



Town Hall | 61 Newland Street | Witham | CM8 2FE  
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***Please note new venue to comply with current covid restrictions***

## AGENDA

### WITHAM TOWN COUNCIL

Date: **Monday 28<sup>th</sup> June 2021** Time: **7:30PM**

Place: **Royal British Legion Hall, Newland Street, Witham, CM8 2AZ**

**Members are hereby summoned to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.**

To be present: Councillors

A.	Kilmartin	(Town Mayor)
J.	Bayford	(Deputy Town Mayor)
S.	Ager	
K.	Atwill	
P.	Barlow	
J.	Goodman	
S.	Hicks	
C.	Jay	
M.	Lager	
C.	Lager	
C.	Livermore	
T.	Pleasance	
M.	Weeks	
J.	Williams	
R.	Williams	

#### **1. APOLOGIES FOR ABSENCE**

To receive apologies for absence.

#### **2. DECLARATION OF ACCEPTANCE OF OFFICE**

To receive a Declaration of Acceptance of Office from Councillor J. Williams.

#### **3. INTERESTS**

To receive any declarations of interest that Members may wish to give notice of on matters pertaining to any item on this agenda.

**4. QUESTIONS AND STATEMENTS FROM THE PUBLIC**

An opportunity to enable members of the press and public present to comment upon any item on the Agenda.

**5. APPOINTMENTS TO COMMITTEES**

To consider the appointment of Councillor JoAnn Williams to Committees.

**6. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE**

To receive reports from Essex County and Braintree District Councillors on matters relating to Witham.

**7. TOWN MAYOR'S ENGAGEMENTS**

To receive details of the Town Mayor's engagements attended for period 5<sup>th</sup> May to 28<sup>th</sup> June 2021 ([attached](#) at page 5).

**8. MAYORAL BUDGETS**

To receive a proposal from the Town Mayor for the introduction of a Mayoral Events budget ([attached](#) at page 6).

**9. CIVIC REGALIA**

To receive a proposal from the Town Mayor for a review of the Town Council's civic regalia ([attached](#) at page 7).

**10. TOWN CLERK'S REPORT**

To receive the Town Clerk's report on matters arising ([attached](#) at page 8) and consider the way ahead.

**11. COMMITTEE REPORTS**

(a) **Community Committee held 17<sup>th</sup> May 2021**

Minutes 1 – 15 (inclusive)

(b) **Policy and Resources Committee held 14<sup>th</sup> June 2021**

Minutes 1 – 17 (inclusive)

(c) **Planning Applications and Transport Committee held 17<sup>th</sup> May, 1<sup>st</sup> and 14<sup>th</sup> June 2021**

Minutes 1 – 30 (inclusive)

**12. DELEGATED DECISIONS**

To receive the final Delegated Decisions from 7<sup>th</sup> April 2021 ([attached](#) at page 9).

**13. FRIENDSHIP BENCH**

To consider the installation of a new 'Friendship Bench' at the front of the Town Hall ([attached](#) at page 11).

**14. WITHAM RECYCLING CENTRE CORRESPONDENCE**

To receive correspondence from Rt. Hon Priti Patel ([attached](#) at page 13).

**15. THE QUEEN'S GREEN CANOPY - PLANT A TREE FOR THE JUBILEE**

To consider a report ([attached](#) at page 14).

**16. COUNCILLOR P.M. RYLAND MEMORIAL**

To consider an appropriate memorial by the Town Council.

**17. COVID-19 GOVERNANCE**

To consider renewal or disposal of the Covid-19 Interim Governance Arrangements ([attached](#) at page 15).

**18. EQUALITY POLICY**

To review and update the Town Council Equality Policy ([attached](#) at page 17).

**19. ANNUAL ACCOUNTS 2020-2021**

To receive the Town Council's annual accounts for year ending 31<sup>st</sup> March 2021 ([attached](#) at page 18).

**20. ANNUAL INTERNAL AUDIT REPORT**

To receive the Town Council's Internal Audit Report for financial year 2020/2021 ([attached](#) at page 27).

**21. ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN (AGAR) - SECTION 1 GOVERNANCE STATEMENT**

To receive and approve the Town Council's Annual Governance Statement 2020/2021 ([attached](#) at page 33).

**22. ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN (AGAR) - SECTION 2 ACCOUNTING STATEMENTS**

To receive and approve the Town Council's Accounting Statements 2020/2021 ([attached](#) at page 34).

**23. SECTION 106 / CIL ENQUIRIES**

To receive correspondence and report ([attached](#) at page 36) and consider the way ahead.  
*Order Note: A presentation will be given to the Council.*

**24. WRITTEN QUESTION (GIMSONS RAILINGS)**

To receive a question raised by a Member of the Public ([attached](#) at page 38).

**25. GIMSONS REVIEW GROUP**

To consider the constitution of a 'Gimsons Review Group' (report [attached](#) at page 42).

**26. HIGHWAYS DEVOLUTION PILOT**

To consider the outcomes of a meeting held 26<sup>th</sup> May 2021

*Order Note: A short presentation will be given to the Council.*

**27. EVENTS**

To receive a verbal update from officers on ongoing event preparations and modifications and an opportunity to answer any questions from Members.

**28. LOCAL COUNCIL AWARD SCHEME**

To perform a resolution for the Local Council Award Scheme Application ([attached](#) at page 43).

**29. EXCLUSION OF THE PRESS AND PUBLIC**

**TO RESOLVE** That under the Public Bodies (Admissions to Meetings) Act 1960, the press and public be excluded from the Meeting for the consideration of the remaining items of business on the grounds they involve the likely disclosure of exempt information falling within Schedule 12A (S5) of the Local Government Act 1972.

**30. COMMITTEE REPORT – CONTINUED**

**Policy and Resources Committee held 14<sup>th</sup> June 2021**

Minute 18.

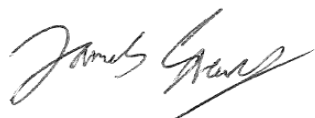
**31. FOOTPATHS RENEWAL PROJECT**

To consider a report ([attached](#) at page 44) - to be read in conjunction with professional report (previously circulated)

*Order Note: A presentation will be given to the Council.*

**32. LEGAL MATTERS**

To receive an update from the Town Clerk on outstanding legal matters and transactions ([attached](#) at page 48).



James Sheehy  
Town Clerk

JS/GK/21.06.2021



ITEM NO: 7

**Officer Report: Town Mayor's Engagements**

**The following events were attended by the Town Mayor:**

**Monday 17<sup>th</sup> May 2021**

Local Restaurants Re-Opening Event, visiting:

- The White Hart
- The Tea Rooms
- Prezzo
- The George
- AKA
- Lians
- Cressing Temple
- Ifraaz

**Friday 21<sup>st</sup> May 2021**

Witham Rail Station - Greater Anglia Construction Site Tour

**Monday 24<sup>th</sup> May 2021**

Councillor P.M Ryland Funerary Procession & Memorial Service

**Saturday 29<sup>th</sup> May 2021**

Mill Lane Bowls Club Open Day

**Thursday 3<sup>rd</sup> June 2021**

Community 360 Children's Lunch, Guithavon Valley Church

**Friday 11<sup>th</sup> June 2021**

Witham Industrial Watch, Q&A Session with the Town Mayor

**Tuesday 15<sup>th</sup> June 2021**

Age Concern Games Afternoon

**Wednesday 16<sup>th</sup> June 2021**

Witham War Memorial - Act of Remembrance for Cpl. Lloyd Newell

**Advice:** Receive & Note



ITEM NO: 8

**Officer Report: Introduction of a Mayor's Events budget line.**

- **The Town Mayor has proposed the Council considers the introduction of a specific budget line for mayoral events.**
- Currently, any events that are envisioned by the Mayor must be funded directly from the mayoral allowance with associated costs and risks being placed on the Mayor to make the event a success and produce a return.
- It has been suggested that a sum of £4,000 could be allocated for a Mayor's Events budget line. General reserves would have to fund a line if implemented in the current financial year, in absence of identifying an existing budget line suitable for virement.
- Members should consider the merits of the proposal.

