii) 2 The Parade Malpas Road Truro Cornwall TR1 1QE
PA23/10366

Approved subject to no works going ahead without the approval of the Conservation Officer.

Proposer: Councillor Mrs Carlyon
Secunder: Councillor Wells

(viii) 2 The Parade Malpas Road Truro Cornwall TR1 1QE
PA23/10367

Approved subject to no works going ahead without the approval of the Conservation Officer

Proposer: Councillor Webb
Secunder: Councillor Sunderhauf

(ix) Truro School Trennick Lane Truro Cornwall TR1 1TH
PA23/10145
Approved.

Proposer: Councillor Sunderhauf
Seconder: Councillor Webb

(x) Truro School Trennick Lane Truro Cornwall TR1 1TH
PA23/10143
Approved.

Proposer: Councillor Sunderhauf
Seconder: Councillor Webb

335 TRANSPORT

(i) Truro Transport Strategy Working Group

The Chairman reported that the Group had not met since the last meeting.

(ii) Peninsula Transport Strategy Consultation

The Chairman agreed transmit the views he had received from Members since the last meeting to Peninsula Transport.

336 CORRESPONDENCE

Planning Clerk

The Chairman echoed Full Council & thanked the Planning Clerk for her work in support of the Planning Committee & Council more widely in a time of continued staff shortage. It was noted that an administrator post would be advertised for recruitment shortly.

Truro Sports Hub PA23/07853

Earlier in the meeting the Chairman asked the Committee to consider this matter because the deadline for comments was Friday 2 February. The item was not listed on the agenda so a decision could not be made at this meeting. However, under his delegated powers, in consultation with the Mayor or Deputy Mayor, the views of the Committee were requested for onward transmission to the relevant Cornwall Council planning officer. During discussion a couple of Councillors expressed concerns regarding the proposed 3G pitch material & the perceived need to segregate pedestrians & cyclists on the path linking the 2 pitched. With the agreement of the Chairman Councillor Dulcie Tudor CC answered questions. However, overall, the Committee was generally supportive of the proposal.

337 CHAIRMAN'S REPORT

There was no Chairman's report.

The meeting closed at 8.35 pm

Chairman

MINUTES OF THE MEETING OF THE PARKS AND AMENITIES COMMITTEE HELD ON MONDAY 5 FEBRUARY 2024 AT 7.00 PM IN THE LARGE COMMUNITY ROOM, TOP FLOOR, TRURO COMMUNITY LIBRARY, PYDAR STREET, TRURO

PRESENT: Councillors Mrs Eathorne-Gibbons (Chairman), Green, Roby, Rabey, (Deputy Mayor), Roden, Ms Southcombe and Swain (Mayor).

APOLOGIES: Councillors Sealy and Tamblyn.

ALSO PRESENT: Councillors Biscoe and Mrs Carlyon.

ALSO IN ATTENDANCE: Richard Budge, Parks, Amenities and Facilities Officer.
Mr Ben Minns, Shop Steward and Unite Representative.

338 DISCLOSURES OR DECLARATIONS OF INTEREST

There were no declarations of interest.

339 OPEN SESSION FOR ELECTORS OF TRURO RELATING TO ITEMS ON THIS AGENDA - VERBAL QUESTIONS

There were no public questions.

340 TO CONFIRM THE MINUTES OF THE PARKS AND AMENITIES COMMITTEE MEETING HELD ON 8 JANUARY 2024

It was proposed by Councillor Rabey (Deputy Mayor), seconded by Councillor Swain (Mayor) and

RESOLVED that the Minutes of the Parks and Amenities Committee Meeting held on 8 January 2024 were signed as a correct record subject to the following correction.

**341 HEALTH AND SAFETY AT WORK – PARKS AND AMENITIES DEPARTMENT
(i) Training of Staff**

The Parks, Amenities and Facilities Officer reported that staff had undertaken 11 training courses since the July 2023 Committee meeting. The report was noted.

Training Course	Number of staff
Abrasive wheels	5
Emergency First Aid	5
Refresher First Aid	6
Chainsaw	2
Refresher small chainsaw	3
Saws	1
Chainsaw from a mobile elevated platform	1
PAT testing	1
Handheld hedge trimmer	1
Mobile elevated platform	2
Refresher ride-on and pedestrian mower	2

(ii) Parks and Amenities Department – Report of any Recent Accidents

It was reported by the Parks, Amenities and Facilities Officer that 2 accidents had taken place since the July Committee meeting. One accident was a cut to the hand with a silky saw; the other accident involved strimmer cutting into a wasp nest, an ambulance being called to treat anaphylactic shock and the member of staff returned to work. The report was noted.

(iii) Shop Steward, Unite Representative and Unite Health and Safety Representative

Mr Ben Minns, the new Shop Steward and Unite Representative was welcomed to the meeting. He said he had no health and safety matters to report but drew Members' attention to an increase in dog faeces in the town and parks and gardens. Staff were highlighting this hazard by spraying faeces with a purple chalk paint in an effort to encourage dog owners to pick up after their dogs. The Parks, Amenities and Facilities Officer commented that the cycleway at Coosebean and lane to the entrance to Barrack Lane Allotment site were similarly affected; if the problem escalated, he would contact Cornwall Council's dog wardens. The report was noted.

342 BIODIVERSITY STRATEGY

Councillor Southcombe stated she had been working on a draft biodiversity strategy with Councillor La Borde and now they sought the support of interested Councillors and involvement of the wider green local community. A copy of the working draft strategy was circulated to Members for information. It was generally agreed the lead councillors contact all councillors direct to raise awareness and seek contribution to the project. The report was noted.

343 STANDING ITEMS

(i) BOSCAWEN PARK – DREDGING OF THE SWANPOOL – UPDATE

The Parks, Amenities and Facilities Officer stated there was no progress to be reported.

(ii) COMMITTEE WORK PLAN 2022-2025

A copy of the plan considered at the November Committee meeting was circulated for information. Following frustration expressed by a number of councillors, including lack of costing information because costs changed rapidly - the Parks, Amenities and Facilities Officer suggested replacing the current document with a 3 year capital maintenance plan and a separate 5 year project plan. Initially project costs would be 'guesstimates' but as projects developed information regarding project costs would be populated as it became available.

The Committee was generally supportive of the change in reporting, in addition a Member highlighted the urgency of scheduling and planning projects over 10 years, including the ability to take account of opportunities and challenges as they arose.

It was proposed by Councillor Mrs Eathorne-Gibbons (Chairman), seconded by Councillor Swain (Mayor) and

RECOMMENDED that the Committee Work Plan 2022 – 2025 be replaced by a 3 year costed capital maintenance and a 5 year plan setting out a project plan and list of projects.

344 INFORMATION ITEMS

(i) IDLESS NURSERY - PROJECT AND TIMELINE

It was reported by the Parks, Amenities and Facilities Officer that temporary heated benches made from pallets had been installed in the greenhouses; these would be phased out when budget allowed for their replacement in the forthcoming new financial year. Seed sowing was due to commence in the next two or three weeks. The report was noted.

(ii) EXCLUSION OF THE PRESS AND PUBLIC

It was proposed by Councillor Mrs Eathorne-Gibbons (Chairman), seconded by Councillor Roden and

RESOLVED that in accordance with s1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting during consideration of the following item by reason of its confidential or special nature.

(iii) CAFÉ IN THE PARK, BOSCAWEN PARK UPDATE

The report on the operation of the Cafe by Parks, Amenities and Facilities Officer was tabled at the meeting. The report had been requested by the Finance and General Purposes Committee at its meeting in September.

He firstly thanked colleagues Jo Trevelyan, Adrian Darch and Abi Steele for their assistance in preparing the report. He highlighted that net expenditure had reduced from -£20800 Nov-Jan 2022-23 to -£9081 Nov-Jan 2023-2. Further, net expenditure had changed from - £4479 for January 2023 to £1662 which included a day of record takings despite inclement weather and financial restrictions of customers after the festive period. The Chairman, on behalf of the Committee thanked the Parks, Amenities and Facilities Officer and Kimberley Chandler and their colleagues for their hard work and support.

During discussion the Parks, Facilities and Amenities Officer noted relevant utility bills for this site also served the scout hut and canoe hut and were in the process of assessment by the Finance Team so utility cost information was not available for this meeting. He confirmed this site was covered by the Council's insurance certificate. In response to a query about card payment charges he thought the Sum Up system was used which placed a 1% charge on all transactions, but he agreed to check this and respond to Councillor La Borde in due course. He confirmed at least 2 adult staff were on duty when a person under the age of eighteen years was working. Overall, the Committee welcomed the report and the progress which had been made in the café's operation since the autumn.

(iv) READMITTANCE OF THE PRESS AND PUBLIC

It was proposed by Councillor Mrs Eathorne-Gibbons (Chairman), seconded by Councillor Rabey (Deputy Mayor) and

RESOLVED that the press and public be permitted to rejoin the meeting following the conclusion of the confidential items.

It was proposed by Councillor Mrs Eathorne-Gibbons (Chairman), seconded by Councillor Rabey (Deputy Mayor) and

RECOMMENDED that:

1. The Café in the Park continue to trade for the next 12 months.
2. A further update report on the Café in the Park's operation be submitted by the Parks, Facilities and Amenities Officer and Responsible Finance Officer in 6 months' time.
3. If any significant issue arose in the meantime this matter be reported back to the Committee.

(v) PARKS AND AMENITIES MANAGER'S REPORT

The Parks, Amenities and Facilities Officer reported as follows:

- a. Work to restore the bandstand was on track for completion by the end of April before the commencement of the band concert programme in May.
- b. An application form to display at the Royal Cornall Show had been received and would be completed shortly. The intention was to provide a horticultural display (Tuesday to Saturday) based on the products currently provided by the Council. This would focus on a mini-bandstand decorated with hanging baskets, possibly featuring some entertainment. Promotional leaflets would be

available targeting other parish councils and local people. The display plants would all be re-used in the Parks' Department's display. The stand would be manned by 2 members of staff. In response to a question, he undertook to provide a cost for producing hanging baskets. He also undertook to inform Councillor Mrs Carlyon the entry cost.

- c. The foundations were in place ready for the old café cabin in Boscawen Park to be moved to Victoria Gardens after the school half term holiday. It was intended that Pollen in the Park reopen for the Easter holiday.
- d. The ongoing improvements to the public convenience at Green Street had been delayed due to a shortage of materials; it was hoped the facilities would reopen by the end of April.
- e. The Leats had been flowing for 3 weeks and improvement followed Cormac work to reset the setts and prevent flooding outside of HSBC. A Councillor noted that 2 pieces of concrete outside of the Hall for Cornwall (a listed building) in Back Quay which had been installed by builders as part of the recent improvement works were still in situ and were impeding the flow of the Leats at this point.
- f. Councillor Roden, in his capacity as Chairman of Finance and General Purposes Committee (F&GPC) commented that a report on zero based budgeting would be submitted to the next F&GPC meeting on 12 February.

The report was noted.

