

Gainsborough Town Council

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Gainsborough, Lincolnshire, DN21 2RJ

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REMOTE MEETING AGENDA

11 February 2021

Dear Councillor,

You are hereby summoned to attend an extraordinary meeting of the **Policy Review Working Group** which will be held on **Thursday 18 February 2021 at 7pm.**

Working Group Members will be able to access the meeting via a link which will be emailed to their Town Council email address.

Members of the public will be able to view the meeting at the following link:
<https://www.youtube.com/channel/UCmlMaqH64ih1EDc6Cn56VWA>

The business of the meeting is set out in the agenda below.

Councillor P. O'Connor
Chairman of the Policy Review Working Group

Working Group members: Councillor M Boles – ex officio, Councillor T Davies, Councillor D Dobbie, Councillor P O'Connor (C), Councillor K Panter- ex officio

Agenda

No	Agenda Items
	<u>Procedural items</u>
1	Register of attendance for a remote meeting Working Group to conduct a register of attendance for a remote meeting.
2	Declarations of interest Working Group to receive any declarations of interest in accordance with the requirements of the Localism Act 2011, and to consider any applications for dispensations.
3	Minutes of the previous meeting Working Group to confirm as a correct record the minutes of the meeting held on 21 January 2021. PAPER A

<u>Business items</u>	
4	<p>Town Council Committee Structure Working Group to consider a proposal relating to the Town Council committee structure. PAPER B</p>
5	<p>Pigeon Lofts and Keeping Pigeons Policy Working Group to note that the Community Services Committee on 9 February 2021 considered this matter and referred it for a final review by the Policy Review Working Group before it is adopted.</p> <p>Working Group to consider the draft Pigeon Lofts and Keeping Pigeons Policy. PAPER C</p>

PAPER A

GAINSBOROUGH TOWN COUNCIL

MINUTES of a REMOTE meeting of the Policy Review Working Group held on Thursday 21 January 2021 at 2:00pm

Present: Councillor Pat O'Connor (Chairman)

In Attendance:

Tom Clay	Town Clerk
Rachel Allbones	Deputy Clerk & RFO
Sean Alcock	Operations Manager

1. APOLOGIES FOR ABSENCE

Councillor Keith Panter – ex officio

2. DECLARATIONS OF INTEREST

None declared.

3. MINUTES FROM THE PREVIOUS MEETING (Paper A)

Minutes of the meeting of Policy Review Working Group held Thursday 19 November 2020

RESOLVED to hold the minutes of the Policy Review Working Group meeting held on Thursday 19 November 2020 over to the next meeting.

4. ALLOTMENT TENANCY AGREEMENT AND TERMS & CONDITIONS (Papers B & C)

The Working Group considered the draft Tenancy Agreement and Terms and Conditions.

The Working Group noted the resolution of the Community Services Committee on Tuesday 8 December 2020:

RESOLVED Only the draft Tenancy Agreement and Terms and Conditions be considered by the Policy Review Working Group for further tweaking before approval by the Community Services Committee.

The Working Group noted and considered a small handful of suggested changes that have been included on the version sent with this agenda and were happy to refer back to Community Services Committee with the addition of a line about the plot holder use of CCTV.

The Chairman stated:

At the moment this group can only make minor amendments to existing policy documents. I am hopeful that a revision of the structure of the council will strengthen our ability to shape its future course in terms of its policies.

While I would commend the leadership and officers of the council in their efforts to reform the management of the allotments, I am not convinced this will achieve the results envisaged.

The meeting concluded at 2.05pm

04

PAPER B

**Officer Report to the
Policy Review Working Group**

Report Author: Tom Clay

Report Date: 8 February 2021



Gainsborough
TOWN COUNCIL

Subject: Committee structure proposal

1. Summary

- 1.1 The report will briefly review the current committee structure and arrangement of delegated powers.
- 1.2 The report sets out a brief proposal for consideration by the Working Group. The issue would be brought back to Council for determination.
- 1.3 This report was drafted following a discussion at the meeting of Full Council held on 1 December 2020. The Town Clerk has worked with the Chairman of the Policy Review Working Group in drafting this document.