**Advice:**

To consider the item and agree a way forwards.

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ITEM NO: 9

**Officer Report: Review of Civic Regalia**

- **The Town Mayor has proposed the Council considers a review of civic regalia**
- Currently, the Town Council holds civic regalia to the combined value of £9,300 including the Mayor's Chain, Deputy's Crest, consorts and Town Mayor's chaplain crest.
- The Town Council also holds in its possession the Witham Urban District Council regalia, valued as a public interest item.
- Members should consider the role that civic regalia plays in public life and what value is added to public office when regalia is present.
- Members may wish to consider historical value, precedents and the appropriateness of assigning regalia to roles and compare regalia arrangements with both pre and post 1974 Town Councils.
- Members should also review Standing Orders with respect to the use of civic regalia and define appropriate levels of regalia to relevant scenarios (e.g, defining what regalia should be worn at what meetings)
- The Town Mayor has suggested the introduction of a mayoral robe be considered by the Council.

**Advice:**

- The management of regalia is a question of appropriateness, perception and respect to the democratic process. It is in this spirit Members should define the Town Council's appetite for civic regalia and analyse its role at Witham Town Council prior to considering any acquisitions or disposals to the regalia inventory.
- At all times members must consider the 'Value for Money' aspect of regalia and be able to identify a tangible return in making an investment. Members should be satisfied that regalia serves a suitable purpose.

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## Town Clerk's Report

## Agenda Item 10

## Matters Arising

*This report details all relevant matters arising that have occurred since the last Town Council meeting. Matters may feature on multiple reports, as they remain outstanding.*

MINUTE	RESOLUTION	DIRECTION
19/01.06.2021	Request LHP bid for 7.5 tonne weight limit on Maltings Lane Section	Referred for TRO process
10/17.06.2021	Commission of investigation into play equipment across Witham	Officers undertaking enquiries
12/17.06.2021	A full CCTV report be prepared and submitted to Full Council for review.	Officers progressing final report
13(c)/14.06.2021	Town Clerk investigates figures and projections for earmarked reserves to make a full proposal.	Financial projections to be returned to Council
15/14.06.2021	Investigation into reserve balance options	Officers undertaking enquiries
16/14.06.2021	Town Council applies for Quality Council at this time and for Quality Gold next year.	Resolution wording included with this meeting agenda.

## Notifiable Correspondence

*This report details all relevant correspondence raised & received in response to a resolution. Correspondence remains outstanding on this list until fully satisfied by Full Council or its respective committee.*

DATE	CORRESPONDENCE	STATUS
29 <sup>th</sup> April 2021	District Councillor Gabrielle Spray: Willow Tree Felling Report	No reply yet received

## Summary outcomes of Officer Meetings (Projects Only)

*This report provides headline outcomes of decisions taken by officers in relation to the progression of a discharge of projects that have been approved by Council. This does not include administrative or management meetings.*

MEETING	DATE	OUTCOMES
Capital Expenditure Group	11 <sup>th</sup> May 8 <sup>th</sup> June	<b>11<sup>th</sup> May</b> - Agreement on respective roles in the CapEx group and recap of Uniform Project Management Process. Initial review of J.C Wood Plan.  <b>8<sup>th</sup> June</b> - Site visit conducted to agree dimensions and aspects of agreed report to progress. Preliminary site drawings underway - next meeting to focus on finalisation of two concept designs for return to Full Council. Finances, grants and project timeline discussed with further direction from Members required at report stage.  Anticipated Project Delivery report date: 23 <sup>rd</sup> August 2021.
Events Group	28 <sup>th</sup> May 28 <sup>th</sup> June	<b>28<sup>th</sup> May</b> - Final logistics agreed for Witham Dog Show and further discussions held on logistics of the Christmas bill of events. Agreements on general theme desires, aims, and re-cap of previous year's Winter Wonderland logistics and risk plan.  <b>28<sup>th</sup> June</b> - A verbal update of meeting outcomes will be provided to the Council
Town Hall Site Improvement Project	25 <sup>th</sup> June	<b>25<sup>th</sup> June</b> - A verbal update of meeting outcomes will be provided to the Council

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Agenda Item 12

PLANNING COMMITTEE	12.4.2021	21-00655HH - 85 Haygreen Road, Witham, Essex - raised no objection
PLANNING COMMITTEE	12.4.2021	21-00863PLD - 16 Baker Way, Witham, Essex - raised no objection
PLANNING COMMITTEE	12.4.2021	21-00758HH - 3 Mersey Road, Witham, Essex - raised no objection
PLANNING COMMITTEE	12.4.2021	21-00514VAR - Land Adjacent To Victoria Cottages, Powers Hall End, Witham - recommended refusal on the grounds of lack of amenity space in line with National Planning Guidelines and contrary to RLP10.
PLANNING COMMITTEE	12.4.2021	21-00795TPO - Walnut House, Collingwood Road, Witham - raised no objection subject to the District Council's Landscape Officer's advice.
PLANNING COMMITTEE	12.4.2021	21-00893HH - 15 Juniper Crescent, Witham, Essex - Members recognised that the first floor extension could pose a loss of light but on balance raised no objection subject to no representations being made by the neighbours regarding the potential loss of light.
ENVIRONMENT COMMITTEE	20.4.2021	Pathway and cycleway Programme - agreed to refer to Town Council for consideration
ENVIRONMENT COMMITTEE	20.4.2021	Blackwater Rail Trail - it was agreed to refer the issue of the acquisition of the Blackwater Rail Trail to the Revenue and Localism Group and remove from the Business Plan
ENVIRONMENT COMMITTEE	20.4.2021	Open Spaces Management Sub-Committee - Litter - it was agreed that Councillor Williams should liaise closely with the Witham Wombles to look at this issue
ENVIRONMENT COMMITTEE	20.4.2021	Frequency of Open Spaces Management Sub-Committee Meetings - it was agreed that the Open Spaces Management Sub-Committee should meet quarterly in future
ENVIRONMENT COMMITTEE	20.4.2021	Untidy Land and the Use of Section 215 powers - it was agreed that this proposal would be taken forward as part of the discussions with the Witham Wombles
ENVIRONMENT COMMITTEE	20.4.2021	Highways Develoution Scheme - it was agreed that a meeting would be held to discuss the best way to spend the devolution grant
ENVIRONMENT COMMITTEE	20.4.2021	James Cooke Wood - it was agreed that costings would be sought on the basis of the report and brought back to the Environment Committee

PLANNING COMMITTEE	<b>26.4.2021</b>	21/01208/TPO - Land at Armond Road - Council trees which would be felled and replaced as they are failing
PLANNING COMMITTEE	<b>26.4.2021</b>	21/00820/HH - 4 Tudor Close - No objection
PLANNING COMMITTEE	<b>26.4.2021</b>	21/00958/HH - 29 Laurence Ave - No objection
PLANNING COMMITTEE	<b>26.4.2021</b>	21/00782/VAR - Mayfield Cottage, Hatfield Road - No objection
PLANNING COMMITTEE	<b>26.4.2021</b>	21/00995/HH - 1 Malyon Road - No objection
PLANNING COMMITTEE	<b>26.4.2021</b>	21/00898/HH - 10 Highfields Road - No objection
PLANNING COMMITTEE	<b>26.4.2021</b>	21/01043/HH - 89 Hatfield Road, - No objection
PLANNING COMMITTEE	<b>26.4.2021</b>	21/01081/HH - 34 Albert Road - No objection
PLANNING COMMITTEE	<b>26.4.2021</b>	21/00922/TPOCON - 5 River Yard, 149 Newland Street - No objection subject to the advice of the District Council's Landscape Officer
PLANNING COMMITTEE	<b>26.4.2021</b>	21/00877/FUL - Land rear of 47 -57 Newland St - No objection subject to suitable solution regarding bn storage/refuse collection, sound proofing, zero carbon approach/solar panels, archaeological survey and replacement of trees with more suitable varieties.
PLANNING COMMITTEE	<b>26.4.2021</b>	21/00930/FUL - Witham Body Repair Centre, Waterside Business Park - No objection subject to the use of renewable energy measures
PLANNING COMMITTEE	<b>26.4.2021</b>	21/01196/TPO - Holly Trees Nursery - Recommend refusal on the grounds that the work is excessive and the branches appear not to be intruding on the gutters and subject to the advice of the District Council's Landscape Officer
PLANNING COMMITTEE	<b>26.4.2021</b>	21/00851/FUL -12 Freebournes Road - Recommend approval
PLANNING COMMITTEE	<b>26.4.2021</b>	Temporary Prohibition of Entry B1389 Hatfield Road - Received and noted.