It was proposed by Councillor Mrs Eathorne-Gibbons (Chairman), seconded by Councillor Swain (Mayor) and

RECOMMENDED that Cornwall Council, as landlord to the Hall for Cornwall, be asked to remove, or request Hall for Cornwall to remove, the concrete impeding the flow of water along the Leats.

345 **CORNWALL COUNCIL ASSET REVIEW IN TRURO**

Information about various pieces of land which Cornwall Council were proposing to be adopted by the City Council was considered. The Parks, Facilities and Amenities Officer highlighted land at Waterfall Gardens, Upland Crescent, Merrick Avenue, the west side of Claremont Terrace, adjacent to Courtney Road, Little Trehaverne and Hendra.

During discussion it was suggested that the land to the west side of Claremont Terrace had been identified as a potential railway passenger halt some time ago. Further it might form part of the recently proposed Mid Cornwall Metro line from Falmouth to Newquay (via Truro). General concern was raised at the potential cost to the City Council of any future land transfer. It was also suggested that this list was not complete and other significant areas of land had been identified for transfer by the former Town Clerk following the demise of Carrick District Council, and more recently such as the woodland at Rosedale, well at Rosewyn Hill and land to the front of the Moresk Centre.

It was proposed by Councillor Roden, seconded by Councillor Eathorne-Gibbons (Chairman) and

RECOMMENDED that:

1. Truro City Council agree in principle to the adoption of various parcels of land, subject to due diligence, at no or limited cost to the City Council.

2. The Parks, Facilities and Amenities Officer be requested to investigate firstly, this potential land transfer and secondly, ask Cornwall Council if there are any other pieces of land which might be included in a future transfer package.

346 CORRESPONDENCE

There were no matters of correspondence.

347 DATE OF NEXT MEETING – PARKS AND AMENITIES COMMITTEE

The next meeting was scheduled for Monday 4 March 2024 starting at 7.00pm.

The meeting closed at 8.25pm.

-----CHAIRMAN

**MEETING OF THE FINANCE AND GENERAL PURPOSES COMMITTEE HELD ON
MONDAY 12 FEBRUARY 2024**

PRESENT: Councillors Biscoe, Mrs Carlyon, Rabey, Rich, Roden (Chairman), Mrs Stokes, Mrs Swain (Mayor), Unwin, Webb (Vice-Chairman) and Wells.

Also in attendance: Mr Richard Budge, Proper Officer
Mr Adrian Darch, Interim Responsible Financial Officer
Mrs Joanne Trevelyan, Financial Officer

APOLOGIES: Apologies of absence were received from Councillor Eathorne Gibbons.

348 DISCLOSURES AND DECLARATIONS OF INTEREST

There were no declarations of interest.

349 OPEN SESSION FOR THE ELECTORS OF TRURO

There were no electors of Truro present.

350 FINANCE AND GENERAL PURPOSES MINUTES

It was proposed by Councillor Roden, seconded by Councillor Webb and

RESOLVED that the minutes of the Finance and General Purposes Committee Meeting held on 15 January 2024 together with a separate confidential minute are signed as a correct record, subject to the correction of the following typographical errors: “Wetherill” replacing “Weatherill” and “Darch” replacing “Darche” in the list of those people present.

351 REAL LIVING WAGE

The Financial Officer explained that currently the Council paid the Real Living Wage to staff from 1 April, and until such time the NJC pay award was implemented pay scales were temporarily distorted, adversely affecting the morale of staff on the Truro City Council pay scales. The Council’s pay scales were normally uprated later in the financial year following the completion of appropriate negotiations between the employer and trades unions. One option was to delay implementing the Real Living Wage from 1 April until other salaries were generally uprated.

During discussion:

- i. The Financial Officer commented that in practice currently an additional pay run implemented payment of the Real Living Wage in April. She confirmed the Council was not accredited and was therefore not obliged to implement any Real Living Wage salary increase from 1 April. The Council could choose to move away from the living wage because it hadn’t benefited staff since 2019.
- ii. A couple of Members queried whether the Council’s reputation might be damaged if it delayed in implementing any increase in living wage to any staff so entitled. The impact on staff morale was also highlighted as a potential issue.

[Councillor Mrs Carlyon entered the meeting at 7.05pm.]

It was moved by Councillor Roden, seconded by Councillor Webb, and

RECOMENDED TO COUNCIL that:

- (a)** All staff members be paid the Real Living Wage increase and the NJC salary uprating at the same time: and

- (b) that staff be notified that they can apply to be paid any uprating from the Real Living Wage from 1 April if the change causes financial difficulties.

352 STAFFING COMMITTEE

Members considered the establishment of a staffing committee which was good practice for larger town councils, such as Truro City Council. A set of draft terms of reference was also considered. A typographical error in the draft terms of reference was corrected: “6” was replaced by “7”.

During debate a number of matters were raised by Councillors including:

- a. The principle of establishing a new standing committee for staffing was generally welcomed.
- b. The responsibility of the town clerk (and deputy town clerk) for the establishment and management of staff was highlighted and the Committee was reminded only matters which required Member input such as advice or guidance should be discussed. Relevant standing orders and procedural guidance would also need to be reviewed and amended as necessary should such a new committee be established. It was also suggested membership of the new committee be decided by the first meeting of Full Council following the annual meeting of the Committee Selection Committee.
- c. A number of changes were suggested to the draft terms of reference: the Mayor should not be a member of this committee – in order to maintain impartiality and the chairman of the other standing committees should not be members due to their regular interaction with staff as part of their existing roles. Instead, it was suggested 5 members be sought from those councillors who did not hold a particular office. Further meetings should be scheduled on a monthly basis before meetings of the Finance and General Purposes Committee and meetings cancelled if there was no business to transact. Referring to paragraph 1 it was considered a new staffing committee should report to council because it was accountable to Council as a whole. A staffing committee could consider referrals from the other standing committees in the usual way. Referring to paragraph 8 it was suggested “and well-bring” be added after “safety”. Regarding para 13 of the draft terms of reference, it was considered a staffing committee should not be responsible for the administration of leave records. A staffing committee could not employ staff either. Further it was suggested authority be delegated to the town clerk (or deputy town clerk) to make urgent decisions eg in between meetings.
- d. It was generally agreed the terms of reference be amended in light of the above comments and suggestions and a copy be circulated to all councillors for their input prior to a further report being made to the next meeting of Finance and General Purposes Committee.
- e. The Committee thanked Cheryl Simpson, Administrator for her hard work and support whilst the Council was short-staffed.

It was proposed by Councillor Biscoe, seconded by Councillor Stokes and

RECOMENDED TO COUNCIL that:

1. A staffing committee be established in principle.
2. The draft terms of reference be re-drafted to reflect the above comments and suggestions and any further input from Councillors.
3. Standing Orders and procedural guidance be amended as appropriate.
4. The revised draft terms of reference be reported back to the next meeting of the Finance and General Purposes Committee.

[Councillor Mrs Carlyon requested that her name be recorded as abstaining.]

353 MANAGEMENT ACCOUNTS APRIL – OCTOBER 2023

Members considered the financial accounts from April 2023– January 2024. A typographical error was corrected on the heading “30TH November 2023” replaced by “31 January 2024”.

During discussion a number of questions and issues were raised by the Committee, including:

- i. It was clarified the building housing the Tourist Information Centre was currently let to the Council on a secure tenancy.
- ii. Line 6801 Publicity related to the salary of the contracted temporary communications officer.
- iii. It was explained line 6300 Corporate/Democratic and Planning gas and electricity related to the Municipal Buildings and line 6300 Library related to the library.
- iv. Attention was drawn to line 6103 Cleaning and Waste Management for Lemon Quay. The Proper Officer stated the Council had been quoted £58,000 to replace the current service cost of £22,700. As a result, officers were currently investigating provision by an alternative provider.
- v. The acting Responsible Finance Officer confirmed it was currently too early to provide an indication of the budget outcome. The Proper Officer confirmed management was closely monitoring expenditure in the meantime.
- vi. A concern was raised that, whilst savings were being generated by not replacing staff in the short-term, this also caused a backlog of work and staff undertaking multiple jobs. Business continuity was also an important factor.
- vii. The Finance Officer agreed to provide the list of transactions generated by Sage – which had been sent to all councillors electronically – as an Excel spreadsheet to Councillor Stokes. It was noted spot checks were also undertaken as a matter of course.
- viii. The role of the committee in providing an overview of the accounts, seeking assurance and raising concerns was emphasised.

It was proposed by Councillor Roden, seconded by Councillor Biscoe, and

RECOMMENDED to note the Management Accounts April – October 2023.

354 EXCLUSION OF THE PRESS AND PUBLIC

It was proposed by Councillor Roden, seconded by Councillor Webb and

RESOLVED that in accordance with s1(2) of the Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting during consideration of the following item by reason of its confidential or special nature.

355 CAFÉ IN THE PARK BOSCAWEN PARK UPDATE

Further to Minute 156 a report on the operation of the café was considered. The same report had been considered by the Parks and Amenities Committee on 5 January and that Committee had recommended to Council that the Café continue to operate, and a further update report be considered in 12 months' time unless there were any issues in which case an earlier report would be considered. The Proper Officer highlighted net expenditure had reduced from an overspend of -£20,800 Nov-Jan 2022-23 to an overspend of -£9,081 Nov-Jan 2023-24. Further, net expenditure

had changed from an overspend of - £4,479 for January 2023 to a profit of £1,662 for January 2024 despite inclement weather and financial restrictions of customers after the festive period. This was more in line with the Town Clerk's prediction of £20,000 profit.

There was a lively discussion during which Members raised a number of points including:

- a. The work of the Proper Officer and his team in addressing issues raised by the Café's operation, providing the report and moving forward was broadly welcomed by the Committee.
- b. Concern was raised that a number of costs had not been included in the information provided in the report. These included utilities, insurance, construction, furnishings and fittings plus officer time. It was suggested this gap in information skewed the financial information set out in the report. The Finance Officer responded expenditure such as utilities was currently apportioned at the year's end but next year she undertook to include the cost of utilities on a monthly basis in the estimates. In addition, information was awaited regarding business rates.
- c. Earlier in the meeting it was suggested the Council had broken state aid rules whereby public funds were being used to support the Café; funding which was not available to competitors.
- d. Members were reminded part of the funding arrangement with the Lawn Tennis Association - for the refurbishment of the tennis courts - was for a sinking fund to be established for future refurbishment of the courts. Links with the developing Towns Fund Boscawen Park Sports Hub project were also highlighted.

It was proposed by Councillor Wetherill, seconded by Councillor Swain. and

RECOMMENDED that:

1. The report be accepted.
2. The Café in the Park continue to operate.
3. A further update report be considered in 12 months' time.

[The Proper Officer left the meeting at 8.50pm.]

356 READMITTANCE OF THE PRESS AND PUBLIC

It was proposed by Councillor Webb, Seconded by Councillor Swain and

RESOLVED that the press and public be invited back to the meeting.

[The Proper Officer left the meeting at 8.50pm.]

