

MINUTES of the **Policy Committee** Meeting held on Thursday 1 December 2016 at 6.30 p.m. in the Shire House Suite, Shire House, Bodmin.

PRESENT: Chairman, Councillor J Gammon, presiding; together with Councillors L L Frost, J R Gibbs, S H Kinsman, P L G Skea and R Solomons. Councillors A J Coppin and K W Stubbs were also in attendance but did not vote, not being Members of this Committee.

IN ATTENDANCE: Mr S Facer (Town Clerk) and Mr D Kinnair (Committee and Cemeteries Officer)

CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES:

There were no announcements and apologies were received from Councillor P Hodges and L G J Kennedy.

POL/2016/037 PUBLIC REPRESENTATION SESSION

There were no members of the public present.

POL/2016/038 Declarations of Interest

There were no Declarations of Interest made.

POL/2016/039 Minutes of the Policy Committee Meeting held on 4 August 2016

These minutes had been before Council and were acknowledged as a true record.

POL/2016/040 Gifts & Hospitality - Town Clerk to report on the Register of Gifts and Hospitality for Councillors and Staff

The Town Clerk reported that the RFO received one free adult ticket to the Circus Funtasia which was held at the Fair Park on 23 August 2016. The ticket price was £9 and the RFO paid £2 so in total the gift had a monetary value of £7.

The RFO has completed the necessary form which is on file.

The Town Clerk confirmed that although this disclosure was under the current £25 threshold, it is good practice for Officers to disclose any gift or hospitality they may receive in the course of their employment.

POL/2016/041 Cornwall Code of Conduct for City, Community, Parish and Town Councils 2012 Update

The Town Clerk reported that the Town Council adopted the Cornwall Code of Conduct on 22 November 2012 (Minute reference C/2012/147). This version 3 dated 2014, as detailed in the footer is broadly the same Code apart from one change in section 2.6 on page 6 where there is now an option choice.

As Bodmin Town Council has a Gifts and Hospitality Policy in place the Town

Clerk assumed this version 3 of the Code of Conduct can be adopted with the relevant option being selected to align with the Council's policy:

2.6 would therefore read:

You must record in a register of interests maintained by the Proper Officer any gifts or hospitality that you are offered or receive in connection with your official duties as a member and the source of the gift worth £25 or over.

The Town Clerk stated that Members will note under the next item of business on the agenda that the Gifts and Hospitality Policy is reviewed and should the Council amend the current £25 threshold than this can be mirrored in v3 of the Code of Conduct.

Following discussion, it was **AGREED** to **RECOMMEND** adoption of this revised Cornwall Code of Conduct for City, Community, Parish and Town Councils 2012 Version 3 Update with the amendments as set out.

POL/2016/042

Review of Gifts and Hospitality Policy

A copy of the revised Gifts and Hospitality Policy had been circulated with the agenda.

The Town Clerk reported that this Policy would appear to be fit for purpose and reminded both staff and councillors of the need to complete and return the form attached to the back of the Policy should they receive gifts or hospitality above the £25 threshold in any financial year.

Whilst the £25 limit could be considered to be low the Town Clerk did not recommend adjustment at this time.

Councillor S H Kinsman requested two amendments to the document, being; the removal of the words, *'then clearly common sense dictates'* from Section 5, Bullet Point 2 and the addition of the word *'decline'* on the back page on the Register to read *'Date of Acceptance/Decline'*.

Following discussion, it was **AGREED** to **RECOMMEND** approval of this revised Gifts and Hospitality Policy as set out.

POL/2016/043

Review of Risk Management Policy/Strategy

A copy of the revised Risk Management Policy and Strategy had been circulated with the agenda.

The Town Clerk confirmed that the changes made had simply been to delete reference to the Deputy Chief Executive post as those responsibilities and duties had been subsumed within the Town Clerk role.

Councillor S H Kinsman requested that with the proposed changes to the Data Protection Act planned for 2017, the wording under Annex 1 of the Impact Matrix under Score 3 – Medium – Data Protection Infringement, should be amended to include the words *'(excluding Personal Information)'*

Following discussion, it was **AGREED** to **RECOMMEND** approval of this revised Risk Management Policy/Strategy as set out.

POL/2016/044 **Review of Complaints Procedure**

A copy of the revised Complaints Procedure had been circulated with the agenda.

The Town Clerk confirmed that in terms of complaints made about the Town Clerk, it should be noted that these would need to be addressed to the Mayor who would then need to follow this procedure.

Following discussion, it was **AGREED** to **RECOMMEND** approval of this revised Complaints Procedure as set out.

POL/2016/045 **Review of Document Retention Policy**

A copy of the revised Document Retention Policy had been circulated with the agenda.

The Town Clerk reported that in terms of the attached annex, there will be a need to include information collected as part of the Excess Charge (Penalty) Notice process as part of the enforcement of the Council's car park with information obtained from the DVLA regarding registered keeper details together with any photographic evidence taken by the Car Park Inspector. The Town Clerk therefore proposed a minor amendment to the annex to include the documentation / data collected as part of car park enforcement work with a minimum retention period of 2 years being applied. 2 years being the recommendation from the Audit Ranger from the DVLA.