2. Current structure

- 2.1 The roles, functions, and powers of Council (Full Council) and the different committees and working groups is set out in a number of documents. The principal ones being Standing Orders, Financial Regulations and Structures and Functions.
- 2.2 The current committee structure consists of Full Council (plus the Annual Meeting of the Town Council and Annual Parish Meeting) as well as 11 other committees, sub-committees and working groups. They are as follows:
 - Management and Finance Committee
 - Community Services Committee
 - Planning and Development Committee
 - Personnel Committee
 - Allotments Sub-Committee
 - Armed Forces Day, Remembrance Sunday & War Memorial Working Group
 - Policy Review Working Group
 - Cemetery Working Group
 - Levellings Improvement Working Group
 - Strategic Overview Working Group
 - Neighbourhood Plan Working Group
- 2.3 A diagram of the current committee structure can be found at appendix A.
- 2.4 11 is a comparatively high number of committees and working groups for a Town Council. However, from May 2021 the Neighbourhood Plan Working Group remit will have ended.
- 2.5 Of the ten highest precepting parish and town councils in the historic county of Lincolnshire (Lincolnshire County Council, North Lincolnshire, and North East Lincolnshire) and the Bassetlaw DC area the average is 4.2. The information is set out in detail at appendix B.

- 2.6 West Lindsey District Council (WLDC) despite being a far bigger authority than the Town Council appears to have a similar number of committees.¹ It is also worth noting that WLDC has a group of staff who have as a primary function the administration of meetings.
- 2.7 Establishing a clear rationale for the high number of committees and working parties is difficult. In the past it is likely to have been driven by:
- i. Trying to replicate the structure of larger councils.
 - ii. No effective review mechanisms.
 - iii. Limited or poorly defined strategic goals and aims.
 - iv. A committee system which has grown organically over time.

Issues with the current committee structure

- 2.8 The comparatively high number of Town Council committees and working groups generates a higher-than-average number of meetings. This consequently leads to a requirement for an above average commitment from Members and from Council staff resources.
- 2.9 It is possible that issues relating to committee vacancies and meeting attendance are a consequence of the above average commitment.
- 2.10 The Town Council is by no means unique in setting up so many committees and working parties. However, it has some unusual features:
- i. The committee structure is quite complicated. There are a large number of interactions between committees and working parties on a scale which is unusual for a parish or town council.
 - ii. Membership appears to be random with little consistency. There is in particular a wide array of different arrangements for the Sub-committee and Working Groups.
 - iii. A particularly unusual feature of the Town Council's arrangements is the longevity of Working Groups and some of the higher-level functions that they undertake. For instance, within the current structure, it is not clear why given its role and function the Policy Review Working Group is not a committee or a sub-committee.
 - iv. In the current structure there is an overlap in work, functions, and roles. In other areas it is not clear which committee has a lead. The lack of clarity is particularly noticeable in the following areas: staffing, land/property management, policies/procedures, the neighbourhood plan, allotments, and strategy.
 - v. Finally, it appears that the delegated functions of some of the committees and working groups are out of step with their title. For instance, the Levellings Working Group has budgetary responsibility and a term of reference that reads more like a sub-committee. Whereas the Allotments Sub-committee has the same problem, but the other way round.

¹ <https://democracy.west-lindsey.gov.uk/mgListCommittees.aspx?bcr=1>

- 2.11 Currently the delegated powers of committees, office holders, and staff are set out in several documents.
- 2.12 Many of the delegated powers appear not to have been reviewed for some time. The result is a confusing patchwork of delegated powers, roles and functions which are poorly understood, sometimes difficult to interpret and in some cases rarely used.