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**Officer Report: Installation of a 'Friendship Bench' Outside Witham Town Hall**

- Cllr Susan Ager has proposed that a 'Friendship Bench' be installed outside the Town Hall.
- The bench would be of wooden construction with the words 'Friendship Bench' engraved along the top rail.
- The below benches have been previously used by the Town Council and are felt to be of good quality.

3 Seat Extra Heavy Great Maytham 150 x 95 x 67cm - 8cm x 8cm Frame 40 kg £412.50



3 Seat Heavy Scotney Bench 150 x 100 x 63cm - 6cm x 6cm Frame 35 kg £375.00



- The bench would be installed by Witham Town Council Operations Team.
- Although this would be a replacement for a previous bench it would still be necessary to apply for a licence from Essex Highways.
- The bench could be officially unveiled by the Town Mayor and those that are lonely encouraged to sit and make friends.

**Advice:**

To consider the item and agree as to whether a 'Friendship Bench' should be installed outside the Town Hall.

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THE RT. HON. PRITI PATEL MP

WITHAM

HOUSE OF COMMONS  
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Ms Hayley Andrews  
Assistant Town Clerk  
Witham Town Council

Our Ref: ZA68384

5 May 2021

Dear Ms Andrews,

I have received a response from Essex County Council in reply to the representations I made on behalf of the Town Council regarding the recycling centre in Witham.

Cllr Simon Walsh, Cabinet Member for the Environment and Climate Change Action, replied by explaining that while there are not plans to change the waste and vehicle acceptance criteria, the comments from the Town Council have been noted in respect of future reviews which may take place. I have copied below the full response I received:

*Thank you for your letter dated 4 March 2021 regarding the possible upgrading of the Recycling Centre in Witham on behalf of Witham Town Council.*

*In designing the service offer it is necessary to consider the operational limitations and impacts of individual sites, in combination with the service provided by the network of neighbouring sites. The location of the Witham facility on a busy industrial estate is a factor that has to be considered. Previously when all vehicle and waste type access was permitted to the Witham site there were adverse impacts on neighbouring businesses, who were unable to access their premises due to congestion caused by queuing recycling centre traffic. At a time when supporting our local businesses is more important than ever this is a situation we need to avoid reoccurring.*

*I can therefore only reiterate what has already been said in Jason Searles response noted in the attached, dated 8 January 2021, ECC are not currently considering implementing any further changes to the waste or vehicle acceptance criteria at the Witham Recycling Centre.*

*However, we do keep the network operations under continual review and the comments of the Town Council have been noted in this respect.*

*Thank you again for raising your concerns with me and I hope the above information is of assistance.*

*Kind regards  
Simon*

*Cllr Simon Walsh  
Cabinet Member for Environment and Climate Change Action*

If there are further enquiries I can make on behalf of the Town Council on this matter please do let me know.

Yours sincerely,

**Rt Hon Priti Patel**  
Member of Parliament for Witham

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**Witham**  
town council

ITEM NO: 15

**Officer Report: The Queen's Green Canopy**

**Issue:**

The Queen's Green Canopy (QGC) is a tree planting initiative created to mark the Queen's Platinum Jubilee in 2022 which invites people from across the UK to "*Plant a Tree for the Jubilee*". Individuals, groups, schools and businesses are encouraged to take part in enhancing the environment by planting trees from October through to the end of the Jubilee year in 2022. Trees planted can be pinned onto the QGC map and official commemorative plaques can be purchased to mark the occasion.

Members may wish to be involved in this planting scheme and, if so, consider areas on Witham Town Council managed land where trees can be planted. As climate change is a current matter to be mindful of, planting further trees is good for the environment and will assist with carbon reduction.

Trial planting on Whetmead has been considered over the years but not actually implemented and some trees have been removed from the nature reserve due to necessity but not replaced. This could be an ideal site to consider planting trees for the QGC. A number of trees have also been lost on the River Walk due to storm damage or essential felling and have not always been replaced so planting in these areas should be considered. Sections of the River Walk near to Helen Court and parts of the Back Channel could possibly benefit from further trees where coverage is sparse. Additional trees planted in this area of the River Walk would also potentially provide long term extra coverage shielding the proposed new development at Gimsons.

The QGC scheme provides free saplings to schools and community groups through the Woodland Trust so the Council will need to fund any trees they wish to plant. The tree maintenance budget for 2020/2021 was vastly underspent due to overstated tree estimates from a previous contractor and, although an invoice for 2020/2021 is still awaited, the underspend was in the region of £14k. Therefore, there are ample funds available that Members may wish to consider and approve. A substantial established tree would have a greater chance of survival and would cost in the region of £100 per tree depending on the species. Witham Tree Group could be contacted for advice and, depending of the number of trees to be planted, enquiries could be made regarding working together on the project.

**Advice:**

- Members to agree to take part in the Queen's Green Canopy scheme
- Members to agree a budget for the scheme

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# Covid-19: Emergency Provisions for Governance

Summary of emergency changes to Standing Orders & Financial Regulations including delegation of powers to officers, consultation requirement with Members and restrictions to general working practices.

These provisions will be in place from approval by the Council on Wednesday 25<sup>th</sup> March 2020 until week commencing Monday 3<sup>rd</sup> May 2021.

Drafted: 23<sup>rd</sup> March 2020 (Updated 26.2.2021)

For: 8<sup>th</sup> March 2021 (Full Council)

To be reviewed at two monthly intervals by Town Council

# Summary Provisions



## STANDING ORDERS:

### MEETINGS (GENERALLY)

- Meetings will no longer be conducted in person at the Town Hall with all but Town Council meetings postponed.
- Town Council meetings will be held monthly via Zoom.
- The Proper Officer is the delegated authority to make all and any decisions necessary to discharge the Council's business, save for where such authority cannot be delegated under statute.
- Any action taken under delegated powers will be recorded in a register of Officer's Decisions to be considered by the Council.
- The Proper Officer is required to create 'agendas' of business for Community, Environment, Policy and Resources and Planning Applications and Transport Committees to discuss proposed actions for delegated decisions at an informal Zoom meeting.

### ACCOUNTS AND ACCOUNTING STATEMENTS

- Under Item 17c, Statements are now seen by the Policy & Resources Committee and will be signed at the first normal meeting after the expiration of these emergency provisions.

## FINANCIAL REGULATIONS:

### PAYMENT OF ACCOUNTS

- Payments made by BACS as per schedules will no longer be signed in person by those present at a meeting. BACS schedules will be emailed or delivered to all signatories for express approval by the required number of signatories as advised in each individual payment batch. BACS schedules will be supported with all available corresponding bills and invoices where possible.
- Full details of all payments made under the Emergency Provisions will be reported at the informal meetings of Policy & Resources.