357 ZERO BASED BUDGETING

The Committee considered a report on the potential resources and costs which might be involved in a zero-based budgeting exercise for the next financial year. The Interim Responsible Finance Officer talked through the report, highlighting the 'pros' and 'cons' commenting that he was not sure the Council currently had the capacity to deliver a zero-based budget. Further, he highlighted a mix of 'incremental' and 'zero based' budgeting might be a solution. During a ranging debate, a number of matters were raised, including:

- i. Concerns were raised that currently there was limited resource capacity across the Council to undertake such work; there was also a risk of

duplication. In response to a question the Interim Responsible Finance Officer was unable to say what resources might be required apart from what had been mentioned in the report.

- ii. A Councillor (who had experience of zero-based budgeting) highlighted a risk that zero-based budgeting might result in a relatively low level of savings compared to the resources spent. A selective, incremental approach might be sensible, however.
- iii. It was acknowledged that the current timeframe - when a number of key posts were vacant, when a new Deputy Town Clerk would shortly come into post, and when the Council would be looking to recruit a new Town Clerk and during the last year of this Council - might be pre-emptive to make such a significant change to the budget process.
- iv. It was noted the provision of a public cemetery and allotment were required to be provided by statute.
- v. Councillors who advocated taking a zero-based budget approach highlighted a need for a detailed, clear and transparent process and that it wasn't just about making savings.
- vi. It was commented using technology to make cost savings was not zero-based budgeting.
- vii. The Finance Officer stated personally she did not advocate zero-based budgeting. In effect she already undertook a combined approach of incremental and zero-based budgeting. Further if such an approach was agreed for the next financial year the additional work generated would have significant staffing implications, particularly on the Finance Office.

A motion was moved by Councillor Stokes and seconded by Councillor Mrs Carlyon:

- a)** That the Finance and General Purposes Committee Recommend to Full Council to undertake a Zero-Based Budgeting exercise.
- b)** That the Deputy Town Clerk be delegated authority to undertake this exercise.
- c)** That regular reports and a project Plan be brought back to future FandGP Committee meetings with the objective of completing the exercise prior to the 2025-26 budget setting process.

Note. Any Plan should also include dates for various strategies to be submitted to relevant Committees, prior to the budget committee setting process (HR Strategy, IT Strategy, Training Strategy, Renewals Programme, plus any relevant Works Programmes such as Parks).

An amendment was moved by Councillor Biscoe and seconded by Councillor Unwin:

- 1. The report be noted.
- 2. The Deputy Town Clerk be invited to consider undertaking a Zero-Based Budget exercise and report back to a future meeting of the Finance and General Purposes Committee.

Upon being put to the vote was carried.

[Councillors Mrs Carlyon and Stokes requested that their names be recorded as voting against the amendment.]

Accordingly the substantive motion was moved by Councillor Biscoe and seconded by Councillor Unwin, and it was

RECOMMENDED TO COUNCIL that:

1. The report be noted.
2. The Deputy Town Clerk be invited to consider undertaking a Zero-Based Budget exercise and report back to a future meeting of the Finance and General Purposes Committee.

[Councillors Mrs Carlyon and Stokes requested their names be recorded as voting against the motion.]

358 TEMPORARY SUSPENSION OF STANDING ORDER 5Dv FOR MUNICIPAL YEAR 2024/2025

The Committee was requested by the Chairman to consider suspending Standing Order 5Dv for a temporary period to enable Members who had already served three consecutive years as chairman of a standing committee to be eligible for nomination as chairman in the last year of this Council.

(i) Extension Of Time

During discussion of the following item, it was moved by the Chairman and seconded by Councillor Biscoe, and

RESOLVED that the meeting continue until 22:00 to enable to this item to be concluded.

Councillors generally supported the proposed suspension of Standing Order 5Dv due to the current very exceptional circumstances whereby continuity was required in the last year of the current Council with the forthcoming election of new chairman of standing committees, the incoming new Deputy Town Clerk and the future recruitment of a new Town Clerk. A minority of Members were uncomfortable supporting such a change.

It was proposed by Councillor Wells, seconded by Councillor Biscoe, and

RECOMMENDED to Council that Standing Order 5Dv be suspended for 12 months only for the 2024 to 2025 local government year and be resumed for the 2026 to 2027 year.

359 CORRESPONDENCE

There were no items of correspondence.

The meeting closed at 9.38pm.

CHAIRMAN

Recommendations from Committees

February 2024

Parks and Amenities Committee 05 02 24

Item	Min No.	Page No.	Recommendation from Committee
(ii) COMMITTEE WORK PLAN 2022-2025	343	149	RECOMMENDED that the Committee Work Plan 2022 – 2025 be replaced by a 3 year costed capital maintenance and a 5 year plan setting out a project plan & list of projects.
INFORMATION ITEMS (iii) CAFÉ IN THE PARK, BOSCAWEN PARK UPDATE	344	149 - 150	RECOMMENDED that: <ol style="list-style-type: none"> 1. The Café in the Park continue to trade for the next 12 months. 2. A further update report on the Café in the Park's operation be submitted by the Parks, Facilities and Amenities Officer and Responsible Finance Officer in 6 months' time. 3. If any significant issue arose in the meantime this matter be reported back to the Committee.
INFORMATION ITEMS (v) PARKS AND AMENITIES MANAGER'S REPORT	344	150 - 151	RECOMMENDED that Cornwall Council, as landlord to the Hall for Cornwall, be asked to remove, or request Hall for Cornwall to remove, the concrete impeding the flow of water along the Leats.
CORNWALL COUNCIL ASSET REVIEW IN TRURO	345	151 - 152	RECOMMENDED that: <ol style="list-style-type: none"> 1. Truro City Council agree in principle to the adoption of various parcels of land, subject to due diligence, at no or limited cost to the City Council. 2. The Parks, Facilities and Amenities Officer be requested to investigate firstly, this potential land transfer and secondly, ask Cornwall Council if there are any other pieces of land which might be included in a future transfer package.

Finance and General Purposes Committee 12 02 24

Item	Min No.	Page No.	Recommendation from the Committee
REAL LIVING WAGE	351	153 - 154	RECOMENDED TO COUNCIL that: <ol style="list-style-type: none"> (a) All staff members be paid the Real Living Wage increase and the NJC salary uprating at the same time: and (b) that staff be notified that they can apply to be paid any uprating from the Real Living Wage from 1 April if

			the change causes financial difficulties.
STAFFING COMMITTEE	352	154 - 155	RECOMMENDED TO COUNCIL that: <ol style="list-style-type: none"> 1. A staffing committee be established in principle. 2. The draft terms of reference be re-drafted to reflect the above comments and suggestions and any further input from Councillors. 3. Standing Orders and procedural guidance be amended as appropriate. 4. The revised draft terms of reference be reported back to the next meeting of the Finance and General Purposes Committee.
MANAGEMENT ACCOUNTS APRIL – OCTOBER 2023	353	155	RECOMMENDED to note the Management Accounts April – October 2023.
CAFÉ IN THE PARK BOSCAWEN PARK UPDATE	355	155 - 156	RECOMMENDED that: <ol style="list-style-type: none"> 1. The report be accepted. 2. The Café in the Park continue to operate. 3. A further update report be considered in 12 months' time.

TEMPLATE VENUE SAFEGUARDING POLICY AND PROCEDURES

VERSION 1.5 – JANUARY 2023

- Addition of contents page
- New reporting a concern flowcharts to bring in line with new LTA procedures
- Added responsibility for safeguarding within the venue
- Added details on recruitment and training
- Changed the code of conduct to Standards of Practice and Behaviour to refer to the LTA code of conduct in disciplinary code
- Added details on the definition of position of trust and that the law changed in 2022
- Added information about factors which increase vulnerability to abuse
- Added low level concerns definition and procedure
- Added requirements on confidentiality
- Added section on information sharing and retention of safeguarding related information
- Added section on mental capacity (adults at risk)
- Added section on making safeguarding personal (adults at risk)
- Added section on consent requirements for adults at risk
- Updated section on legislation
- Addition of support services

[INSERT NAME OF VENUE] SAFEGUARDING POLICY AND PROCEDURES

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Policy Owner:

Policy approved by:
Date Policy approved:
Next review Date:

POLICY STATEMENT AND SCOPE

[Name of venue] recognises our moral and statutory responsibility to safeguard and promote the welfare of all children (anyone under 18) and adults at risk. We are committed to ensuring our safeguarding practice reflects statutory responsibilities, government guidance and with LTA safeguarding standards, which can be found here: <https://www.lta.org.uk/about-us/safeguarding/venue-standards/>.

We are committed to prioritising the well-being of children and adults at risk and providing a safe and welcoming environment where they are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children and adults at risk receive effective support and protection.

We recognise that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.

We recognise that there is a legal framework within which sport needs to work to safeguard adults at risk and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.

Actions taken by us will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

This policy applies to any person who plays, coaches, officiates, works, volunteers, or otherwise participates (or visits) at our venue.

We expect contractors and partner organisations, including for example, suppliers and sponsors to adopt and demonstrate their commitment to the principles and practice as set out in this Policy and associated procedures.

All bound by this policy are responsible for upholding high standards of conduct and professionalism and raising safeguarding concerns and allegations in accordance with the Reporting a Safeguarding Concern Procedures.

[Name] [Role of most senior individual, e.g. CEO, Chairperson, etc]	[Name] Welfare Officer

POLICY PRINCIPLES

- The safety and welfare of children and adults at risk is paramount

- All children and adults at risk, regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation have an equal right to protection from all types of harm or abuse
- Safeguarding is everybody's responsibility
- All safeguarding concerns or allegations will be taken seriously and responded to swiftly and appropriately
- We strive to create a culture and environment where everyone is empowered to protect themselves and others and feel able to raise concerns
- We actively promote working together to ensure all children and adults at risk are safeguarded

RESPONSIBILITY FOR SAFEGUARDING

The [Committee/Board] have overall accountability for this policy and its implementation.

We have an appointed Welfare Officer (WO) who holds operational responsibility for safeguarding in line with the LTA role profile and is supported by the [Committee/Board]. The WO is the first point of contact to raise a safeguarding concern involving a child or adult at risk. They also play a proactive role in increasing an awareness of safeguarding within our venue.

The Welfare Officer is:

[Name
Contact number
Email address]

If the Welfare Officer is not available to report a safeguarding concern or allegation to, the alternative contact within our venue is: *[note: you should have an alternative contact who concerns can be raised to – this can either be a deputy Welfare Officer with DBS and training, or it could be another person on the committee who acts as a point of contact for occasions when the Welfare Officer is away, e.g. on holiday, sick, etc).*

[Name
Contact number
Email address]

The LTA Safeguarding Team has strategic and operational responsibility for safeguarding in tennis in Britain, including the monitoring and evaluation of safeguarding standards and investigating safeguarding concerns. Safeguarding concerns can be raised directly to the LTA Safeguarding Team via <https://safeguardingconcern.lta.org.uk/>

The Local Authority contact details are:

Children Services [telephone number]
Adult Services [telephone number]

All bound by this policy are responsible for raising safeguarding concerns in accordance with the 'Reporting a safeguarding concern' procedure (see Appendix A and B).

POLICY AIMS

The purpose of this policy is to:

- Protect children (including children of adults who use our services) and adults at risk from harm
- Provide the necessary information to enable people to meet their safeguarding responsibilities
- Deliver good practice and high safeguarding standards
- Outline our commitment to safeguarding children and adults at risk

DEFINITIONS

Child: anyone under the age of 18.