3. Proposal

- 3.1 The proposal has been split into two steps.
- 3.2 It is hoped that if the proposal is accepted the new structure could be in place for the Annual Meeting of the Town Council on Tuesday 4 May 2021.
- 3.3 **Step 1: Creation of a new structure**
- 3.4 It is proposed that Members consider the creation of an entirely new committee structure. The proposal would see a fundamental review of the way the Town Council conducts business and makes decisions.
- 3.5 All the work currently undertaken by the Working Parties and the Sub-Committee would be subsumed within four new committees.
- 3.6 The current arrangements would be reviewed with the goal being to make clear the responsibilities, roles, and functions of the different committees.
- 3.7 The quorum of each committee would be clearly set as would be the frequency of meetings.
- 3.8 If accepted by the Working Group and recommended to Council, it would be considered at the March 2021 meeting. Assuming there was a broad consensus with what has been proposed the next step would be taken.
- 3.9 Specifically, the proposal calls for the creation of four committees:
 - Finance and Strategic Planning Committee
 - Personnel Committee
 - Planning Committee
 - Property and Services Committee
- 3.10 A summary of each of the proposed committees will be given in turn.
- 3.11 **Finance and Strategy Committee**
- 3.12 The new committee would take on much of the work currently undertaken by the Management and Finance Committee, the Policy Review Working Group, and the Strategic Overview Working Group.
- 3.13 The committee's new title highlights finance as an important issue. It also attempts to 'promote' strategy as something that is important. It is hoped that the Council can work toward being more proactive rather than reactive.
- 3.14 In broad terms the committee would be responsible for matters relating to finance, general management issues, strategy, communications, and policy not covered by Council or other committees. The committee would have a lead role in the area of Health and Safety.

3.15 **Personnel Committee**

3.16 This Committee would be similar to the current Committee. However, it would have a clear remit in the management and review of staffing matters and policy.

3.17 In recent years there has been a general lack of review in relation to staffing policies and procedures. The Committee would have as a central function the need to review and keep policies relating to staff up to date and accurate.

3.18 **Planning Committee**

3.19 The title of the committee has been shortened to reflect its core function. This committee would focus on planning, licensing, and highway development matters.

3.20 Future reviews of the Neighbourhood Plan and associated documents would fall to the committee to manage. The consistent application of the Neighbourhood Plan would also be a matter for the committee.

3.21 **Property and Services Committee**

3.22 It is proposed that a committee be created with a clear remit in relation to Council property and the services provided to the community.

3.23 The work currently undertaken by the Community Services Committee, Levellings Working Group, Allotment Sub-committee and Armed Forces Working Group, Cemetery Working Group would be subsumed within the new committee.

3.24 In broad terms the committee would have a remit relating to: Council property, grounds maintenance, events, services provided to the community, allotments, and cemeteries.

3.25 In line with a new strategic focus for the Council it is anticipated that the committee would develop long-term plans for improvement and management of Council property, land, and services.

3.26 **Step 2: Delegated powers, roles, and functions**

3.27 A key step in the second phase is the creation of a new document to replace the Structures and Functions document currently in use.

3.28 This would in effect be an entirely new document and would seek to make clear the delegated powers of all office holders, committees, office holders and staff.

3.29 The relationships and interactions would be simplified, and the decision-making process made clearer.

3.30 New terms of reference for each committee would also be required. They should be clear, concise, and consistent. A sample terms of reference for the Planning Committee has been set out at appendix C.

3.31 The proposal will also require a review of key documents, such as, Standing Orders and Financial Regulations. This will be to ensure that all the key documents setting out delegated powers and functions 'match' each other.

- 3.32 Consideration should be given to a more consistent and coherent review of Town Council policies and procedures in the future. There could be a rolling programme of work that references the strategic goals and aims of the Town Council, or to put it simply the creation of an action plan.
- 3.33 Any action plan should seek to set out the goals and objectives of the Town Council and each committee. Progress against the goals and objectives could be reviewed over time. This hopefully would help to make the Town Council less reactive and more focused on strategic goals and objectives.
- 3.34 Once both steps have been complete it is proposed that the matter be put to a meeting of Full Council for consideration. It is hoped that a new structure could be in place for the Annual Meeting of the Town Council in May 2022 at the latest.
- 3.35 The second stage would be considered at the April 2021 meeting. If Members accepted the proposal the new structure would be in place from May 2021.