## GENERAL PROVISIONS:

- The Town Clerk is delegated authority to implement all and any necessary steps as advised or imposed by HM Government in relation to Covid-19 (Coronavirus).
- The Town Hall will be shut to all public enquiries, visits and appointments for the duration of these emergency provisions with the exception of the Diabetic Eye Clinic.
- The Town Hall is open to Members subject to prior appointment and the wearing of face masks.
- All correspondence will be sent via email, with hard copies of Agendas and Minutes posted to Members as and when necessary.
- At present during the third lock-down staff are working from home except to provide cover in the Office or when duties require.
- Subject to conditions meeting the four tests, the road map states that all retail outlets will be open from 12<sup>th</sup> April 2021 which will be the date when the Information Centre re-opens.

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Agenda Item 18



## Witham Town Council: Equality Policy

### Policy Overview

Witham Town Council recognises that many individuals and communities experience unlawful and unfair discrimination on the grounds of their age, disability, gender, marriage and civil partnership, gender re-assignment, race, religion or belief, sex and sexual orientation. The Council believes that equality for all is a basic human right and actively oppose all forms of unlawful and unfair discrimination. The Council celebrates the diversity of Essex and is striving to promote and reflect that diversity within our organisation.

The Council’s vision for equalities is to ensure that fairness is part of everything the Council does.

#### The Council is committed to:

- taking into account the equality impacts of our emerging proposals and seek to mitigate any adverse impacts where possible
- ensuring that equality is at the heart of our thinking and is reflected in our commissioning strategies
- consulting and engaging with our communities taking into account the diverse needs of our residents and businesses
- identifying, and where possible addressing the root causes of disadvantage and discrimination
- embedding equalities in all the Council does and making it part of the council’s business as usual practice
- recruiting and retaining a diverse workforce that reflects the communities the council serves and ensuring that council employees feel valued and respected.
- fostering good relations between different groups and communities.

All of the council’s employees shall carry out their duties in line with Witham Town Council’s commitment to achieving excellence in relation to equalities, both in the workplace and across Witham.

The Council is committed to developing a culture that embeds the effective management of equality and diversity in all that the Council does. The Council will provide the necessary resources and leadership to make this happen.

Witham Town Council’s equalities priorities will be kept under review progress will be monitored against the achievement of the objectives.

For this policy to be successful, it is essential that everyone is committed to, and involved in its delivery. The Council’s goal is to work towards a just society, free from discrimination, harassment and prejudice. The Council aims to embed this in all council policies, procedures, day-to-day practices and external relationships.

This document was adopted by the Town Council on .....

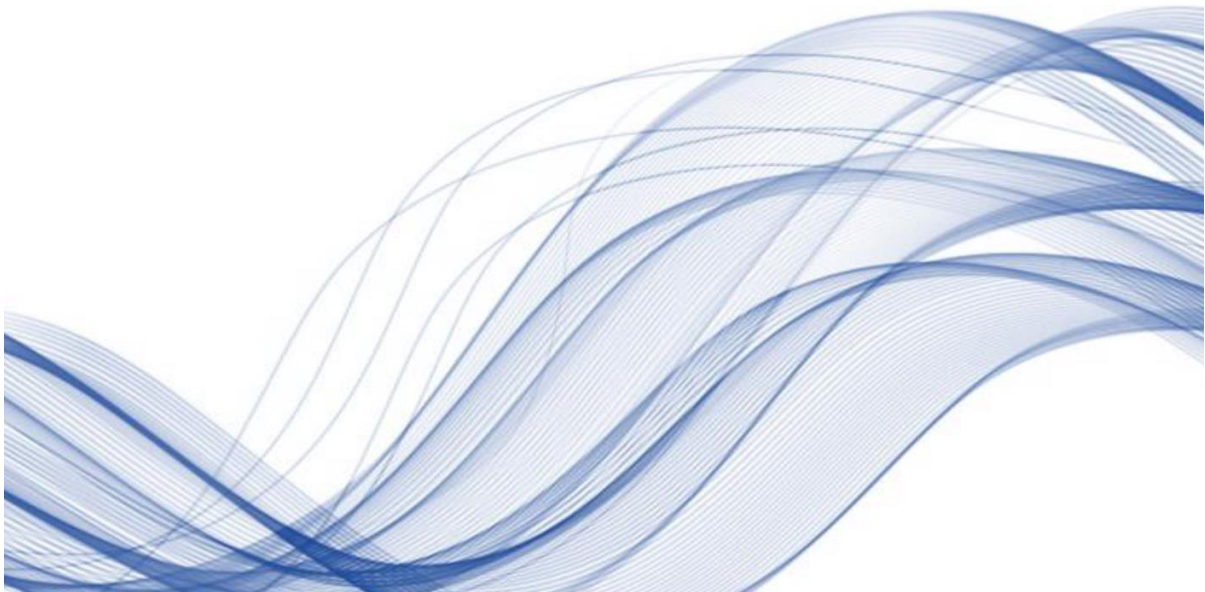
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## Annual Accounts

Financial Year 2020/21



# Supporting Statement of Responsibilities

Witham Town Council is required to make arrangements for the proper administration of its financial affairs and ensure that it appoints a Responsible Financial Officer with direct accountability for its overall administrative functions in accordance with the Local Government Act 1972 (S151). In addition to this, Members and Officers of the Council are under a duty to:

- Ensure that value for money is obtained for all business transactions.
- Ensure that public money is under appropriate safeguarding measures.
- Ensure that an appropriate system of internal control is in force and monitored for effectiveness.

In preparing these accounts in conjunction with the Annual Governance and Accountability Return, the Council confirms that it has adhered to the Accounts & Audit Regulations and:

- Put in place effective arrangements for financial management.
- Maintained an adequate system of internal control.
- Took all reasonable steps to assure that there were no matters of actual or potential noncompliance with laws, regulations or proper practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.
- Provided proper opportunity in the year for the exercise of electors rights in accordance with the Accounts & Audit Regulations.
- Carried out an assessment of risks faced by the authority.
- Took all appropriate steps to action any matters raised on audit reports.
- Considered whether any litigation, liabilities or commitments, events or transactions occurring either during or after the year end have a financial impact on the authority and where appropriate, included them in the accounting statements.



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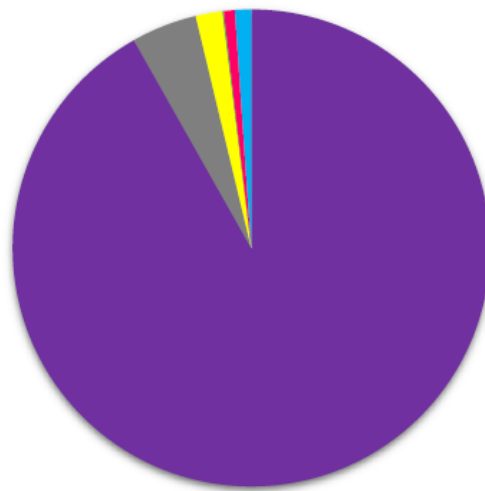
James P. Sheehy

Town Clerk & Responsible Financial Officer

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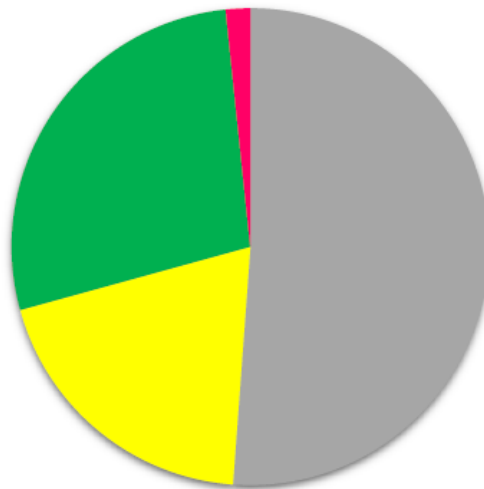
1. [Balance Sheet](#)
2. Cash & Reserves Reconciliation
3. Reserves Reconciliation
4. Total Income & Expenditure Charts
5. Total Income & Expenditure Report