Parent: birth parents and other adults who are in a parenting role.

Adult at risk:

England (Care Act 2014)	Scotland (Adult Support and Protection Act 2007)	Wales (Social Services and Well Being Act 2014)
An individual aged 18 years and over who: (a) has needs for care and support (whether or not the local authority is meeting any of those needs) and; (b) is experiencing, or at risk of, abuse or neglect, and; (c) as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.	An individual aged 16 years and over who: a) is unable to safeguard their own well-being, property, rights or other interests, b) is at risk of harm, and because they are affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than adults who are not so affected.	An individual aged 18 years and over who: a) is experiencing or is at risk of abuse or neglect, and; b) has needs for care and support (whether or not the authority is meeting any of those needs) and; c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

RECRUITMENT

We operate a Safe Recruitment Policy and are committed to ensuring that people who work (including volunteers and self-employed individuals who we engage) with children or adults at risk are appropriately qualified for that role. This means that, where necessary, they will be required to undergo Criminal Records Checks through the Disclosure and Barring Service (DBS) in England and Wales, the Protection Vulnerable Groups (PVG) Scheme for those in Scotland, or the equivalent Overseas Criminal Records Check in their country of origin before being allowed to work.

TRAINING

All LTA Accredited Coaches and Welfare Officers complete safeguarding training as part of their role and renew this as part of their Accreditation requirements or every three years. The Committee also receive safeguarding training (every three years or when there are changes to the Committee) provided to them via the Welfare Officer to enable them to recognise the possible signs and indicators of abuse and what to do if they have a safeguarding concern or allegation.

An induction, which includes our safeguarding policies and procedures, reporting and recording arrangements, and details for the Welfare Officer, is also provided to all new staff, volunteers, coaches and any self-employed individuals who we engage.

CODE OF CONDUCT

All individuals within scope of this policy are expected to familiarise themselves with this policy and the LTA Code of Conduct (available here: <https://www.lta.org.uk/about-us/what-we-do/governance-and-structure/rules-regulations/>), and at all times act in accordance with them. Breaches of the law, this Policy and/or the LTA Code of Conduct may result in criminal and/or disciplinary action being taken. [If the venue wishes to use its own Code of Conduct, this should be added below in addition to the above wording].

TRANSPORTATION

It is the responsibility of parents to ensure appropriate transport arrangements are in place for their children when travelling to and from the venue. Similarly, it is the responsibility of the adult at risk (or their carer) to ensure transport arrangements are in place.

Coaches and other staff/volunteers are not responsible for transporting children or adults at risk to and from the venue or other locations (except if it is an emergency), unless it is as part of a venue organised trip in which case the following measures will be in place

- The adult at risk or child's parents are informed of the destination, reason for the journey and who the driver will be
- The adult at risk or child's parents return a completed consent form and the driver will have a copy of this and emergency contact details during the journey
- There will be two adults in the front of the car, irrespective of the number of children or adults at risk being transported.
- Children or adults at risk are always seated in the back of the vehicle
- If there is a mixture of female and male children or adults at risk, we will seek to have adults of matching gender where possible
- There is an established procedure in the event of a breakdown/emergency.
- The driver has a valid UK driving license, DBS/PVG, correct insurance, MOT certificate and complies with laws on the use of seatbelts and restraints

SUPERVISING CHILDREN

Children under the age of [age] are required to have parental supervision whilst at our venue and not participating in any venue sessions, such as coaching lessons or tennis camps.

For coaching activities, we comply with the LTA guidance on coach-to-player ratios. For children aged under [age], children must be delivered directly into the care of the coach by the parent and picked up directly from the coach. Please note that it is not enough to drop off outside or at the front door of the venue. Parents must ensure that their child has been delivered to the coach. Children under the stipulated age will not be allowed to leave a coaching session or camp unattended unless permission has been given in writing.

For other activities, e.g. away trips/matches, we will use the following adult-to-child ratios:

- 2:8 for children 10 and under
- 2:10 for children aged 11 and over

We may decide to have a greater adult-to-child ratio dependent on the needs of the children or identified risks. At least one of the supervising adults will, where possible, be the same gender as the children. Situations where a child has to leave a venue session, for example, to use the toilet, will also be supervised.

POSITIONS OF TRUST

A person aged 18 or older who holds a position of authority or responsibility over a child or adult at risk is in a position of trust. Positions of trust are not defined by a qualification or job title, but by reference to the activity which the adult is carrying out in relation to the child or adult at risk, namely, coaching, teaching, training, supervising or instructing (including as a volunteer) on a regular basis. People who are in a position of trust must be aware of the power imbalance they hold over children and adults at risk and not use this for personal advantage or gratification.

In June 2022, the Sexual Offences Act 2003 was changed to extend the abuse of position of trust offences to include where an adult is coaching, teaching, training, supervising or instructing a child under 18 years old within sport or religious settings. This means that under the Sexual Offences Act 2003, in England and Wales it is a criminal offence for a person in a position of trust to have a sexual or intimate relationship with a child under 18 years old, even if the relationship is deemed consensual. Therefore, any sexual activity (including online activity) between someone in a position of trust and a child under 18 years old will be formally reported as it may be a criminal offence.

TYPES OF ABUSE

There are four main types of abuse that apply to children, these being:

- Sexual
- Physical
- Emotional
- Neglect

The safeguarding adults at risk legislation in each home nation defines categories of adult abuse and harm as follows.

England (Care Act 2014)	Wales (Social Services and Well Being Act 2014)	Scotland (Adult Support and Protection Act 2007)
Physical	Physical	Physical
Sexual	Sexual	Psychological
Emotional/Psychological/Mental	Psychological	Financial
Neglect	Neglect	Sexual
Financial or material abuse	Financial	Neglect
Discriminatory		
Organisational		
Self-neglect		

Domestic Abuse (including coercive control) Modern slavery		
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Detailed descriptions of these types of abuse, along with other forms of harm, can be found in (Appendix C).

INCREASED VULNERABILITY TO ABUSE

Vulnerability is a changeable and contextual state but may include children and adults at risk with a physical disability or diagnosed condition such as dementia, learning difficulties, or those who have a mental health condition such as severe anxiety or depression. Children and adults in these groups may:

- Have smaller network of friends and peer group to support and protect
- Require intimate/physical and or invasive medical care required which can allow abuse to be hidden
- Have communication difficulties
- Be less able to resist either verbally or physically
- Be dependent on the abuser for a service or basic need
- Have medical conditions that are used to explain injuries

Personal circumstances away from tennis such as domestic violence, poverty, substance abuse, homelessness and social exclusion may also have an impact on vulnerability. In addition, children and adults at risk from LGBTQ+ and/or Black, Asian and Other Minority Ethnic groups can:

- Be subjected to bullying, emotional abuse and physical abuse due to their sexual orientation or gender identity
- Experience racism and racist attitudes
- Engage in cultural practices, which are classed as abuse within the UK (e.g., honour-based violence, female genital mutilation)
- Expect to be ignored by people in authority due to experience of institutionalised racism
- Be afraid of further abuse or racist abuse if they challenge others
- Be subjected to myths based on racial stereotyping
- Be using or learning English as a second language and therefore find it more difficult to communicate

Elite athletes may also be more vulnerable to abuse because they may:

- Have increased dependency on coaching and other support staff for funding, selection and progression
- Be segregated from protective factors such as their family and peer groups
- Feel less able to report concerning behaviour due to a fear of impacting their sporting development
- Be exposed to unhealthy cultures and competitive performance ideologies, where inappropriate practices may be accepted or even encouraged under the belief they deliver success
- Be subjected to intense training and pressure to play/succeed even when injured and achieve unrealistic image, body and weight expectations

LOW LEVEL CONCERNS

A low level concern (which can also be known as poor practice) is behaviour that falls short of abuse towards a child and does not meet the allegation threshold or a referral to the Local Authority Designated Officer (LADO, England and Wales only), but which nevertheless harms or places a child at risk of harm or has a negative effect on the safety and well-being of children.

An 'allegation' means that it is alleged that a person who works with children has:

- Behaved in a way that has harmed a child or may have harmed a child
- Possibly committed a criminal offence against a child
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- Have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include an arrest for possession of a weapon
- Have, as a parent or carer, become subject to child protection procedures

A low level concern is any concern - no matter how small, and even if no more than a 'nagging doubt' - that an adult may have acted in a manner which:

- Is not consistent with the Code of Conduct, and/or
- Relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children

Low level concerns are not acceptable and should be reported to the Venue Welfare Officer who will refer the matter on to the LTA Safeguarding Team. It is critical that all low level concerns are referred to the LTA. Having one recipient of all such concerns should allow any potential patterns of concerning, problematic or inappropriate behaviour to be identified, and ensure that no information is potentially lost.

Upon receipt by the LTA, low level concerns will be triaged and managed through the LTA Safeguarding Regulations, which form part of the LTA Disciplinary Code available here: <https://www.lta.org.uk/about-us/what-we-do/governance-and-structure/rules-regulations/>.

The LTA may decide that the low level concern is suitable to be dealt with by the venue directly, in which case the LTA will support them with managing the situation. If further information comes to light which raises the level of concern, the matter must be referred to the LTA.

RESPONDING TO A SAFEGUARDING CONCERN OR ALLEGATION

Everyone has a responsibility to ensure the safety and welfare of children and adults at risk and to take appropriate steps to ensure that safeguarding concerns and allegations are taken seriously and responded to quickly and appropriately, even if the safeguarding concern or allegation may not have occurred recently.

It is advisable to discuss safeguarding concerns or allegations with the adult at risk, or the child's parents in the first instance except where this may place the adult at risk, a child, or someone else, at increased risk.

It is not the responsibility of anyone within the venue to investigate any safeguarding concern or allegation, nor determine whether abuse has taken place. All concerns must be responded to in accordance with the Reporting a Safeguarding Concern Procedure.

Once a safeguarding concern or allegation is reported to our Welfare Officer, it will be passed onto the LTA Safeguarding Team who will triage and manage it through the LTA Safeguarding Regulations, which form part of the LTA Disciplinary Code available here: <https://www.lta.org.uk/about-us/what-we-do/governance-and-structure/rules-regulations/>.

RESPONDING TO A DISCLOSURE OF ABUSE

If a child or adult at risk discloses that he or she has been abused or is at risk of abuse:

- Listen carefully and calmly to what is said
- Reassure them that they have done the right thing and what they have told you is very important
- Keep questions to a minimum, only ask questions if you need to identify/ clarify what the person is telling you
- Ask them what they would like to happen next
- Explain what you would like to do next
- Ask for their consent for the information to be shared (adults only)
- Let them know that you will need to speak to the Welfare Officer/LTA Safeguarding Team because it is in their best interest. If you intend to speak to the police or social care, you should let them know this too.
- Do not seek to investigate it yourself or let doubt/personal bias prevent you from reporting the allegation
- Make an arrangement as to how you can contact them safely (adults only)
- Help them to contact other organisations for advice and support (e.g. Police, Domestic Abuse helpline, Victim Support, etc)
- Ensure that their immediate needs are met and that the priority is their safety and protection from further risk of harm
- Record details of the disclosure ([further advice here](#)) as soon as possible (but not during the disclosure) and then submit the details to the LTA via <https://safeguardingconcern.lta.org.uk/>

MAKING SAFEGUARDING PERSONAL

Legislation recognises that adults make choices that may mean that one part of their well-being suffers at the expense of another. Similarly, adults can also make a decision to risk their personal safety, for example to provide care to a partner with dementia who becomes abusive when they are disorientated and anxious.