4. Risk, budget, and policy implications

- 4.1 The recommendations in this report conform to Standing Orders and Financial Regulations.
- 4.2 There is no direct implication to revenue or capital budgets as a result of this proposal. However, consideration of how the budget is arranged might be required.
- 4.3 There will be extensive need for review and the creation of new policies and procedures as a result of this proposal.
- 4.4 Some training needs might arise, but it is anticipated that the training offered by LALC and in-house training would suffice.
- 4.5 There is some risk associated with the proposal, such as, confusion, poor change management and the updating of documents and the website. The proposal would also be a radical departure from what has been in place for some time.
- 4.6 However, all such risks can be managed through effective communication and project management. There should also be more frequent review of arrangements in the future.

5. Recommendation

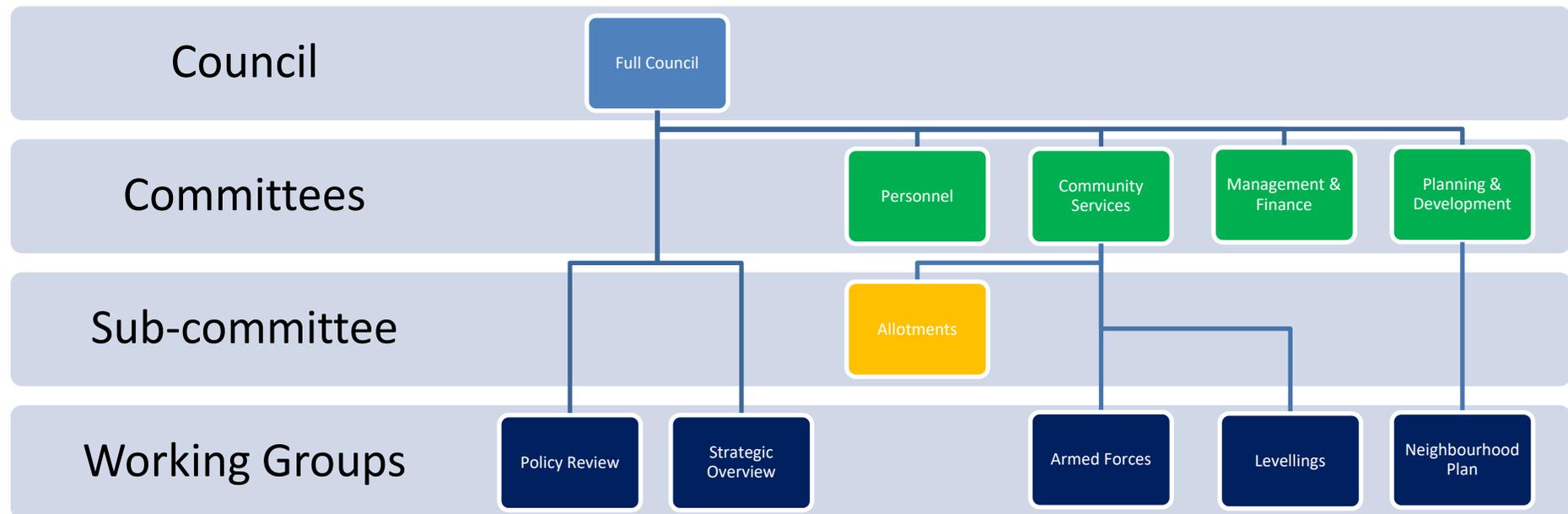
- 5.1 The Working Group is recommended to consider the proposal set out in the report and make a recommendation to the next Full Council meeting.