Councillor S H Kinsman queried whether the retention period for Bank Statements should also include *Electronically Erased* given the use of internet banking. The Town Clerk responded to advise that although the Council still receives paper statements for its bank accounts, he would consult with the RFO on this issue and report back.

Following discussion and subject to clarification of the retention policy for bank statements from the RFO, it was **AGREED** to **RECOMMEND** approval of this revised Document Policy as set out.

POL/2016/046 **Review of Data Protection Policy**

A copy of the revised Data Protection Policy had been circulated with the agenda.

The Town Clerk reported that Section 2.4 on page 2 will need to be reviewed as whilst the CCTV Code of Practice is in place for the current model of CCTV provision and monitoring, the new system monitored by CFRS at Tolvaddon will need to reflect the new operational and management model.

Whilst there will be a model Code of Practice in place, as BTC are not the first town council to buy into this model of CCTV, there will be a need to

review policy documents to reflect this change.

Councillor S H Kinsman further requested the addition of the words; '*redacted as appropriate*' in Section 2.1, bullet point 2 to read;

- '*To be provided with a redacted as appropriate copy of the information;*'

Following discussion, it was **AGREED** to **RECOMMEND** approval of this revised Data Protection Policy as set out with the proviso to review this policy document once the new CCTV provision is operational or changes to the Data Protection Act are enacted, whichever is the sooner.

POL/2016/047

Review of Community Engagement Strategy

A copy of the revised Community Engagement Strategy had been circulated with the agenda.

The Town Clerk reported that on Page 2 – bullet point 8 – he would recommend the removal of the example which begins, 'With specific reference to.....' as that is an historic example and should be removed to enable generic application of the strategy and that on Page 3 – the paragraph above section 5 – this should be amended to read, 'unlike other tiers of local government, Town Councillors either live or work within the town they serve.....' as that better reflects section 79 of the LGA 1972 (qualifications for election and holding office as a member of local authority) as it is possible to not reside in the parish provided that the principal or only place of work has been in the area.

Councillor S H Kinsman requested that with the decision taken at the Full Council Meeting held on 17 November 2016, to include supporting papers along with Agenda and Minutes on the Council's website, that this should be incorporated in Section 4.1, bullet point 5, to read;

- '*Ensuring that agendas, Minutes and supporting papers of Committee Meetings are available on the website or copies available on request.*'

Following discussion, it was **AGREED** to **RECOMMEND** approval of this revised Community Engagement Strategy with the amendments as set out with the proviso that this document should be reviewed by the new Council and Promotions Committee following the May 2017 elections.

POL/2016/048

Boundary Commission – SW Proposals

The Town Clerk reported that the Boundary Commission for England are currently conducting a review of Parliamentary constituency boundaries on the basis of rules set by Parliament in 2011. These rules require the Commission to reduce the number of constituencies in the UK and make more equal the number of electors in each constituency.

As well as the primary rule that constituencies must have no fewer than 71,031 electors and no more than 78,507, the legislation also states that,

when deciding on boundaries, the Commission may also take into account:

- Special geographical considerations, including in particular the size, shape and accessibility of a constituency;
- Local Government boundaries as they existed on 7 May 2015;
- Boundaries of existing constituencies; and
- Any local ties that would be broken by changes in constituencies.

Under the Boundary Commission's proposals, the South West region has 55 constituencies to be reduced to 53 to include a new constituency of the Cornish towns of Launceston and Bude, plus the north Devon port of Bideford and myriad villages and hamlets in between.

This is the first stage of a five stage consultation with a deadline of 5 December 2016.

Members generally were against this cross border constituency and the Town Clerk drafted a suitable reply outlining their objections as per the following;

Bodmin Town Council objects to the cross border constituency as outlined in the 'Initial proposals for new Parliamentary constituency boundaries in the South West' which would see Bude, Camelford, Launceston, St. Teath and St. Breward incorporated into a new constituency with Bideford and other areas of North Devon.

Cornwall is, by its very geography, a clear and distinct peninsula county which shares limited commonality with Devon. The proposal to slot some of the Cornish communities as identified above into a new constituency including a large number of Devon towns and villages will not give the Cornish people the democratic representational voice that they deserve. From the Town Council's calculation the Devon communities will have 57% majority on any matter which could lead to these Cornish towns being marginalised on important decisions affecting their communities (based on the total electorate being 71,465 and the Devon communities electorate equating to 41,034). As this will lead to these Cornish towns being marginalised on place based decision making, as they have no affinity with issues in Devon, this could well result in a general feeling of apathy and a reduced turnout in any future referendums, polls or elections.

Bodmin Town Council recognises the mathematical work that has been carried out to make this constituency meet the requisite criteria (no fewer than 71,031 electors and no more than 78,507) but it does not reflect the strong feeling in Cornwall to preserve one of the oldest geopolitical boundaries in Europe.

Cornwall is a culturally distinct and separate county to Devon and Bodmin Town Council does not support the proposed constituency as proposed for Bideford, Bude and Launceston.

The Members present concurred with the aforementioned and provided the Town Clerk with delegated authority to send the submission to the Boundary Commission due to the time restrictions involved.

POL/2016/049

Any other urgent and relevant item, for information, that the Chairman considers appropriate

There being no further items for consideration, the meeting was declared closed at 7.24 p.m.