### Total Income



■ Precept   ■ Admin   ■ Community   ■ Environment   ■ Policy & Resources   ■ Tax Collection Surplus

### Total Expenditure



■ Admin   ■ Community   ■ Environment   ■ Policy & Resources

# Balance Sheet

31st March 2020

31st March 2021

31st March 2020		31st March 2021	
<b>Current Assets</b>			
883	Debtors	4,875	
32,853	VAT Control Account	9,442	
3,742	Prepayments	4,621	
9,443	Stock	9,443	
66,589	Lloyds Bank Account	4,187	
221,508	32 day Notice a/c	221,688	
34	Petty Cash	54	
61,733	Unity Trust Account	188,503	
<u>396,785</u>		<u>442,814</u>	
<b>396,785</b>	<b>Total Assets</b>	<b>442,814</b>	
<b>Current Liabilities</b>			
23,382	Creditors	15,506	
1,204	Accruals	8,658	
0	Mayors Appeal	7,346	
<u>24,586</u>		<u>31,510</u>	
<b>372,199</b>	<b>Total Assets Less Current Liabilities</b>	<b>411,304</b>	
<b>Represented By</b>			
235,508	General Reserves	253,277	
3,519	EMR - LED Streetlighting	0	
567	EMR- Community Day	567	
12,295	EMR - Information Centre	794	
10,000	EMR - Riverwalk Cycleways	40,000	
2,172	EMR - Puppet Festival	2,172	
38,000	EMR - Community Safety /CCTV	20,000	
13,420	EMR - Highways Devolution	27,568	
0	EMR - Acquisitions	5,000	
0	EMR - Land Improvement	20,000	
20,200	EMR - Vehicle Replacement Fund	0	
5,000	EMR - Equipment Replacement	15,000	
4,760	EMR - Major Repairs & Renewals	0	
23,470	EMR - Town Hall Development	19,726	
88	EMR - Election Expenses	4,000	
3,200	EMR - Members Allowance	3,200	
<u>372,199</u>		<u>411,304</u>	

# Cash & Reserves Reconciliation

		<u>Account Description</u>	<u>Balance</u>
<u>Bank Statement Balances</u>			
1	31/03/2021	Lloyds Current Account	4,186.81
2	29/02/2020	Working Fund	0.00
3	18/09/2020	Mayors Appeal	0.00
4	31/03/2021	32 Day Notice 13620909LS	221,688.08
5	31/03/2021	Petty Cash	54.48
6	31/03/2021	Unity Trust Bank Account	188,504.07
			<b>414,433.44</b>
<u>Other Cash &amp; Bank Balances</u>			
		Cashbook Suspense	0.00
			<b>0.00</b>
			<b>414,433.44</b>
<u>Unpresented Payments</u>			
6	04/09/2020	300009	1.00
			<b>1.00</b>
			<b>414,432.44</b>
<u>Receipts not on Bank Statement</u>			
0	31/03/2021	All Receipts Cleared	0.00
			<b>0.00</b>
<b>Closing Balance</b>			
<b>414,432.44</b>			
<u>All Cash &amp; Bank Accounts</u>			
1		Lloyds Bank Account	4,186.81
2		Working Fund CLOSED	0.00
3		Mayor's Fund CLOSED	0.00
4		32 day Notice a/c	221,688.08
5		Petty Cash	54.48
6		Unity Trust Account	188,503.07
		Other Cash & Bank Balances	0.00
		<b>Total Cash &amp; Bank Balances</b>	<b>414,432.44</b>

# Reserves Reconciliation

<u>Code</u>	<u>Description</u>	<u>Last Year £</u>	<u>This Year £</u>
	<b>Total Reserves</b>	<b>372,198.78</b>	<b>411,303.60</b>
100	Debtors	883.40	4,875.26
105	VAT Control Account	32,852.66	9,441.78
110	Prepayments	3,742.00	4,621.00
120	Stock	9,443.02	9,443.02
	<b>Less Total Debtors</b>	<b>46,921.08</b>	<b>28,381.06</b>
500	Creditors	23,382.17	15,506.09
510	Accruals	1,204.21	8,658.00
540	Mayors Appeal	0.00	7,345.81
	<b>Plus Total Creditors</b>	<b>24,586.38</b>	<b>31,509.90</b>
	<b>Equals Total Cash and Bank Accounts</b>	<b>349,864.08</b>	<b>414,432.44</b>
200	Lloyds Bank Account	66,589.17	4,186.81
230	32 day Notice a/c	221,508.11	221,688.08
240	Petty Cash	33.96	54.48
250	Unity Trust Account	61,732.84	188,503.07
	<b>Total Cash and Bank Accounts</b>	<b>349,864.08</b>	<b>414,432.44</b>



# Total Income & Expenditure Report

31st March 2020		31st March 2021
	<b>Income Summary</b>	
557,278	Precept	624,473
<b>557,278</b>	Sub Total	<b>624,473</b>
	<b>Operating Income</b>	
29,484	Administration	30,182
65,312	Community	12,323
300	Environment	575
8,858	Policy & Resources	5,115
5,115	Precept	7,419
<b>666,347</b>	Total Income	<b>680,086</b>
	<b>Running Costs</b>	
273,128	Administration	327,978
181,866	Community	125,338
199,072	Environment	177,077
18,294	Policy & Resources	10,589
24,962	Earmarked Reserves	0
<b>697,322</b>	Total Expenditure	<b>640,982</b>
	<b>General Fund Analysis</b>	
294,159	Opening Balance	235,508
666,347	Plus : Income for Year	680,086
960,506		915,595
697,322	Less : Expenditure for Year	640,902
263,185		274,613
27,677	Transfers TO / FROM Reserves	21,386
<b>235,508</b>	<b>Closing Balance</b>	<b>253,227</b>

**Witham Town Council Annual Accounts 2020/2021**

Copies of this document are available online and can be obtained from the Town Hall by request by emailing [deputytownclerk@witham.gov.uk](mailto:deputytownclerk@witham.gov.uk)

For all queries concerning accounting statements, please email [townclerk@witham.gov.uk](mailto:townclerk@witham.gov.uk)



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Agenda Item 20

# HEELIS & LODGE

## Local Council Services • Internal Audit

### **Year End Internal Audit Report for Witham Town Council – 2020/2021**

The following Internal Audit was carried out on the adequacy of systems of control and should be read in conjunction with the Interim Internal Audit report dated 4/12/2020. The following recommendations/comments have been made:

Income: £680,086    Expenditure: £640,982    Reserves: £411,304

#### AGAR Completion:

Section One: **Yes - unsigned**

Section Two: **Yes – draft figures**

Annual Internal Audit Report 2020/2021: **Yes**

Certificate of Exemption: **No**

#### **Financial regulations** Standing Orders and Financial Regulations

Tenders

Appropriate payment controls including acting within the legal framework with reference to council minutes

Identifying VAT payments and reclamation

Cheque books, paying in books and other relevant documents

VAT reclaimed during the year: **Yes**    Registered: **No**

Date: 13/5/2021    Period: 1/1/2021 – 31/3/2021    Value: £9,441.78

Date: 3/3/2021    Period: 1/10/2020 – 31/12/2020    Value: £7,993.70

Date: 22/10/2020    Period: 1/4/2020 – 30/9/2020    Value: £21,935.27

*There were no tenders during the year that exceeded the £25,000 Public Contract Regulations threshold.*

*The Council adopted an Allotment Site Management Policy at a meeting held on 22/3/2021 (Ref: 2).*