The concept of 'well-being' is threaded throughout UK legislation and is part of the Law about how health and social care is provided. Our well-being includes our mental and physical health, our relationships, our connection with our communities and our contribution to society.

'Making Safeguarding Personal' means engaging an adult at risk in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, well-being and safety. Their views, wishes, feelings and beliefs will be taken into account when decisions are made about how to support them to be safe and finding the solution that is right for them. Treating people with respect, enhancing their dignity and supporting

their ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.

If an adult at risk has difficulty making their views and wishes known, they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate (usually from a third sector organisation).

Being able to live free from abuse and neglect is a key element of well-being. Any actions taken to safeguard an adult must take their whole well-being into account and be proportionate to the risk of harm.

MENTAL CAPACITY

It is important to make sure an adult at risk has choices in the actions taken to safeguard them, including whether or not they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell us their views.

If we are concerned that an adult at risk who has a lot of difficulty making their own decisions is being abused or neglected, we will need to refer the situation to the Local Authority, and this should result in health or social care professionals making an assessment of mental capacity and/or getting the person the support they need to make decisions.

We will always seek to obtain the consent from an adult at risk before sharing information about them with others, however there are some circumstances where we will need to act without their consent and these include where:

- it is not safe to contact them to gain their consent – i.e. it might put them or the person making contact at further risk
- we believe they or someone else is at risk, including children
- we believe the adult at risk is being coerced or is under duress
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed
- the adult at risk does not have mental capacity to consent to information being shared about them
- the person causing harm has care and support needs
- the concerns are about an adult at risk living in Wales or Northern Ireland (where there is a duty to report to the Local Authority).

When information is shared without the consent of the adult at risk this will be explained to them, when it is safe to do so, and any further actions should still fully include them

CONFIDENTIALITY

All safeguarding concerns and allegations will be dealt with confidentiality by the Welfare Officer on a need to know basis, not only to maintain the privacy of the individuals involved but also to ensure that evidence or any investigation is not compromised. All people involved in a safeguarding concern or allegation should similarly ensure they maintain high levels of confidentiality.

There may be circumstances where an individual raising a safeguarding concern or allegation does not wish to be named. It is not possible to assure anonymity, as in some circumstances individuals will need to be named (for example, where it is necessary in order to carry out a fair disciplinary process).

INFORMATION SHARING AND RETENTION

We share safeguarding information with the LTA in accordance with this policy and LTA regulations. In certain situations, we may be required to also share information with statutory agencies and other relevant organisations where it is considered necessary and proportionate to prevent or manage the risk of harm in tennis or sport to children.

We follow the UK Government's Information Sharing Advice for Safeguarding Practitioners which describes the '7 Golden Rules' of information sharing:

- Remember that the Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately.
- Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- Seek advice from other practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
- Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk.
- Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
- Necessary, proportionate, relevant, adequate, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
- Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

Further details of the above guidance: <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>.

When sharing safeguarding information, we will keep a dated record of:

- what has been shared;
- with whom; and
- for what purpose.

This should include, where applicable, a record of any steps taken to secure, protect or minimise personal data, any express limitations placed on the onward use of the information, and a record of the basis for sharing.

Where safeguarding information is concerned, we operate in line with best practice which is for long term (e.g. lifetime) retention of relevant documentation.

WHISTLEBLOWING

Whistleblowing is when someone reports wrongdoing on the basis that it is in the public interest for the wrongdoing to be brought to light. This can include:

- your or another organisation doesn't have clear safeguarding procedures to follow
- concerns aren't dealt with properly or may be covered up
- a concern that was raised hasn't been acted upon
- you are worried that repercussions are likely to arise if you raise a concern.

This applies to incidents that happened in the past, are happening now, or may happen in the future.

Whistleblowers should contact the Welfare Officer in the first instance. If the whistleblower does not wish to speak to someone within the venue or the LTA Safeguarding Team, the NSPCC Whistleblowing advice line can be contacted on 0800 028 0285 or by emailing help@nspcc.org.uk.

Safecall is an independent, confidential and, if required, anonymous reporting service provided by the LTA if there are serious concerns regarding any of the public interest areas below:

- Criminal offences, including fraud
- Failure to comply with a legal obligation
- Legal miscarriage of justice
- Endangering someone's health and safety
- Damage to the environment
- Covering up wrongdoing in any of the above categories

If a Whistleblower feels that it is not appropriate to contact the LTA Safeguarding Team on the grounds of one of the above areas, they can contact Safecall via telephone on 0800 915 1571. Calls are not recorded. Alternatively, a report can be made online: www.safecall.co.uk/report

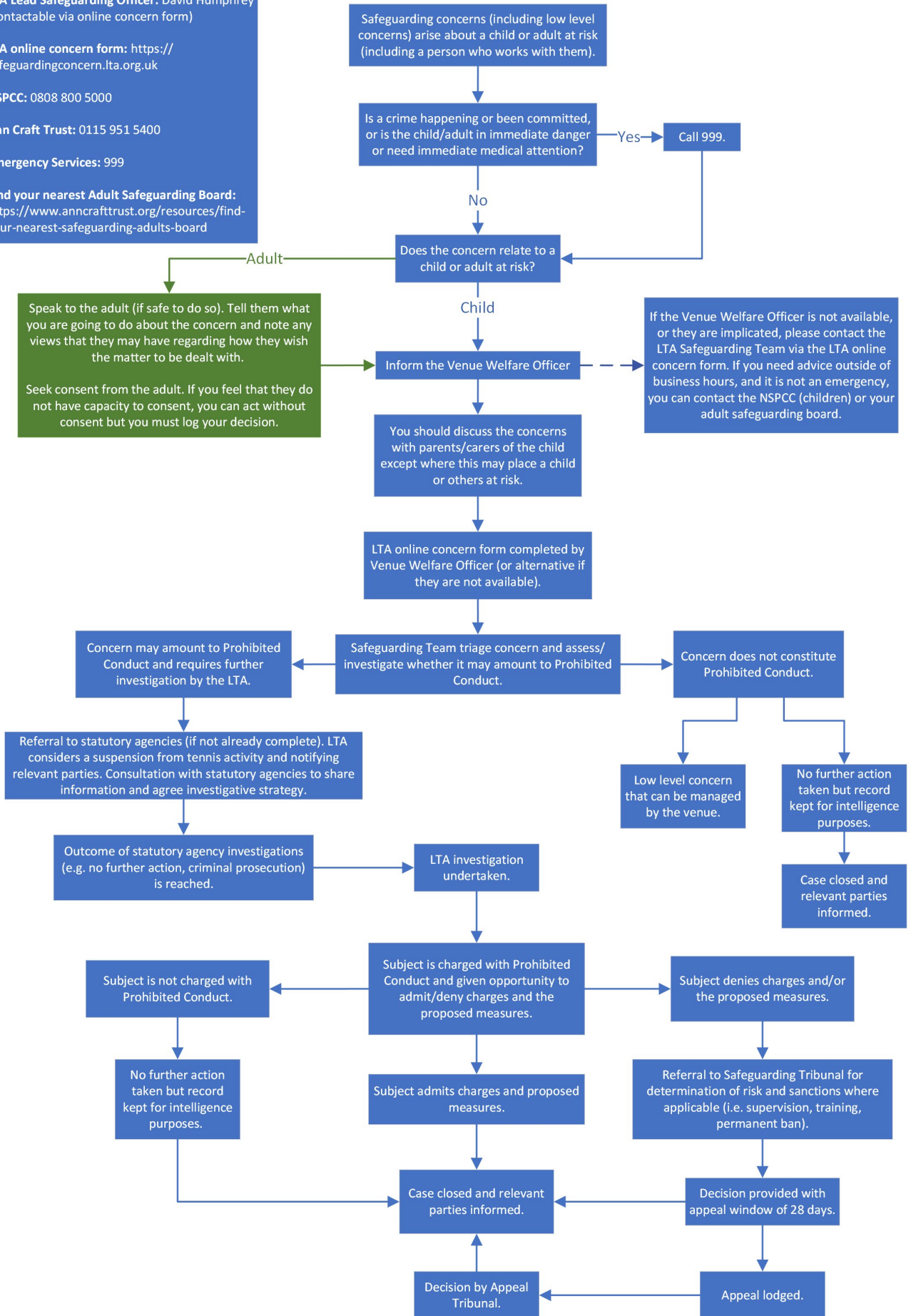
RELATED POLICIES AND PROCEDURES

This policy should be read alongside our other policies and procedures, including:

- Anti-Bullying
- Code of conduct
- Diversity and inclusion
- Online safety and communication
- Photography and filming
- Use of changing rooms
- Safeguarding at events, activities and competitions
- Safe recruitment