Appendix A – Current committee structure

Below is a diagram that seeks to set out the current committee structure.

Full Council includes the Annual Meeting of the Town Council. The Annual Parish Meeting sits outside this structure and is not included for that reason.

It should be noted that the interplay between Full Council, the committees, the sub-committee and working groups is both in theory and practice much more complicated than what is set out below.



Appendix B – Comparison of parish and town councils

Please note an assumption was made that the information on parish and town council websites is both accurate and up to date. The information was accessed in December 2020

Area	Parish/Town Council	Precept 2019-20	Tax base 2019-20	Band D 2019-20	No of Committees 2019-20
North Kesteven	Sleaford	£648,554	5,725.7	£113.27	4
North Kesteven	North Hykeham	£571,158	5,303.5	£107.69	4
South Kesteven	Stamford	£502,999	7,126.6	£70.58	7
West Lindsey	Gainsborough	£481,040	4,528.3	£106.23	11
East Lindsey	Skegness	£469,290	5,649.0	£83.07	1
East Lindsey	Mablethorpe and Sutton	£457,343	3,860.0	£118.48	3
North East Lincolnshire	Immingham	£324,550	2,467.5	£131.53	3
East Lindsey	Louth	£318,525	4,993.0	£63.79	4
Bassetlaw	Harworth Bircotes	£231,870	2,084.0	£111.26	1
South Kesteven	Market Deeping	£226,152	2,191.8	£103.18	4

Appendix C – Sample Terms and Conditions

Planning Committee Terms of Reference

Committee membership and quorum

Seven members of the Town Council. Two ex-officio positions for the Chairman of the Town Council and the Leader of the Town Council.

The quorum of the meeting shall be three.

It is expected that Members of the Committee will undertake planning training within three months of being appointed. Committee members must keep up to date with planning legislation, policy and guidance.

Meeting frequency

One meeting every calendar month. The meeting will take place on the fourth Tuesday of every month at 7pm.

Principle meeting officer

Deputy Clerk

Principle objective

Committee is to consider all matters relating to planning and development in the Gainsborough Town Council area.

This includes all matters relating to planning applications, street naming, tree preservation orders, ad-hoc licencing applications, the Neighbourhood Plan and matters relating to regulations on the highway.

Budgetary matters

The Committee has delegated budgetary powers in relation to the Neighbourhood Plan.

Delegated roles and functions

The following roles and functions are delegated to the Committee.

Act as a statutory consultee to the planning authority.

Consider and comment on all planning and allied applications including those related to listed buildings, advertisements and trees relative to Gainsborough submitted by other authorities and to forward observations to the appropriate authorities.

Respond on behalf of the Council to planning appeals and where required represent the Town Council.

Comment on behalf of the Council on highways proposals.

To liaise with other agencies on matters concerning highways.

Identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations and S106 agreements.

Recommend to Council how Section 106 and CIL funds should be allocated.

Make any determinations that are required as part of the Neighbourhood Plan.

Management of future reviews of the Neighbourhood Plan.

Respond to all consultations on planning, development, highways and licensing matters. This includes reviewing the Neighbourhood Plans submitted by other authority.

PAPER C

**Officer Report to the
Policy Review Working Group**

Report Author: Tom Clay

Report Date: 10 February 2021



Gainsborough
TOWN COUNCIL

Subject: Pigeon lofts and Keeping Pigeons Policy (Updated Report)

1. Summary

- 1.1 This updated report will briefly set out the background and some issues for further consideration.

2. Background

- 2.1 This issue was first discussed by the Allotment Sub-committee on 1 October 2020. At the meeting it was resolved:

RESOLVED TO RECOMMEND TO COMMUNITY SERVICES COMMITTEE to approve the request from a plot holder to keep pigeons on their plot on North Warren allotments, and look at producing a policy on the keeping of pigeons on the allotment, stating the size of the loft and number of pigeons that can be kept.