#### **Risk Assessment**

Appropriate procedures in place for the activities of the council

Compliance with Data Protection regulations

Risk Assessment document in place: **Yes**

#### **Data Protection**

*The General Data Protection Regulations have changed and the new Regulations came into force on 25 May 2018. It is likely that this will affect the way in which the Council handles its data. Due to the financial risk associated with the*

*General Data Protection Regulations, the Council have included this in their Risk Assessment.*

*Insurance was in place for the year of audit. The Risk Assessment, including Internal Controls was considered by the Financial Scrutiny Panel on 9/3/2021. The areas that are examined by the Panel are:*

- *Budget Management*
- *Administration*
- *Policy & Internal Control*
- *Tenders*

*Recommendations are identified within the Risk Assessment and the report was considered by the Policy & Resources Committee at a meeting held on 22/3/2021 (Ref: 6).*

*The Council have effective internal financial controls in place. Cheque stubbs and invoices are initialled by signatories and payments above £3,000 incur a triple authorisation. It is noted that there is a recommendation by the Financial Scrutiny Panel to increase this limit to £4,000. The Clerk provides financial reports to council meetings. Councillors are provided with information to enable them to make informed decisions.*

Fidelity Cover: £500,000

*The level of Fidelity cover is below the recommended guidelines of year end balances plus 50% of the precept. However, it is noted that as part of the consideration of the Interim Internal Audit report at a meeting held on 14/12/2020 (Ref: 235), the Council resolved to increase Fidelity cover to the maximum amount of funds held.*

## **Transparency**

Under the **Transparency code for smaller authorities**, smaller councils with income/expenditure under £25,000 should publish on their website from 1 April 2015:

Smaller Council: No  
Website: [www.witham.gov.uk](http://www.witham.gov.uk)

*The Council is not subject to the requirements of the Transparency Code for smaller Councils. The Transparency Code for Councils with a turnover exceeding £200,000 is not covered as part of the Internal Audit.*

Under **The Accounts & Audit Regulations 2015 15(15)** councils must publish on their website:

*2020 Annual Return, Section One Published – Yes  
2020 Annual Return, Section Two Published – Yes  
2020 Annual Return, Section Three Published – Yes*

Under **The Accounts & Audit Regulations 2015 15(2b)** councils must publish on their website:

Notice of period for the exercise of public rights  
*Published – Yes*

Period of Exercise of Public Rights

Start Date **1/9/2020** End Date **12/10/2020**

*The Council have complied with the 2020 AGAR publication requirements.*

**Budgetary controls**  
supporting documents

Verifying the budgetary process with reference to council minutes and

Precept: **£679,744.00 (2021-2022)** Date: **18/1/2021 (Ref: 250)**

*Effective budgetary procedures are in place. The 2021-2022 precept was considered by the Estimates Sub-Committee (Ref: 11/1/2021 – item 3) and a recommendation made to, and was agreed at full council and the precept decision and amount has been clearly minuted. The Clerk ensures the council are aware of responsibilities, commitments, forward planning and the need for adequate reserves. Budget papers are prepared to ensure councillors have sufficient information to make informed decisions. Budgets are monitored during the year.*

**Income controls**

Precept and other income, including credit control mechanisms

*All were found to be in order. Income controls were checked and income received and banked cross referenced with the Cash Book and bank statements.*

**Petty Cash**

Associated books and established system in place

*A satisfactory petty cash system is in place (£100 limit) with supporting paperwork. A sample of receipts were examined from April 2020 to November 2020 and cross referenced with vouchers and the cash book. Petty Cash reconciliations are in place from November 2020 – March 2021. A robust recording system is in place.*

**Payroll controls**

PAYE and NIC in place where necessary.  
Compliance with Inland Revenue procedures  
Records relating to contracts of employment

PAYE System in place: **Yes**  
Employer PAYE Reference: **245/WW723**

*The Council continue to operate RTI in accordance with HMRC regulations. Payroll is outsourced. All supporting paperwork is in place and P60s have been produced as part of the year end process.*

<b>Asset control</b>	<p>Inspection of asset register and checks on existence of assets Cross checking on insurance cover</p> <p><i>A separate asset register is in place. Values are recorded at insurance value. The total value of assets are recorded at £1,104,040. The figure in the asset register corresponds with the figure in Section 2, Box 9 of the AGAR.</i></p>												
<b>Bank Reconciliation</b>	<p>Regularly completed and cash books reconcile with bank statements</p> <p><i>All were in order. Bank Reconciliations are carried out regularly. The bank statements reconciled with the end of year accounts and bank reconciliations for all accounts.</i></p> <p><i>Bank Balances at 31 March were confirmed as:</i></p> <table border="0" style="margin-left: 40px;"> <tr> <td><i>Lloyds – Mayors Fund</i></td> <td><i>xxxx5165</i></td> <td><i>£7,490.17</i></td> </tr> <tr> <td><i>Lloyds – Current</i></td> <td><i>xxxx2286</i></td> <td><i>£4,186.81</i></td> </tr> <tr> <td><i>Unity Trust – Current</i></td> <td><i>xxxx4430</i></td> <td><i>£188,504.07</i></td> </tr> <tr> <td><i>Lloyds – 32 Day</i></td> <td></td> <td><i>£221,688.08</i></td> </tr> </table>	<i>Lloyds – Mayors Fund</i>	<i>xxxx5165</i>	<i>£7,490.17</i>	<i>Lloyds – Current</i>	<i>xxxx2286</i>	<i>£4,186.81</i>	<i>Unity Trust – Current</i>	<i>xxxx4430</i>	<i>£188,504.07</i>	<i>Lloyds – 32 Day</i>		<i>£221,688.08</i>
<i>Lloyds – Mayors Fund</i>	<i>xxxx5165</i>	<i>£7,490.17</i>											
<i>Lloyds – Current</i>	<i>xxxx2286</i>	<i>£4,186.81</i>											
<i>Unity Trust – Current</i>	<i>xxxx4430</i>	<i>£188,504.07</i>											
<i>Lloyds – 32 Day</i>		<i>£221,688.08</i>											
<b>Reserves</b>	<p>General Reserves are reasonable for the activities of the Council Earmarked Reserves are identified</p> <p><i>The Council have adequate general reserves (£253,277) and have identified earmarked reserves (£158,027) in their year end accounts.</i></p>												
<b>Year-end procedures</b>	<p>Appropriate accounting procedures are used and can be followed through from working papers to final documents Verifying sample payments and income Checking creditors and debtors where appropriate.</p> <p><i>End of year accounts are prepared on an Income &amp; Expenditure basis. Creditors and Debtors are identified within the year end accounts.</i></p>												
<b>Internal Audit Procedures</b>	<p><i>The 2020-2021 Interim Internal Audit report was considered by the Council at a meeting held on 14/12/2020 (Ref: 235). The Council resolved to increase Fidelity cover to the maximum amount of funds held.</i></p>												
<b>External Audit</b>	<p><i>The External Auditor’s report was considered at a meeting held on 22/3/2021 (Ref: 5).</i></p> <p><i>There were no matters of significance arising from the External Audit.</i></p>												

**Additional Comments/Recommendations**

- There are no additional comments/recommendations to make in relation to this audit.
- I would like to record my appreciation to the Clerk and Deputy Clerk to the Council for their assistance during the course of the audit work and a well presented and organised set of documents for the audit.