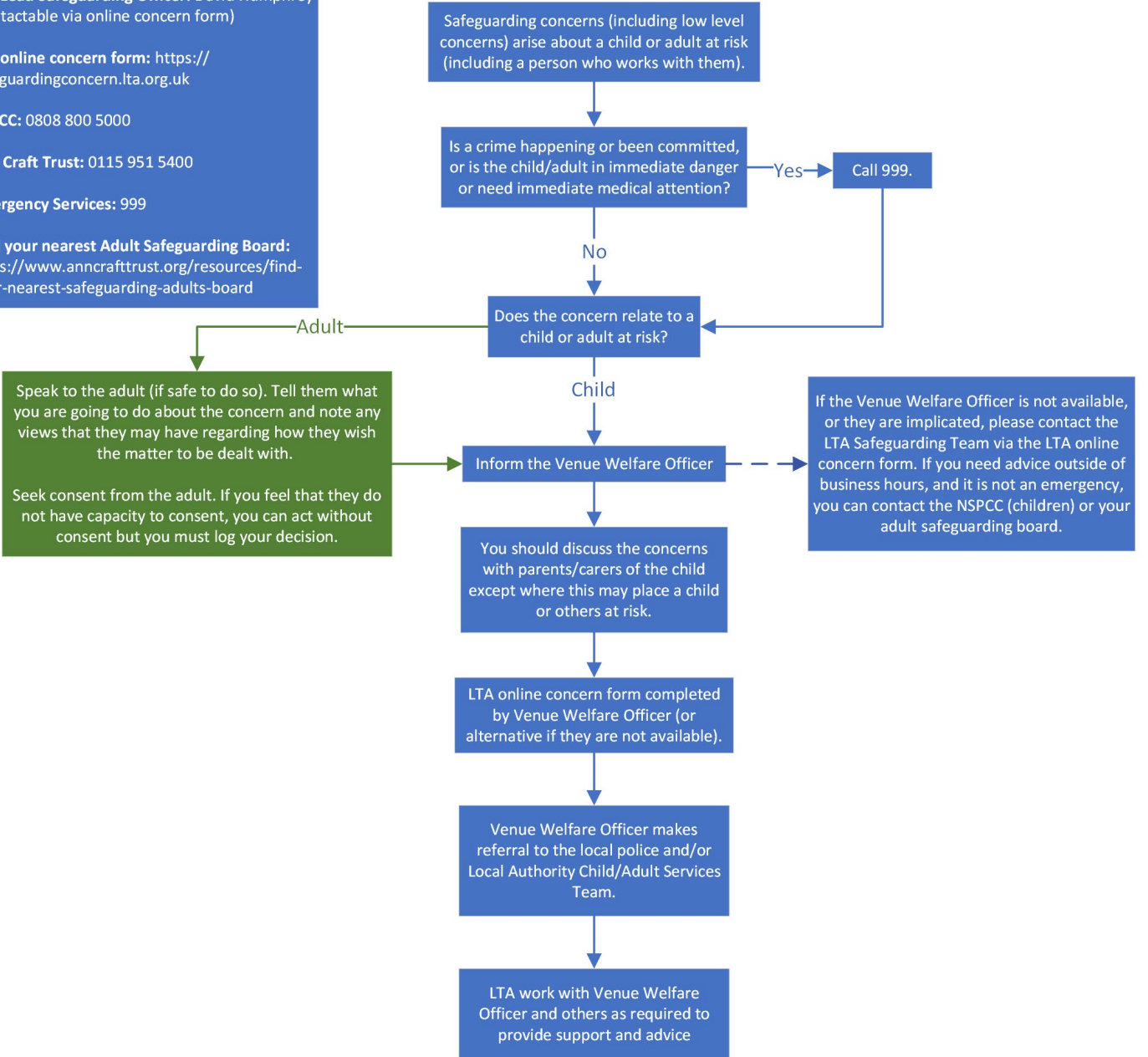
APPENDIX A: REPORTING A SAFEGUARDING CONCERN THAT OCCURS WITHIN TENNIS

Contacts
LTA Lead Safeguarding Officer: David Humphrey
 (contactable via online concern form)
LTA online concern form: <https://safeguardingconcern.lta.org.uk>
NSPCC: 0808 800 5000
Ann Craft Trust: 0115 951 5400
Emergency Services: 999
Find your nearest Adult Safeguarding Board:
<https://www.anncrafttrust.org/resources/find-your-nearest-safeguarding-adults-board>



APPENDIX B: REPORTING A SAFEGUARDING CONCERN THAT HAPPENS OUTSIDE OF TENNIS

Contacts
LTA Lead Safeguarding Officer: David Humphrey
 (contactable via online concern form)
LTA online concern form: <https://safeguardingconcern.lta.org.uk>
NSPCC: 0808 800 5000
Ann Craft Trust: 0115 951 5400
Emergency Services: 999
Find your nearest Adult Safeguarding Board:
<https://www.anncrafttrust.org/resources/find-your-nearest-safeguarding-adults-board>



APPENDIX C: DEFINITIONS

Adult: a person aged 18 years or older

Child: a person under the age of 18 years.

Parent: birth parents and other adults who are in a parenting role.

Adult at risk:

In England, an individual aged 18 years and over who:

- (a) has needs for care and support (whether or not the local authority is meeting any of those needs) AND;
- (b) is experiencing, or at risk of, abuse or neglect, AND;
- (c) as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

In Scotland, an individual aged 16 years and over who:

- a) is unable to safeguard their own well-being, property, rights or other interests,
- b) is at risk of harm, AND;
- c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than adults who are not so affected.

In Wales, an individual aged 18 years and over who:

- a) is experiencing or is at risk of abuse or neglect, AND;
- b) has needs for care and support (whether or not the authority is meeting any of those needs) AND;
- c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk

Safeguarding: the action taken to promote the welfare of children and protect them from harm. This means protecting children from abuse and maltreatment, preventing harm to their health or development, ensuring they grow up with the provision of safe and effective care, and taking action to enable all children to have the best outcomes. Safeguarding adults means protecting a person's right to live in safety, free from abuse and neglect.

Child protection: the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering, significant harm.

Local Authority Designated Officer (LADO): an individual within a local authority in England and Wales with responsibility for oversight of allegations against people who work with children.

Prohibited conduct: engage, or attempt or threaten to engage, in conduct that directly or indirectly harms the physical and/or mental welfare and/or safety of one or more child or adult at risk; or pose a risk of harm to the physical and/or mental welfare and/or safety of one or more child or adult at risk.

Abuse: Abuse happens when a person harms a child or an adult at risk. An abuser can be:

- family members

- friends
- people working or volunteering in organisational or community settings
- people they know
- strangers

Indicators of abuse: There are many signs and indicators that may suggest a child or adult at risk is being abused or neglected. The NSPCC and Ann Craft Trust have comprehensive lists of the types of abuse and their indicators at: <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/> and <https://www.anncrafttrust.org/resources/types-of-harm/>. Examples of signs and symptoms include but are not limited to:

- Unexplained change in behaviour
- Unexplained bruises or injuries
- Missing belongings or money
- Child is not attending / no longer enjoying their sessions
- Changes in weight
- Truancy
- Sexually explicit knowledge or behaviour
- Being withdrawn
- Genital pain, stomach pains, discomfort, pregnancy, incontinence, urinary infections, STDs.
- Dirty, ill-fitting clothes or a lack of appropriate clothing for the weather
- Self-harm.
- A fear of a particular group of people or individual.
- Lack of friends
- Lack of growth or development
- Low self-esteem

Neglect:

Children - Ongoing failure to meet the basic needs of children. Neglect may involve failing to provide adequate food or shelter including exclusion from home or abandonment, failing to protect them from physical and emotional harm or danger or failing to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, basic emotional needs.

Adults at risk - includes ignoring medical or physical care needs and failing to provide access to appropriate health social care or educational services. It also includes the withdrawing of the necessities of life, including medication, adequate nutrition, and heating.

Emotional abuse: Any act or other treatment which is persistent and may cause emotional damage and undermine a child's sense of wellbeing. This includes persistent criticism, denigration or putting unrealistic expectations on children, isolation, verbal assault, humiliation, blaming, controlling, intimidation or use of threats.

Emotional/Psychological abuse (adults at risk): Includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.

Physical abuse:

Children - Physical abuse happens when a child is deliberately hurt, causing physical harm. It can involve hitting, kicking, shaking, throwing, poisoning, burning or suffocating. It's also physical abuse

if a parent or carer makes up or causes the symptoms of illness in children. For example, they may give them medicine they don't need, making them unwell. This is known as fabricated or induced illness (FII).

Adults at risk - Hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

Sexual abuse:

Children - Any act which involves forcing or enticing a child to take part in sexual activities. It doesn't necessarily involve violence and the child may not be aware that what is happening is abuse. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing.

They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Abusers may threaten to send sexually explicit images, video or copies of sexual conversations to the child's friends and family unless they take part in other sexual activity. Images or videos may continue to be shared long after the abuse has stopped.

Adults at risk - Includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault, or sexual acts to which the adult has not consented, or was pressured into consenting.

Grooming: The process of developing a relationship with and the trust of a child, their family, and any other adults around the child, to commit sexual abuse or exploitation against them. Grooming can happen both online and in person.

Child sexual exploitation: A form of child sexual abuse. It occurs where an individual or groups of people take advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity in exchange for something the victim needs or wants and/or for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation can also take place through the use of technology.

Self-neglect (adults at risk): Covers a wide range of behaviour, but it can be broadly defined as neglecting to care for one's personal hygiene, health, or surroundings. An example of self-neglect is behaviour such as hoarding.

Modern Slavery (adults at risk): Encompasses slavery, human trafficking, forced labour, and domestic servitude.

Domestic Abuse (adults at risk): Domestic abuse is any type of controlling, coercive, threatening behaviour, violence or abuse between people who are, or who have been in a relationship,

regardless of gender or sexuality. It can include physical, sexual, psychological, emotional or financial abuse.

Exposure to domestic abuse is child abuse. Children can be directly involved in incidents of domestic abuse or they may be harmed by seeing or hearing abuse happening. Children in homes where there is domestic abuse are also at risk of other types of abuse or neglect.

Discriminatory (adults at risk): Abuse or bullying because of discrimination occurs when motivated by a prejudice against certain people or groups of people. This may be because of an individual's ethnic origin, colour, nationality, race, religion or belief, gender, gender reassignment, sexual orientation or disability. Actions may include unfair or less favourable treatment, culturally insensitive comments, insults and 'banter'.

Organisational (adults at risk): Includes neglect and poor care practice within an institution or specific care setting, such as a hospital or care home, or in relation to care provided in one's own home. Organisational abuse can range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation

Financial (adults at risk): Includes theft, fraud, internet scamming, and coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions. It can also include the misuse or misappropriation of property, possessions, or benefits.

Harmful sexual behaviour (HSB): HSB is developmentally inappropriate sexual behaviour which is displayed by children and which may be harmful or abusive. It may also be referred to as sexually harmful behaviour or sexualised behaviour.

HSB encompasses a range of behaviour, which can be displayed towards younger children, peers, older children or adults. It is harmful to the children who display it, as well as the people it is directed towards.

HSB can include:

- using sexually explicit words and phrases
- inappropriate touching
- using sexual violence or threats
- sexual activity with other children or adults

Sexual behaviour between children is considered harmful if one of the children is much older – particularly if there is more than two years' difference in age or if one of the children is pre-pubescent and the other isn't. However, a younger child can abuse an older child, particularly if they have power over them – for example, if the older child is disabled

Bullying: Repeated behaviour intended to intimidate or upset a child and/or make them feel uncomfortable or unsafe, for example, name calling, exclusion or isolation, spreading rumours, embarrassing someone in public or in front of their peers, threatening to cause harm, physically hurting someone or damaging their possessions.

Cyberbullying: The use of technology to harass, threaten, embarrass, humiliate, spread rumours or target another child.

Child trafficking: Child trafficking involves recruiting and moving children who are then exploited. Many children are trafficked into the UK from overseas, but children can also be trafficked from one part of the UK to another. Children may be trafficked for child sexual exploitation, benefit fraud, forced marriage, domestic servitude, forced labour, criminal exploitation and more.

County lines: The organised criminal distribution of drugs by gangs from the big cities into smaller towns and rural areas using children. Gangs recruit children through deception, intimidation, violence, debt bondage and/or grooming. County line gangs pose a significant threat to children upon whom they rely to conduct and/or facilitate such criminality.

Female genital mutilation: Female genital mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It's also known as female circumcision or cutting. The age at which FGM is carried out varies. It may be carried out when a child is new-born, during childhood or adolescence, just before marriage or during pregnancy. There are no medical reasons to carry out FGM.

Hazing: Rituals, initiation activities, actions or situations that occur with or without consent, which recklessly, intentionally or unintentionally endanger the physical or emotional well-being of vulnerable groups.

Honour-Based Violence: Honour-Based Violence (HBV) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of HBV are abuse.