- 2.2 At the Community Services Committee meeting held on 13 October 2020 it was resolved that:

RESOLVED to approve the request from a plot holder to keep pigeons on their plot on North Warren allotments, and look at producing a policy on the keeping of pigeons on the allotment, stating the size of the loft and number of pigeons that can be kept.

- 2.3 This matter was again considered by the Sub-committee on 27 January 2021 and it was resolved:

RESOLVED that Members contact the Town Clerk with additions they would like to see in the pigeon policy, then the draft policy be sent to Community Services Committee.

- 2.4 The policy was considered by the Community Services Committee on 9 February 2021 who referred it for a final review by the Policy Review Working Group before it is adopted.

3. Matters to consider

3.1 Location

- 3.2 This matter does not directly affect the wording of the policy; however, Members might wish to consider which plots on the North Warren Allotment Garden site are to be specifically identified as those where pigeons may be kept.

3.3 Loft size and number of birds

3.4 There are a wide range of options open to the Town Council in terms of loft size and the number of pigeons a plot holder could keep.

3.5 The loft dimensions and bird numbers in the policy are based on guidance from the RSPCA and Royal Racing Pigeon Association (RRPA). The guidance currently appears on the Town Council's website. The two key sections are below:

“Any pigeon loft should be well maintained, and free of any obvious damage, or structural irregularities which could cause damage to the birds. It would probably be at a minimum 12-14 ft long, about 7ft high and 7ft deep, and would need to include access to perches and nest boxes.”

“A typical 14 x 7ft loft normally gives enough space to house around 60 birds, 30 old birds and 30 young birds. They should all have a nesting box and perch available, so overcrowding is not a problem.”

3.6 It is also worth noting that the RRPA website¹ states: “The average number of birds in a loft is around 60 pigeons. These include a team of old birds, a team of young birds and stock pigeons used for breeding.”

3.7 Members could deviate from this, but they would, depending on how the matter was approached need to consider:

- The impact a different loft size would have on the number of pigeons.
Or
- The impact a different number of birds would have on loft size.

3.8 Members should note that the dimensions proposed for a loft in the policy are larger than those for a shed or greenhouse in the current Terms and Conditions. However, if the policy were to be correctly enforced it would mean only a handful of tenants on one site would be permitted a larger structure.

3.9 Reference to other policies and legislation

3.10 The policy does not set out a long list of legislation and policies to be followed as it is likely to be out of date relatively quickly. The status of new policies, legislation and guidance not explicitly mentioned in the policy will also not be clear.

3.11 If Members wish this to be included it can, but the policy will require more frequent review.

3.12 Cllr Dannatt's feedback

3.13 The only feedback received after the Sub-committee was from Cllr Dannatt which is at Appendix 2.

3.14 The Community Services Committee requested that the original draft of the policy plus Cllr Dannatt's feedback be put before the Policy Review Working Group for consideration.

¹ <https://www.rpra.org/about-rpra/getting-started/a-beginners-guide/>

- 3.15 Much of Cllr Dannatt's feedback is already contained within the draft policy or would sit well within it. Therefore, there would be no issue with accepting most of what Cllr Dannatt has proposed.
- 3.16 However, Members might wish to consider the effect of restricting the height of the loft at to 7 foot (2.1 meters).
- 3.17 In the new adopted Terms and Conditions, the maximum height of a shed or greenhouse would be 8 foot (2.4 meters). This is based on the maximum height allowed under planning permitted development for an outbuilding near the boundary of a property.² It is not clear why the maximum height of a pigeon loft should be lower.
- 3.18 The other item of feedback that Members might to consider before accepting is the proposal that there be a "Limit of 60 birds on any one plot."
- 3.19 This wording would suggest that someone could keep more than 60 birds if they had two or more plots.
- 3.20 Perhaps paragraph 2.2 could be altered to say:
"The Town Council will not usually give permission for more than 60 birds to be kept by the Tennant."