Heather Heelis  
**HEELIS&LODGE**  
24 May 2021



Annual Internal Audit Report 2020/21

ENTER NAME OF AUTHORITY  
**WITHAM TOWN COUNCIL**

ENTER WEBSITE OR WEBSITE ADDRESS  
**www.witham.gov.uk**

During the financial year ended 31 March 2021, this authority's internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2020/21 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	✓		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic bank account reconciliations were properly carried out during the year.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. If the authority certified itself as exempt from a limited assurance review in 2019/20, it met the exemption criteria and correctly declared itself exempt. (If the authority had a limited assurance review of its 2019/20 AGAR tick "not covered")			✓
L. If the authority has an annual turnover not exceeding £25,000, it publishes information on a website/webpage up to date at the time of the internal audit in accordance with the Transparency code for smaller authorities.			✓
M. The authority, during the previous year (2019-20) correctly provided for the period for the exercise of public rights as required by the Accounts and Audit Regulations (evidenced by the notice published on the website and/or authority approved minutes confirming the dates set).	✓		
N. The authority has complied with the publication requirements for 2019/20 AGAR (see AGAR Page 1 Guidance Notes).	✓		
<b>O. (For local councils only)</b> Trust funds (including charitable) – The council met its responsibilities as a trustee.			✓

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

Date(s) internal audit undertaken: **24/05/2021 04/12/2020** Name of person who carried out the internal audit: **H. HEELS (on behalf of Heels & Lodge)**

Signature of person who carried out the internal audit: **[Signature]** Date: **24/05/2021**

\*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).  
 \*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned: or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).

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**Section 1 – Annual Governance Statement 2020/21**

We acknowledge as the members of:

**WITHAM TOWN COUNCIL**

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2021, that:

	Agreed		"Yes" means that this authority:
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		<i>prepared its accounting statements in accordance with the Accounts and Audit Regulations.</i>
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		<i>made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.</i>
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓		<i>has only done what it has the legal power to do and has complied with Proper Practices in doing so.</i>
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		<i>during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.</i>
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		<i>considered and documented the financial and other risks it faces and dealt with them properly.</i>
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		<i>arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.</i>
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		<i>responded to matters brought to its attention by internal and external audit.</i>
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		<i>disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.</i>
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A <i>has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.</i>

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

DD/MM/YY

and recorded as minute reference:

MINUTE REFERENCE

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman SIGNATURE REQUIRED

Clerk SIGNATURE REQUIRED

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Section 2 – Accounting Statements 2020/21 for

WITHAM TOWN COUNCIL

	Year ending		Notes and guidance
	31 March 2020 £	31 March 2021 £	
1. Balances brought forward	403,173	372,199	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.
2. (+) Precept or Rates and Levies	557,278	624,473	Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.
3. (+) Total other receipts	109,069	55,613	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.
4. (-) Staff costs RESTATEO	337,901	362,347	Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.
5. (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).
6. (-) All other payments RESTATEO	354,420	278,634	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	372,199	411,304	Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).
8. Total value of cash and short term investments	349,864	414,432	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.
9. Total fixed assets plus long term investments and assets	1,184,909	1,104,040	The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.
10. Total borrowings	0	0	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets.
			N.B. The figures in the accounting statements above do not include any Trust transactions.

I certify that for the year ended 31 March 2021 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

SIGNATURE REQUIRED

Date

DD/MM/YY

I confirm that these Accounting Statements were approved by this authority on this date:

DD/MM/YY

as recorded in minute reference:

MINUTE REFERENCE

Signed by Chairman of the meeting where the Accounting Statements were approved

SIGNATURE REQUIRED

### Section 3 – External Auditor’s Report and Certificate 2020/21

In respect of

ENTER NAME OF AUTHORITY

#### 1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>.

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2021; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

#### 2 External auditor’s limited assurance opinion 2020/21

(Except for the matters reported below)\* on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with *Proper Practices* and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (\*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the authority:

(continue on a separate sheet if required)

#### 3 External auditor certificate 2020/21

We certify/do not certify\* that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2021.

\*We do not certify completion because:

External Auditor Name

ENTER NAME OF EXTERNAL AUDITOR

External Auditor Signature

SIGNATURE REQUIRED

Date

DD/MM/YY

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**Town Clerk**

---

**From:** Goodings, Emma <emma.goodings@braintree.gov.uk>  
**Sent:** 18 June 2021 09:55  
**To:** Town Clerk  
**Cc:** Jones, Neil  
**Subject:** RE: Community Facilities in North Witham

Good morning James,

As I explained previously given the likely complete overhaul of the S106 regime as part of the completely redefined national planning policy context that now may not be the best time to have a conversation about S106 or CIL neither of which may exist in a years time. Having said that if this is a member driven discussion then I would suggest it would be more appropriate if you ask your members to write to Cllr Butland and/or Cllr Spray and then members will be able to decide on the next steps in any areas that your members may wish to raise

In terms of the Neighbourhood Plan process, its exciting to hear that WTC are looking to move forward with this. Can I suggest if you havent already to discuss with Alan Massow in the planning policy team the process and support the Council can give to the Town Council on this matter, including through the RCCE. I do not believe we have yet had a request in to designate a Neighbourhood area which is the first step in this process?

Kind Regards

**Emma Goodings**  
**Head of Planning and Economic Growth**  
Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB  
☎ 01376 552525 Ext. 2511 | [www.braintree.gov.uk](http://www.braintree.gov.uk) | ✉ [emma.goodings@braintree.gov.uk](mailto:emma.goodings@braintree.gov.uk)

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**From:** Town Clerk [<mailto:townclerk@witham.gov.uk>]  
**Sent:** 03 June 2021 13:09  
**To:** Jones, Neil <neil.jones@braintree.gov.uk>  
**Cc:** Goodings, Emma <emma.goodings@braintree.gov.uk>  
**Subject:** RE: Community Facilities in North Witham

Hi Neil,

I am afraid I am unable to provide you with any further insight at this moment in time, as Members wish to discuss the issue of S106 and CIL in a wider context with Braintree District Council. It was resolved to do so by the Town Council as per the attached correspondence – Members were seeking advancement of this issue to the relevant cabinet Member. Having discussed Emma's reply (attached for reference) it has now been agreed the reply will be presented to the Full Council on June 28<sup>th</sup> for further consideration.

**Town Clerk**

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**From:** Goodings, Emma <emma.goodings@braintree.gov.uk>  
**Sent:** 11 May 2021 17:46  
**To:** Town Clerk  
**Cc:** Jones, Neil; Collins, Dominic  
**Subject:** RE: Community Facilities in North Witham

Hi James,

Hope you are well.

Just wanted to go back to you on the issue you raised about why the District Council has not implemented CIL.

I know that you know the difference between the two systems so I won't go into that. A number of years ago Council considered the value for money which it received from S106 v CIL and considered that S106 remained good value for money for the District.

A CIL would potentially take around 18 months to implement. As you will have seen from the Queens speech today and the governments White Paper on planning which was released last year, the government is looking at a wholesale review of the planning system which would include how the community secures appropriate funding from that development. As such at this time the Council will be waiting to find out the future government policy approach will be and then consider the implications of that for Braintree District.

Hope that makes sense but happy to pick up in more detail at our next quarterly meeting.

Kind Regards

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**Head of Planning and Economic Growth**  
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Agenda Item 24

It is my intention to ask the following question at the AGM

Dudley Chignall

Heart of Witham Preservation Group.

### **Gimsons Development - Background**

The developers Planning Application Oct 2018 quotes Section 2 of the Draft Local Plan, specifically Policy LPP32 which states that: Development at Gimsons will be supported subject to; Provision of safe, direct pedestrian and cycle access from Kings Chase through to River Walk.

**1st March 2019** the developer refused to put the cycleway thro the development stating that they are "not sure where this late request comes from."

This led to an offer from BDC to put the route through the Town Park railings.

**4 March 2019** BDC e-mailed Phase 2 saying "to overcome Condition 2 of Highways response the Council require a financial contribution of £x to widen the footpath in the Park."

**6 March 2019** BDC to Phase 2 e-mail "to confirm we are proposing to widen a 65m stretch of footpath to the north of the site (Witham Town Park) in the council's ownership, to 3m to facilitate a cycle connection through the development to Kings Chase. It is not possible to secure the connection through the site itself."