Infatuations: Children may develop an infatuation with a person who works with them. Such situations should be handled sensitively to maintain the dignity and safety of all concerned. People who work with children should be aware, that in such circumstances, there is a high risk that words or actions may be misinterpreted and that allegations could be made against them. These people should therefore ensure that their own behaviour is above reproach. Situations where a child is infatuated should be raised at the earliest opportunity with the Welfare Officer and LTA Safeguarding Team.

Peer-on-peer abuse: Children can be taken advantage of or harmed by their peers. Peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between individuals and within relationships (both intimate and nonintimate).

Radicalisation: The process by which a person comes to support terrorism and forms of extremism leading to terrorism. Anybody from any background can become radicalised. The grooming of children for the purposes of involvement in extremist activity is a serious safeguarding issue.

APPENDIX D: LEGISLATION, GUIDANCE AND REGULATIONS

Our approach to safeguarding is based on the principles recognised within UK legislation as well as LTA and Government guidance, which includes:

Age of Legal Capacity Act 1991 (Scotland)	Keeping Children Safe in Education 2022
Care Act 2014	Police Act 1997
Children Act 1989	Protection from Abuse Act 2001 (Scotland)
Children Act 1995 (Scotland)	Protection of Children Act 1999
Children Act 2004	Protection of Children and Prevention of Sexual Offences Act 2005 (Scotland)
Children (Equal Protection from Assault) Act 2019 (Scotland)	Protection of Freedoms Act 2012
Children and Social Work Act 2017	Protection of Vulnerable Groups Act 2007 (Scotland)
Children and Young People Act 2014 (Scotland)	Rehabilitation of Offenders Act 1974
Commissioner for Children and Young People Act 2003 (Scotland)	Safeguarding Vulnerable Groups Act 2006
Criminal Procedure Act 1995 (Scotland)	Sexual Offences (Amendments) Act 2000
Data Protection Act 1998	Sexual Offences Act 2009 (Scotland)
Disclosure Act 2020 (Scotland)	Sexual Offences Act 2003
Equalities Act 2010	Social Services and Wellbeing Act 2014 (Wales)
European Convention on Human Rights 1950	The Age of Criminal Responsibility Act 2019 (Scotland)
General Data Protection Regulations 2018	United Nations Convention on the Rights of the Child 1989
Getting It Right For Every Child (GIRFEC) (Scotland)	Wales Safeguarding Procedures
Human Rights Act 1998	Working Together to Safeguard Children 2018 (revised 2020)
Information Sharing Advice for Safeguarding Practitioners 2018	

Each home nation also has legislation about the circumstances in which decisions can be made on behalf of an adult at risk who is unable to make decisions for themselves:

- England and Wales - Mental Capacity Act 2005
- Scotland - Adults with Incapacity Act 2000
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer: e.g. wilful neglect and wilful mistreatment.

APPENDIX E: ADDITIONAL INFORMATION AND SUPPORT

Alcoholics Anonymous

Free helpline for alcohol issues.

0800 9177 650

help@aamail.org

www.alcoholicsanonymous.org.uk

Anger Management

British Association of Anger Management (BAAM)

0845 130 0286

www.angermanage.co.uk

Beat

Provides support on all aspects of eating disorders.

0808 801 0677 (over 18s)

help@beateatingdisorders.org.uk

Bipolar UK

Support to enable people affected by bipolar disorder/ manic depression to take control of their lives.

0333 323 3880

info@bipolaruk.org

www.bipolaruk.org.uk

ChildLine

ChildLine help anyone under 19 in the UK with any issue they are going through.

08001111 or you can email or live chat at: <https://www.childline.org.uk/about/about-childline/>

Galop

Emotional and practical support for LGBT people experiencing domestic violence.

0800 999 5428

help@galop.org.uk

Men's Advice Line

Information, support and advice to men experiencing domestic violence, offered by Respect.

0808 801 0327

info@mensadviceline.org.uk

Mind

Information, advice, guidance and support for people with mental health problems.

0300 123 3393

info@mind.org.uk

National Domestic Violence Helpline

Run in partnership between Women's Aid & Refuge.

0808 2000 247

NAPAC

The National Association for People Abused in Childhood (NAPAC) offers support to adult survivors of all types of childhood abuse.

0808 801 0331

<https://napac.org.uk/>

NSPCC

The NSPCC can support with any concerns about a child's safety or wellbeing.

help@nspcc.org.uk

[0808 800 5000](tel:08088005000)

One in four

Specialising in working with survivors of childhood sexual abuse and sexual violence. Offers long-term 1-1 therapy.

0208 697 2112

admin@oneinfour.org.uk

www.oneinfour.org.uk

Relate

Counselling and relationship education for couples. Live chat line service also available.

0300 100 1234

www.relate.org.uk

Samaritans

Call 116 123 for free - Whatever you're going through, a Samaritan will face it with you.

www.samaritans.org

Sane

Deals with all aspects of mental illness including depression, schizophrenia and anxiety.

0845 767 8000

www.sane.org.uk

The Survivors Trust

The Survivors Trust is the largest umbrella agency for specialist rape and sexual abuse services in the UK

01788 550554

www.thesurvivorstrust.org

Talk to Frank

National organisation providing advice regarding drugs and substance abuse. On-line live chat service also available.

0300 123 6600

www.talktofrank.com

TRURO CITY COUNCIL PROCEDURAL GUIDANCE

1 **Co-option of Councillors**

(i) Prior to the agenda being distributed for the co-option meeting, candidates shall be invited to submit a personal statement setting out their experience, skills and why they want to join the council. These shall be circulated to members of the council together with the notice and agenda. Each candidate shall be asked to address the meeting for no longer than five minutes (the order to be decided by lot).

(ii) The Mayor (or in his absence the chairman of the meeting) shall ask all the candidates randomly the same questions, selected from those submitted by members to the Town Clerk prior to the meeting.

(iii) The Mayor (or in his absence the chairman of the meeting) shall request a show of hands in favour of a secret ballot. In accordance with standing order part B 9(b), if at least one-third of members present vote in favour, the council will proceed to a secret ballot, without discussion. Otherwise, the vote shall be by show of hands.

(iv) In accordance with standing order 9(a), where there are more than two candidates for one vacancy, a person must get a majority of votes over all the other candidates. Thus, where candidate A receives four votes, and candidates B and C each receive two, A is not elected because he has the same number of votes as B and C put together and does not have a majority over their combined votes. Where there are more than two candidates the candidate with the least number of votes is eliminated, so the final vote is between two candidates only. An abstention is not a vote and not part of the count.

2 **Order of Seniority**

Following the election or co-option of new members of the council, a list of members in order of seniority shall be drawn up. Members shall appear on the list according to their length of continuous service. This list shall determine the order of seating at council meetings.

Where, following an election, two or more members are elected to the council for the first time or return after a break of service, they shall be placed on the council's order of seniority list according to the number of votes cast, expressed as a percentage of the total ward electorate eligible to vote on the day of poll, with the new member achieving the highest percentage point across the city placed at the head of the list of new members and the other new members following in percentage point order.

Where new members have been returned unopposed or are co-opted to the council, they shall not have precedence over members, with the same length of continuous service, from contested elections and their positions shall be decided by drawing lots.

**TRURO CITY COUNCIL
PROCEDURAL GUIDANCE**

3 Selection of Mayor and Deputy Mayor in a Non-Election Year and Election of Mayor/Deputy Mayor in an Election Year

(i) Prior to February/March, or in an election year, at the annual meeting held in May at the first meeting of council, at which the selection of the Mayor and Deputy Mayor shall take place, members of the council shall be circulated with a list of members in their respective groups together with an order of seniority. The groups shall comprise of the following:-

Group A Members who have served continuously for at least three years and have not previously held the office of Mayor;

Group B Members who have not served continuously for at least three years in their current term, but have at least three years interrupted service and have not previously held the office of Mayor;

Group C Members who have at least three years continuous or interrupted service and have previously held the office of Mayor more than four years previous to the forthcoming Mayoral year;

Group D Members who have at least three years continuous or interrupted service and have previously held the office of Mayor fewer than five years previous to the forthcoming Mayoral year;

Group E Members who have served less than three years, either continuously or interrupted, and have not previously held the office of Mayor.

Group F Members who have served less than three years, either continuously or interrupted, and have previously held the office of Mayor.

Note: Groups E and F are particularly applicable in the event of a completely new council being elected.

The duration of service shall be calculated, as at the date the new Mayoral year will commence.

(ii) Eligibility for Nomination

Members who are not prepared to allow their name to go forward for nomination shall notify the Town Clerk in writing, prior to the meeting at which the selection is undertaken. Otherwise, a proposer shall be sought to nominate the member, in order of seniority, in the first group, as defined in part 2(i), who has not indicated his unwillingness to serve. Should no one in this group wish to serve then the nomination shall pass to the member, in order of seniority, in the second group who has not indicated his unwillingness to serve and so on.

**TRURO CITY COUNCIL
PROCEDURAL GUIDANCE**

**(iii) Selection of Mayor in a Non-Election Year and
Election of Mayor in an Election Year**

At the February/March meeting of the council, or in an election year, at the annual meeting held in May, the Town Clerk shall remind the members of the policy of the council that, in normal circumstances the office of Mayor of the city for the ensuing year shall be offered to the current Mayor unless he has served two consecutive years. If the Mayor has served two consecutive years, the office shall be offered to the Deputy Mayor for the current year.

If the current Mayor is eligible to serve for a further year, unless the present holder of the office indicates he is unwilling or unable to accept, the Mayor (or in his absence the chairman of the meeting) shall, without discussion, call for a proposer and seconder in respect of the nomination for Mayor, after which the Mayor (or in his absence the chairman of the meeting) shall request a show of hands in favour of a secret ballot. In accordance with standing order part B 9(b), if at least one-third of members present vote in favour, the council will proceed to a secret ballot. Otherwise, the vote shall be by show of hands, to determine whether or not the nomination is successful.

In the event that the office of Mayor is to be offered to the current Deputy Mayor, unless the present holder of the office indicates that he is unwilling or unable to accept, the Mayor (or in his absence the chairman of the meeting) shall, without discussion, call for a proposer and seconder in respect of the nomination for Mayor, after which the Mayor (or in his absence the chairman of the meeting) shall request a show of hands in favour of a secret ballot. In accordance with standing order part B 9(b), if at least one-third of members present vote in favour, the council will proceed to a secret ballot. Otherwise, the vote shall be by show of hands, to determine whether or not the nomination is successful.

In the event of the previously nominated candidate not receiving the majority support of the council the Town Clerk shall advise the council of the name of the next member who meets the criteria set out in part 3(ii). The Mayor (or in his absence the chairman of the meeting) shall then call for nominations from the council. Without discussion, the Mayor (or in his absence the chairman of the meeting) shall next request a show of hands in favour of a secret ballot. In accordance with standing order part B 9(b), if at least one-third of members present vote in favour, the council will proceed to a secret ballot. Otherwise, the vote shall be by show of hands.