4. Risk, budget, and policy implications

- 4.1 The recommendations in this report conform to Standing Orders and Financial Regulations.
- 4.2 There are no obvious direct budgetary implications to the Town Council.
- 4.3 The document is a new policy. The Policy Review Working Group should review it before it is formally adopted.
- 4.4 There are no new training needs.
- 4.5 As with any new document there is a risk in the implementation stage. The document should be reviewed on a regular basis.

5. Recommendation

- 5.1 The Committee is recommended to review the document, suggest any amendments and to recommend that the Policy Review Working Group conduct a final review before the policy is adopted by Council.

² https://www.planningportal.co.uk/info/200130/common_projects/43/outbuildings

Appendix 1 - Pigeon lofts and Keeping Pigeons Policy

1. Introduction

- 1.1 This policy is for plot holders applying for written permission to erect a pigeon loft and to keep pigeons.
- 1.2 It will also be used by councillors and staff when considering applications.
- 1.3 Written permission will only be granted for a limited number of plots on the North Warren Allotment Garden Site.
- 1.4 The Town Council will only grant permission for one loft per tenant. Joint tenancies will be considered as singular when considering an application for a pigeon loft.
- 1.5 The RSPCA and the Royal Pigeon Racing Association have set out advice on the keeping of pigeons on allotments. The advice can currently be accessed at:

<https://www.nsalg.org.uk/wp-content/uploads/2012/05/Welfare-of-animals-on-allotments.pdf>

2. Before applying

- 2.1 The Tenant must seek guidance from the Town Council about the placement of a pigeon loft.
- 2.2 The maximum dimensions for a pigeon loft are:
 - Height - 8 foot (2.4 meters)
 - Length - 14 foot (4.3 meters)
 - Width - 7 foot (2.1 meters)
- 2.3 The Town Council will not usually give permission for more than 60 birds to be kept.

3. Applying for written permission

- 3.1 The Tenant should apply in writing to the Town Council. This can be done either via email or post.
- 3.2 The Tenant must provide proof for current membership of a recognised pigeon society or association.
- 3.3 Once the application is received the Tenant applying will be given advice from the Town Council about the process.
- 3.4 The Town Council will contact neighbouring plot holders to see if they have any concerns. These will be taken into account when the application is considered.

4. After written permission is given

- 4.1 The Tenant must:

- Ensure that three quarters (75%) of the plot is used for growing;
 - Not allow the pigeons to cause a nuisance to other plot holders or residents;
 - Keep the pigeon loft clean and in a good state of repair;
 - Dispose of pigeon waste in a safe manner, and;
 - Keep to all the Town Council's terms, conditions and policies relating to the keeping of animals on allotments, as well as all relevant legislation.
- 4.2 The Tenant will be responsible for ensuring that adequate insurance is in place. The tenant might wish to consider if a policy provides adequate public liability and risk cover.
- 4.3 The Tenant may not carry on any trade or business from the Allotment Site.
- 4.4 Pigeon lofts may be inspected from time to time. Any concerns that are raised during an inspection will be reviewed by the Town Council.
- 4.5 Any written permission granted is not transferable. It will automatically come to an end with the Tenant's tenancy.
- 4.6 At the end of the tenancy the Tenant must remove the pigeon loft and reinstate the plot to its original condition.
- 4.7 If the plot is not returned in its original condition the Town Council may have to carry out work and recover the costs from the Tenant.

Appendix 2 - Pigeon lofts and Keeping Pigeons Policy

Councillor Dannatt has provided the following feedback on the policy.

Location. North warren only. (Ideally facing south and as far from housing as possible).

Lofts. Limit 14ft x 7ft x 7ft at least 8 inches above ground level and rainwater run to be directed back onto plot or storage barrels on plot. Limit number of lofts on site to 5.

Birds. Limit of 60 birds on any one plot.

Waste. No waste (except a small composted amount) to be used as plot fertiliser. Excess waste to be disposed of safely, legally and off site.

All other allotment terms and conditions apply.