



Town Hall | 61 Newland Street | Witham | CM8 2FE  
01376 520627  
witham.gov.uk

## AGENDA

### WITHAM TOWN COUNCIL

Date: **Monday. 8<sup>th</sup> July 2024** Time: **7:30 p.m.**

Place: **Council Chamber, Town Hall, Newland Street, Witham, CM8 2FE**

**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:

L. Barlow	(Town Mayor)	T. Hewitt
P. Heath	(Deputy Town Mayor)	J. Martin
E. Adelaja		R. Playle
P. Barlow		R. Ramage
J.C. Coleman		A. Sloma
J.M. Coleman		B. Taylor
B. Fleet		E. Williams
L. Headley		

Nikki Smith  
Town Clerk

NS/GK/3.7.2024

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

To receive and approve apologies for absence.

#### **2. MINUTES**

To receive the Minutes of the Meeting of Town Council held 11<sup>th</sup> June 2024 previously circulated).



**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.

*Order Note: A maximum of 30 minutes is designated for public participation time with no individual speaker exceeding three minutes unless otherwise granted an extension by the Chairman under Standing Order 3(F) & 3(G)*

**5. PUBLIC OPEN SPACES**

Neil Jones, Planning Officer at Braintree District Council, will be attending the Meeting to talk about the management of public open spaces on new developments.

**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> to 30<sup>th</sup> June 2024 attached at page 4.

**8. TOWN CLERK'S REPORT**

To receive a verbal report from the Town Clerk on matters arising.

**9. MEMBER'S ALLOWANCE POLICY**

To review and approve the Member's Allowance Policy attached at page 5.

**10. BRAINTREE PRIDE**

To consider having a Town Council stall at Braintree Pride event on Saturday, 10<sup>th</sup> August 2024.

**11. COMMITTEE REPORTS**

**Planning and Transport Committee held 11<sup>th</sup> and 24<sup>th</sup> June 2024**

Minutes 17 to 40 (inclusive)

To receive a report of the Meetings.

**12. 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 (S3) of the Local Government Act 1972.

**13. LAND TRANSFER**

To receive an updated report.

**14. ASSET TRANSFER**

- a) To receive a request to rescind a previous motion.
- b) To receive a report.



## **LIST OF MAYOR'S ENGAGEMENTS BETWEEN 5<sup>TH</sup> JUNE TO 4<sup>TH</sup> JULY 2024**

### **Mayor of Maldon's Charity Dinner, Thursday 20<sup>th</sup> June 2024**

Attended the Mayor of Maldon's charity dinner at the House of Delight in Maldon.

### **The Chairman of Essex County Council's Reception/Garden Party, Friday 21<sup>st</sup> June 2024**

Attended the Chairman of Essex County Council's Reception/Garden Party.

### **Eid Celebration Event, Sunday 23<sup>rd</sup> June 2024**

Attended an Eid celebration event in Witham.

### **Memorial for the late Simon Gibbs, Tuesday 25<sup>th</sup> June 2024**

Attended a memorial at New Rickstones Academy for the late Simon Gibbs, who was the head teacher of the school.

### **Opening of St George's Care Home, Saturday 29th June 2024**

Opened St George's Care Home in Witham after a recent refurbishment.

### **Witham Dog Show, Saturday 29<sup>th</sup> June 2024**

Attended the Witham Dog Show, run by Witham Town Council, on the Witham River Walk.

[Back to Agenda](#)

## Witham Town Members Allowance Policy

### 1. Introduction

The Local Authorities (Members' Allowances) (England) Regulations 2003 came into force on 1 May 2003. The regulations apply to local authorities in England only and substantially change the system that previously existed.

An annual allowance shall be made to the Chair of the Council, whether an elected or co-opted member, in accordance with the Local Government Act 1972.

An annual basic allowance shall be made to elected members of the Parish Council, other than the Chair of Council, in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and the amount of such an allowance shall be the same for such members.

This scheme does not provide for any special responsibility allowances, dependants' carers' allowances, travelling and subsistence allowances or co-optees' allowances.

### 2. Forms of allowance

These regulations permit Town and Parish Councils to pay a basic parish allowance (Regulation 25) to its chairman only or to each of its elected members. Co-opted members do not qualify for the basic parish allowance. The amount payable to the chairman may vary from that of other members but otherwise the sum shall be the same for each member.

The regulations also allow payment of a parish travelling and subsistence allowance (Regulation 26). Travel and subsistence allowance can be paid to elected and co-opted members. Parish and Town Council members are not entitled to claim a dependants' carer's allowance.

The Local Government Act 1972 s.15 (5) states a local council may pay a chairman's allowance for the purpose of enabling him to meet the expenses of his or her office. A co-opted member elected as the chairman is entitled to the chairman's allowance, but not the basic parish allowance.

The basic parish allowance and chairman's allowance are not salaries. They are figures calculated to cover expenses which are normally associated with the duties of being a local councillor. Travelling and subsistence allowances are used to reimburse members for specific expenses incurred while attending meetings, training course or events on behalf of the council.

### 3. Setting levels of allowances

Regulation 27 of The Local Authorities (Members' Allowances) (England) Regulations 2003 states that a parish remuneration panel may be established by a responsible authority, which is defined as a district or unitary authority.

When convened, a parish remuneration panel will produce a report making recommendations including:

- The amount of basic parish allowance payable to elected members
- The amount of chairman's allowance payable (if different to the basic parish allowance)
- The amount of travelling and subsistence allowance payable

Parish and Town Councils must take into account these recommendations when setting their levels for allowances.

#### 4. Procedure and payment

Payment of participation allowances (basic parish allowance and chairman's allowance) will be made with a deadline of November for eligible members. Travel and subsistence allowances are treated as expenses, and reclaimed via expenses claim form.

When paying participation allowances to elected members, local councils are obliged by law to deduct income tax, where appropriate, under the PAYE system. It is unlikely National Insurance Contributions will need to be considered as the allowances are likely to be below the lower earnings limit.

At the end of the financial year, the council must publish a notice in a visible place for a period of at least 14 days stating the total amount that it has paid for all Member allowances.

~~A member is able to elect in writing to the Clerk that he or she wishes to relinquish all or part of their entitlement to the allowances.~~

**Members wishing to receive their allowance are required each year to sign an agreement stipulating that, should they resign from their position as a Town Councillor, they shall repay the allowance on a pro-rata basis.**

The council is required to maintain records of payments made in respect of the allowances specifying the name of the recipient and the nature of the allowance. These records can be inspected by any local government elector for the parish or town without payment of a fee upon giving reasonable notice. Copies must be provided if so requested, for which a realistic fee can be charged.

**Agreed: Policy and Resources 03.10.2022**

**Reviewed:** 8<sup>th</sup> July 2024

**To be reviewed:** June 2026

Policy WTC/53

[Back to Agenda](#)