**6 March 2019** Essex Highways write a letter to BDC with regard to 18/02010/FUL. They quoted DM1 & DM9 regulations relating to walking & cycling etc which have been standard practices for over 10 years. "The impact of the proposal is acceptable to the Highway Authority subject to a footpath/cycleway between the proposal site and Kings Chase."

**8 March 2019** The Planning report to BDC states "ECC Highways No objection to the development, subject to upgrading of Footpath to the north of the site."

- There is no evidence that Highways made that statement. In just two days ECC Highways have changed their position from "providing a cycleway" to "upgrading a footpath."

**With regard to the road** "The Highway Authority notes that the applicant has demonstrated visibility in accordance with current design standards. (Letter attached).

**8 March 2019** The Planning report to BDC states "Essex Highways have completed their own assessment of the junction and the likely impact of the development."

- Highways have gone from "the applicant has demonstrated" to "completed their own assessment" in just 2 days.

Note: DM 1 (ECC Development Management Policies) "where existing access is to be used, substandard accesses will be improved and/or upgraded in accordance with the current standards for the category of road;"

- DM1 was ignored. Despite the access road not being capable of being improved to an adoptable standard as it is not wide enough the Highway authority agreed that "roads that do not fully comply with adoption standards can still be adopted by the Highway Authority." Source - BDC Planning report 13 October 2020.

Over 1,000 Witham residents signed a petition asking for the Park Railings to be preserved and restored. (N.B. 650 wrote objections and 450 marched in protest.) HoW Group has 1,090 members.

BDC state “the existing railings are not located within the Conservation Area, and are instead located just outside of the Conservation Area. In accordance with the General Permitted Development Order 2015 (as amended), the railings would not require planning permission to be removed.”

It is not correct to state that whilst the park is in the conservation area the railings are not. They are an integral part of each other. They have been for over 100 years.

**Note:** It is entirely possible for the cycleway to go through the development, but it would require the developer to change his layout.

With the intention of protecting the railings BDC have made a condition that “prior to first occupation details of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.”

- By the time that such a submission (first occupation) is made it will be too late for the developer to change the layout of the development. So this condition does nothing to preserve the railings as by this time the developers would have to knock down houses to deliver a cycleway!

**Question**

Will the Town Council be challenging BDC with regard to the status of the town park railings?

Your Ref: 18/02010/FUL  
Our Ref: CO/TPD/SD/  
Date: 6 March 2019



CC: Cllr James Abbott  
Development Management SM01

Andrew Cook  
Director for Highways and Transportation

To: **Mat Wilde**  
Braintree District Council  
Causeway House  
Bocking End  
Braintree  
Essex  
CM7 9HB

County Hall  
Chelmsford  
Essex CM1 1QH

## Recommendation

Application No. 18/02010/FUL  
Applicant Mr Steve Read  
Site Location Gimsons, Kings Chase, Witham  
Proposal Demolition of existing dwelling and construction of 78 dwellings including access, landscaping, parking and associated works

**All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.**

**Provided the development is carried out in accordance with planning application drawing numbers 180857-CON-X-00-DR-C-3331 P1 and 180857-CON-X-00-DR-C-3330 P1 from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following requirements:**

**The Highway Authority notes that the applicant intends to use the existing access from River View to Maldon Road and has demonstrated visibility in accordance with current design standards (as per planning application drawing number 180857-CON-X-00-DR-C-3105 P2).**

Continued.....



**Condition 1**

No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period and include, but not be limited to details of the vehicle/wheel cleaning facilities within the site and adjacent to the egress onto the highway.

**Reason:** To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the Development Management Policies February 2011.

**Condition 2**

No occupation of the development shall take place until the following have been provided or completed:

- a) The two bus stops which would best serve the proposal site upgraded to current Essex County Council specification (details shall be agreed with the Local Planning Authority prior to commencement of the development).
- b) the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council.
- c) a footpath/cycleway between the proposal site and Kings Chase.

**Reason :** To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking, in accordance with policies DM1, DM9 and DM10 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

**Notes**

- The above requirements should be imposed by way of negative planning conditions or planning obligations agreements as appropriate.
- Prior to any works taking place in the highway the developer should enter into an agreement with the Highway Authority under the Highways Act 1980 to regulate the construction of the highway works
- All or some of the above requirements may attract the need for a commuted sum towards their future maintenance (details should be agreed with the Highway Authority as soon as possible)
- All highway related details should be agreed with the Highway Authority. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to: SMO1 – Essex Highways, Colchester Highways Depot, 653, The Crescent, Colchester Business Park, Colchester CO49YQ



.....  
pp. Director for Highways and Transportation  
Enquiries to Teresa Milbourn  
Telephone: 033303 20616  
Email: [teresa.milbourn@essex.gov.uk](mailto:teresa.milbourn@essex.gov.uk)  
Internet: [www.essex.gov.uk](http://www.essex.gov.uk)

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**Officer Report: Gimsons Review Group**

- It is proposed to constitute a new advisory committee in the format of a “Review Group”.
- The Town Council’s Scheme of Delegation defines Review Groups as bodies which are “*Specifically designated the exploration of a single issue for report*”.
- The Gimsons Review Group would exist to provide a continuing direct scrutiny exercise of the Gimsons development, including adherence to planning conditions and the timely discharge of S106 obligations.
- Expressions of interest in serving on this review group have been received from Councillors J. Goodman, S. Ager and S. Hicks.
- The work of the “Local Heritage List Review Group” could be incorporated into the Gimsons Review Group as an item of high relevance.

**Advice:**

- To constitute a new advisory committee to the Planning Applications & Transport Committee whose purpose will be for the exploration and scrutiny of all ongoing matters relating to the Gimsons development.
- To dissolve the Local Heritage List Review Group (reporting to Environment Committee) and incorporate its remaining business into the Gimsons Review Group.
- Councillor M. Lager, currently a member of the Local Heritage List Review Group may wish to transfer membership to the Gimsons Review Group.

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## RESOLUTION

## Agenda Item 28

The Council confirms by resolution at a full council meeting that it meets all requirements for the Foundation Award and publishes on its website:

RESOLVED that:

(a) Standing Orders & Financial Regulations, Code of Conduct, Publication Scheme, the last Annual Return, Transparent Information about Council Payments, A Calendar showing all meetings, Minutes, Current Agendas, The Budget & Precept Information, Complaints Procedure, Accessibility Statement, Privacy Notice, Council Contact details, Action Plan, Evidence of Consulting the Community, Publicity Advertising Council Activities, Evidence of Participating in Town and Country Planning.

The council also confirms by resolution at a full council meeting that it has:

(b) the following items of the Foundation Level have been achieved: A Risk Management Scheme; A Register of Assets; Contracts for all members of staff; Insurance, Disciplinary and Grievance Procedure; A Training Policy; A Record of all training; The Clerk has achieved 12 CPD points in the last year.

And also RESOLVES that:

(a) the Parish Council has achieved items (below) of the Quality Level and that all documentation relating to these items can be found on the Parish Council website:

Draft minutes of all Council and Committee Meetings, within four weeks of the last meeting.

A Health and Safety Policy

Policy on Equality

Councillor Profiles

A Community Engagement Policy

A Grant Awarding Policy

Evidence showing how electors contribute to the Annual Parish Meeting

An Action Plan that relates to the Budget

Evidence of Community Engagement

Evidence of helping the community plan for the future

(b) the following items of the Quality Level have been achieved:

A Scheme of Delegation; Evidence of Customer Service;

At least two thirds of its Councillors are Elected;

An Annual Report which is actively shared;

A Qualified Clerk; A Formal Appraisal Process for Staff;

A training Policy and Record for all Staff and Councillors.

**These documents (b), which are not found on your website, are to be placed on cloud storage or an application for the panel to access via a hyperlink.**

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