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Minutes of the extraordinary meeting of Shepton Mallet Town Council that took place in the Council Chamber of Mendip District Council, Cannards Grave Road, Shepton Mallet on Monday 3rd December 2018 when the following business was transacted.

Present: Chairman Cllr C Inchley together with Cllrs J Hardy, E Hobbs, R Manley, N Shearn, P Stevens, G Kennedy, D Towner in attendance with the Town Clerk Sam Winter.

There were 10 members of public present.

The Chairman announced that the meeting would only be receiving comments from members of the public if they are relevant to the agenda items. As such the meeting would not be holding a dedicated public participation session, but will instead permit the public to make any comments during the relevant item.

42.1 To receive apologies for absence.

Apologies Cllrs D Losey, M Lovell, N Chambers, R Scott, H Reader

Absent Cllrs J Parham, J Marsh, B Height

42.2 To receive any declarations of interest in items on this agenda

None

42.3 To receive the scrutiny report into Collett Festival and to consider its recommendations with a view to agreeing proposals on how to proceed with the event in 2019.

Cllr Hardy gave an overview of the scrutiny process and invited discussion on the recommendations in the report.

Cllr Towner joined the meeting

The Chairman invited comments from the councillors, and heard comment with a two-part proposal put forward by Cllr Kennedy. However, in order to permit further discussion, the proposal was not formally received or voted on at this time.

The Chairman noted that the 18/09/18 resolution of the Town Council relating to scrutiny was: *'It was proposed & resolved to hold Collett Day in June 2019, but with full scrutiny of previous practices with a view to establishing a proper way forward for the organisation of the event in the future'*. It was therefore suggested that the panel had overstepped its remit by formally considering and recommending a proposal from an outside body to organise the event without an agreed proper procurement process.

The Chairman took comments from the public before the recommendations of the scrutiny report were considered as follows:

- 1. That the Town Council acknowledges with a formal vote of thanks the enthusiasm, hard-work and dedication of the existing Festival event management team.**

It was agreed that the Council gives its thanks.

- 2. That SMTC applies for an adjustment to extend [its premises license] to every day of the year so that events may be licenced throughout the year.**

Agreed, as amended, to include a condition that this is subject to a Designated Premises Supervisor being confirmed for the license going forward.

- 3. That since the licence is already in place and confers several advantages and protections, no event shall be staged in Collett Park unless it is under its aegis.**

Agreed, subject to point 2 above or, if without a DPS, the provision of a TEN for the sale of alcohol is required.

- 4. That any future Collett Festival day is organised by a dedicated Event Management Team (EMT) who will:**
 - a. be subject to the oversight of the Collett Park Charity Committee on behalf of the Town Council, and the budget and Event Management Plan should be submitted to this body for agreement, and**
 - b. submit their Event Management Plan to SAG for consideration and act upon the recommendations of that body.**

Agreed, subject to amendment that oversight of any EMT will be by the Town Council itself unless the Collett Park Management Committee agrees to act in this capacity.

- 5. That realistic SMART targets are devised by the Committee providing oversight to the Event, monitored by them and evaluated at the first full Council meeting following the event next year.**

Agreed, subject to a Festival being held in 2019 and an amendment that targets are devised by the Town Council.

6. **That [the existing Event Management Plan] should be used as a benchmark for future events and that this Council agrees that no lesser standard will be acceptable.**

Agreed.

7. **That the risk assessment methodology should be updated to meet with current practice to re-evaluate risk after mitigation measures have been applied to confirm that any hazards have in fact been reduced to an acceptable level.**

Agreed.

The Chairman read out the report recommendations 8.8 to 8.13 (inclusive), but agreed to first put Cllr Kennedy's earlier proposals to the vote:

That the Festival is given a fallow year in 2019, and instead, a traditional fayre, including the usual elements and organised by the Council, is held on the second Saturday in June 2019 to celebrate Collett Day.

It was **resolved** to agree the motion as proposed.

And that the new Town Council elected in May should, no later than September 2019, resolve the future shape of Collett Festival for a four-year period from 2020.

It was **resolved** to agree the motion as proposed.

The chairman thanked those attending the meeting. In response to a concern raised that not all councillors were in attendance at the meeting, the Town Clerk confirmed that the meeting was quorate and the decisions made are legitimate and final decisions of the corporate body.

- 42.4 To resolve to exclude the press and public during item 42.5 due to the confidential nature of the matters to be discussed that relate to staffing.**

On request, the chairman confirmed that the meeting was required to enter private session due to the nature of the confidential matters to be discussed relating to staffing.

The public left the meeting.

- 42.5 To consider the SWAP report into staff contractual and expense matters and to agree the active implementation of the report's recommendations.**

Clarification was given by the Town Clerk as to the Council's position with regards freedom of information and data protection matters relating to the report.

The meeting was suspended to allow all councillors present to fully read the SWAP report. Once all councillors had confirmed they had read the report, the meeting was reconvened.

A full discussion was held and proposals suggested.

It was proposed and resolved that this Council records its regret that the previous Chairman and previous Staffing Sub-Committee failed to conduct due diligence to protect the interest of the Shepton Mallet tax payer, and the Council agrees that the suggested recommendations in the SWAP report help us to learn from the failings arising from the previous expense and contractual arrangements.

It was further proposed and resolved that the Council accepts each of the recommendations of the Swap report as follows:

1. Members' direct the Town Clerk to ensure that all staff contracts are reviewed, scrutinised and approved by the Policy and Resources Committee, or Full Council should this be deemed necessary. Where appropriate these should be based on the standard model contract and where deviations are made these are clearly justifiable and agreed by the Policy and Resources Committee.
2. The Town Clerk ensures that all staff contracts and information relating to Terms and Conditions is retained in a coherent filing structure in line with best practice.
3. The Town Clerk ensures that all staffing matters, are appropriately presented, discussed and agreed at the Policy and Resources Committee as per the Committee's Terms of Reference.
4. The Town Clerk ensures that a Travel, Accommodation and Subsistence Policy is drafted in accordance with the guidelines laid down by the National Association of Local Councils and Society of Local Council Clerks. The Policy should be explicit with regards to:
 - what can and cannot be claimed;
 - how such claims should be controlled;
 - be presented to the Full Council for approval; and
 - made accessible to all staff and Members.
5. The Town Clerk ensures that no travel, accommodation or expense claims are paid unless the claims reconcile to the receipts
6. That Authorised Signatories ensure that all claims for travel, accommodation and subsistence are checked against the recommended Travel, Accommodation and Subsistence Policy and independent tools such as google maps.
7. That the Town Council ensures that no travel, accommodation or expense claims are paid unless there is an appropriate certification by the employee on the expense form.
8. That the Town Clerk ensures that a Whistleblowing Policy is drafted and approved by the Full Council.

42.6 Date & time of next full Council meeting: 22nd January 2019