**(iv) Selection of Deputy Mayor in a Non-Election Year and
Election of Deputy Mayor in an Election Year**

In the circumstances that the current Mayor is to serve for one further year, unless the present holder of the office of Deputy Mayor indicates that he is unwilling or unable to accept, the Mayor (or in his absence the chairman of the meeting) shall call for a proposer and seconder in respect of the nomination for Deputy Mayor, after which, without discussion, the Mayor (or in his absence the chairman of the meeting) shall request a show of hands in favour of a secret ballot. In accordance with standing order part B 9(b), if at least one-third of members present vote in favour, the council will proceed to a secret ballot. Otherwise, the vote shall be by show of hands to determine whether or not the nomination is successful.

TRURO CITY COUNCIL PROCEDURAL GUIDANCE

Alternatively, immediately after the selection of the Mayor or election of the Mayor (or in his absence the chairman of the meeting) in an election year, for the ensuing year the Town Clerk shall advise the council of the name of the next member who meets the criteria set out in part 3(ii).

The Mayor (or in his absence the chairman of the meeting) shall then call for a proposer and seconder in respect of the nomination for Deputy Mayor, after which, without discussion, the Mayor (or in his absence the chairman of the meeting) shall request a show of hands in favour of a secret ballot. In accordance with standing order part B 9(b), if at least one-third of members present vote in favour, the council will proceed to a secret ballot. Otherwise, the vote shall be by show of hands to determine whether or not the nomination is successful.

In the event of a previously nominated candidate not receiving the majority support of the council, the Town Clerk shall advise the council of the next member who meets the criteria set out in part 3(ii) and the procedure shall be repeated, until a nominee has been chosen by the council.

4 Selection of Committees

A Committee Selection Committee, comprising the Mayor and Deputy Mayor for the time being, together with five other Members of the council, shall be elected by ballot of the whole council at the ordinary meeting of the council held in March/April. The Mayor (or in his absence the chairman of the meeting) shall request a show of hands in favour of a secret ballot. In accordance with standing order part B 9(b), if at least one-third of members present vote in favour, the council will proceed to a secret ballot, without discussion. Otherwise, the vote shall be by show of hands.

Provided that, in the year of the ordinary election of councillors, the Committee Selection Committee shall be elected at the annual meeting of the council, in accordance with standing order part B 6(j)(vii).

The Mayor and Deputy Mayor for the time being, shall be Chairman and Vice Chairman respectively of the Committee Selection Committee or, in the absence of both, the committee shall be chaired by a member appointed at the meeting.

Immediately following the election of the Committee Selection Committee, or in the year of the ordinary election of councillors immediately following such election, the Town Clerk shall circularise all members of the council requesting details of their preference for membership of the standing committees for the time being of the council, and shall submit details of the replies received to the meeting of the Committee Selection Committee to enable the committee to make its nominations to the council. Each member to be informed that they must indicate their first, second and third choices, but that they can also indicate the committee(s) on which they do not wish to serve.

At a meeting of the Committee Selection Committee held between the adjournments (i.e. after the Mayor Making Ceremony in a non-election year) of the council's Annual Meeting it shall consider the preferences expressed by members and nominate members to serve on the standing committees of the council, such nominations to be reported to the Annual Meeting of the council each year, for approval.

**TRURO CITY COUNCIL
PROCEDURAL GUIDANCE**

5 Composition of Committees

(i) Except where otherwise provided by statute or a scheme made under statutory authority, the Mayor and Deputy Mayor shall be a member of every committee, sub-committee or working party appointed by the council or its committees.

(ii) The membership of each standing committee shall be:

(a) **Finance and General Purposes**

Mayor, Deputy Mayor and nine members elected in accordance with standing order part B 5 together with the Chairman of the Parks and Amenities Committee. In the absence of the Chairman of the Parks and Amenities Committee the vice-chairman is permitted to attend and to vote.

(b) **Parks and Amenities**

Mayor, Deputy Mayor and nine members elected in accordance with standing order part B 5 together with the chairman of the Finance and General Purposes Committee. In the absence of the Chairman of the Finance and General Purposes Committee, the Vice-Chairman is permitted to attend and to vote.

(c) **Planning**

Mayor, Deputy Mayor, and ten members elected in accordance with standing order part B 5.

6 Bank Account Signatories

Except where otherwise provided by statute, all cheques, bank mandates and other orders for payment of purchase orders not exceeding £500 in total shall be signed by the Mayor or Deputy Mayor or, in the absence of both, by the Chairman or Vice-Chairman of the Finance and General Purposes Committee and countersigned by the Town Clerk or Treasurer.

All cheques, bank mandates and other orders for payment of purchase orders totalling £500 or more shall be signed by two members, one of whom shall be the Mayor or the Deputy Mayor, or in the absence of both, the orders for payment shall be signed by the Chairman and Vice-Chairman of the Finance and General Purposes Committee, and countersigned by the Town Clerk or Treasurer.



22nd November 2023

Kenwyn Parish Council
Truro City Council

Langarth Stewardship Working Group (LGSW) Update Report- November 2023

This report is being submitted to provide Kenwyn Parish Council and Truro City Council with an update on the work of the Langarth Stewardship Working Group (LSWG).

Membership

The group has been meeting on a fortnightly basis since 27th July 2023 and has been attended by the following Councillors.

Kenwyn Parish Council:

- Councillor Karen Laborde
- Councillor Elizabeth Hazell
- Councillor John Dobson
- Councillor Derek Green
- Councillor Alun Jones

Truro City Council:

- Councillor Carol Swain
- Councillor Stuart Roden
- Councillor Steven Webb

Also attending the meetings are the two Cornwall Council Divisional Members:

- Councillor Dulcie Tudor
- Councillor David Harris

Purpose of the group

The purpose of the group was established as

- For members to learn more about Stewardship
- To explore different options and approaches together through discussions, peer learning sessions and visits
- To gain Parish and City Council thoughts on a Stewardship approach that would be right for Langarth.
- To help inform the approach to be put forward for decision and agreement.

Key considerations by Councillor representatives

At the initial meeting, Councillors were asked to share some of the key matters they would like to discuss and address through this working group. These matters were as follows:

Timescales & Programme	<ul style="list-style-type: none"> • When is Stewardship organisation going to be set up? • Phasing of Langarth Development and how Stewardship links to that. • What are the key points where we need to inform / influence things?
Scope	<ul style="list-style-type: none"> • What will the Stewardship Organisation be responsible for and what will be 'out of scope' and the responsibility of other parties?
Protecting the Vision, Design Principles & Community	<ul style="list-style-type: none"> • To ensure Langarth lives up to Garden Town principles • Strong vision and community & the best for residents • Having Kenwyn and Truro working closer together
Environment, Nature & Wildlife	<ul style="list-style-type: none"> • Protecting the environment and wildlife
Community Centre	<ul style="list-style-type: none"> • Community Centre is now out of the red line of Langarth. • It's integrated into the Sports Centre Planning Application being submitted in September. • What does this mean in terms of a Community Centre for Langarth and will it be in / out of scope of Stewardship?
Financial Matters	<ul style="list-style-type: none"> • To ensure residents don't get landed with financial burden • Issue of triple-taxation and relationship between Council, Service Charge and endowments.
Roles of Parishes and other organisations in Stewardship	<ul style="list-style-type: none"> • Clarity on roles and involvement – who will be sitting around the table on the Stewardship Organisation • Opportunities for the Stewardship organisation to procure services, including from local providers.
Connectivity, Transport including A390 corridor	<ul style="list-style-type: none"> • Role of Stewardship Organisation in terms of transport and connectivity. • Options for residents e.g. 'free' bus travel.

Study Tours & Learning Sessions	<ul style="list-style-type: none"> • To agree other Stewardship examples to either visit or invite to participate in on-line learning sessions. • All to suggest possible places to visit / speak to. • To include places where not working well as well as good examples to gather the best knowledge
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Through the series of meetings, sessions with guest speakers and ongoing engagement with the group, these matters are being considered to ensure the matters important to local Councillors are discussed.

This report is being submitted to provide Kenwyn Parish Council and Truro City Council with an update on the work of the Langarth Stewardship Working Group (LSWG).


LSWG Shaping Langarth’s Stewardship Approach

The working group has had an essential role is reviewing important aspects of the proposed stewardship approach through its work so far.

For example, the **Scope** of what the stewardship organisation would and could be responsible for both in the short and long term were considered with members agreeing the core scope around the physical management of community assets along with suggesting some other services and functions it could potentially look into providing which would enhance the social infrastructure of Langarth and the surrounding area. The core scope was agreed as:

2. Stewardship Organisation Scope – Physical Assets

<p>Green and Blue Infrastructure:</p> <ul style="list-style-type: none"> • Public open spaces, public realm, street furniture, public art • Suitable Alternative Natural Greenspace (SANG) • Above ground SUDS 	<p>Facilities and assets:</p> <ul style="list-style-type: none"> • Community Assets (Hub, The Curve building) • Community Farm • Allotments and agricultural land <p>Unadopted highways</p> <ul style="list-style-type: none"> • Tertiary Roads 	<p>The proposed scope <u>excludes</u>:</p> <ul style="list-style-type: none"> • Schools • Standalone health facilities & adult social care (inc. extra care) • Underground SUDS and foul drainage • Park and Ride • Housing assets
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It was also recognised that as Langarth develops, there should be flexibility built in to the stewardship organisation's set up to allow for it to take on more assets or activities.

Some of the additional ideas included a potential future role in:

- Digital Infrastructure,
- Business Support
- Legal Support
- Safety and Security

The group has also more been looking at the **Critical Success Factors (CSFs)**, which are some of the key indicators which will help to determine how successful the stewardship approach is as well as helping to inform the legal structure and governance. A workshop was held with Pinsent Masons who are technical specialist. Starting with the CSFs as described in the earlier work (business cases), the group put forward other key considerations which they wanted to see taken account of. These additional considerations included areas around:

- Mitigating environmental impacts
- Clear and regular engagement of the Master Developer and Cornwall Council with the Parish Council and the Stewardship organisation.

Following the workshop, the groups suggestions are being translated into clear and measurable CSFs which are being used to then form a check list to see which potential legal structure would be the best fit for Langarth (again recognising that flexibility to change in the future is important.) A follow up session will take place to feedback the results of this exercise.

Learning from others

Part of the work of the group has been to continue to learn about stewardship and different approaches from across other garden communities and stewardship experts.

So far, representatives from the following have met with the group to provide insights into their experiences and approaches and for the group members to ask questions.

- Otterpool Park Garden Community
- Caddington & Slip End Community Trust
- The Land Trust
- Brooks Estates
- JTP
- Community Stewardship Solutions

Other guests will be invited as the meetings continue and there is still the opportunity to consider some visits to other garden communities.

Next Steps

The Councillor working group is an essential forum in helping to develop the right stewardship approach for Langarth. It has proven its importance in reviewing aspects such as scope and critical success factors and as the work on the options appraisal continues, the group will continue be asked to feed into the process and help shape the approach.

We very much thank all of the Councillors who are part of this working group for their time and dedication to supporting this important piece of work. We feel that continuing this working group is really important as its input and ideas so far has been invaluable. This input will continue to be important as we start to conclude the options appraisal and then move forward towards a full business case and business plan.

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