



Town Hall | 61 Newland Street | Witham | CM8 2FE
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AGENDA

WITHAM TOWN COUNCIL

Date: **Monday, 25th November 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		J. Robertson
J.M. Coleman		A. Sloma
B. Fleet		B. Taylor
L. Headley		E. Williams

Nikki Smith
Town Clerk
NS/GK/20.11.2024

1. APOLOGIES FOR ABSENCE

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of Town Council held 29th October 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. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE

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

6. TOWN MAYOR'S ENGAGEMENTS

To receive details of the Town Mayor's engagements attended for period up to 20th November 2024 attached at page 4.

7. TOWN CLERK'S REPORT

To receive the Town Clerk's report on matters arising attached at page 5.

8. INTERIM INTERNAL AUDIT

To receive the Internal Audit report attached at page 6.

9. STATEMENT OF INTERNAL CONTROLS

To review and adopt a Statement of Internal Controls, attached at page 12.

10. ENABLING REMOTE ATTENDANCE AND PROXY VOTING AT LOCAL AUTHORITY MEETINGS

To consider the Government's consultation on allowing remote and hybrid attendance at local authority meetings. Details can be accessed by the following link –
<https://www.gov.uk/government/consultations/enabling-remote-attendance-and-proxy-voting-at-local-authority-meetings/enabling-remote-attendance-and-proxy-voting-at-local-authority-meetings>

11. MEMBERS' ATTENDANCE AT MEETINGS

To receive details of Members' attendance at Meetings attached at page 15.

12. MEMBERSHIP OF THE PLANNING AND TRANSPORT COMMITTEE

To consider the current membership of the Planning and Transport Committee.

13. COMMITTEE REPORTS

- (a) **Planning and Transport Committee held 29th October and 11th November 2024**
Minutes 149 to 174 (inclusive)

To receive a report of the Meetings.

- (b) **Community Committee held 11th November 2024**
Minutes 37 to 49 (inclusive).

To receive a report of the Meeting.

14. EXCLUSION OF THE PRESS AND PUBLIC

At this point, the Chair will move the following resolution: Under the Public Bodies (Admissions to Meetings) Act 1960 S.1(2) and in accordance with Standing Order 3(d), the press and public should be excluded from the remainder of the meeting due to the confidential nature of the business to be transacted.

15. LAND TRANSFER

To receive a report attached at page 17.

16. ALLOTMENT UPDATE

To receive an update on allotments attached at page 18.

MAYORAL ENGAGEMENTS

Agenda Item 6

TRIP TO GERMANY

Last month, from October 2nd to 3rd, the Mayor visited our twinned town of Waldbröl, Germany to attend a Reunification Service. The visit also included various social engagements and formal dinners aimed at strengthening the partnership between our communities.

24th October to 25th November 2024

- Thursday, 24th October** **WAOS SALAD DAYS**
Attended a theatre show put on by WAOS at the Witham Public Hall.
- Wednesday, 30th October** **MALTINGS ACADEMY PRESENTATION EVENING**
Attended the presentation evening of the Braintree District and active Braintree awards 2024 at Malting Academy.
- Thursday, 31st October** **TEMPLARS RESIDENT'S ASSOCIATION HALLOWEEN EVENT**
Attended an event hosted by the Templars resident's association on Halloween.
- Monday, 4th November** **VETERAN COFFEE MORNING**
Attended a coffee morning at the Royal British Legion Witham.
- Sunday, 10th November** **REMEMBRANCE SUNDAY**
A.M.: Attended the Maldon's Remembrance Day service to lay a wreath on behalf of Witham.
P.M.: Marched in the Witham's Remembrance Day parade and laid a wreath on behalf of the people of Witham.
- Monday, 11th November** **REMEMBRANCE DAY**
Laid roses on behalf of the people of Witham at the War Memorial Gardens.
- Monday, 11th November** **DAY OF REMEMBRANCE AT PARKVIEW**
Attended a day of remembrance at the Parkview Care Home in Witham honouring and remembering those who paid the ultimate sacrifice.
- Thursday 21st November** **UK PARLIAMENT WEEK**
Attended the Terling School for a day for UK Parliament Week.

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ITEM NO: 7

Officer Report: [Town Clerk's Report](#)

The following matters are for members to note:

Christmas Market and Light Switch On

We still require help from Members for the Mulled Wine stall at the Christmas Market. Currently five members have offered help while the Mayor will be running her Charity Tombolas and another Member helping in the Grotto.

Christmas Carol Service

This will take place at 2pm near to The Witham Hub in The Grove Centre. The Hub are kindly lending us their P.A system and the service is being organised by 'Churches Together'.

Advice:

To receive and note.

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HEELIS & LODGE

Local Council Services • Internal Audit

Iterim Internal Audit Report for Witham Town Council – 2024/2025

The following Internal Audit was carried out on the adequacy of systems of control in accordance with the requirements of the Audit and Accounts Regulations 2015 and the guidance and instruction in the Practitioners Guide 2024. The following recommendations/comments have been made:

Proper book-keeping Cash Book, regular reconciliation of books and bank statements. Supporting vouchers, invoices and receipts

All were found to be in order. LGA1972 s137 is not used as the Council use the General Power of Competence. VAT payments are tracked and identified within the accounts. The cashbook is referenced and supporting paperwork is in place and well referenced. The Council use the RBS Omega software which provides comprehensive reports and a clear audit trail.

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

Standing Orders in place: **Yes**
Reviewed: **5/8/2024 (Ref: 65)** and **13/5/2024 (Ref: 18)**
Financial Regulations in place: **Yes**
Reviewed: **5/8/2024 (Ref: 66)** and **13/5/2024 (Ref: 19)**

VAT reclaimed during the year: **Yes**
Registered: **No – currently seeking VAT registration**

Submission Period: **01/04/2023-31/03/2024** Amount: **£63,558.11**

General Power of Competence: **Yes**

Policy Review Schedule in place: **Yes**

The following documents were reviewed during the year:

- *Members' Allowance Policy – 8/7/2024 (Ref: 50)*
- *Scheme of Delegation – 13/5/2024 (Ref: 17)*
- *Code of Conduct - 13/5/2024 (Ref: 20)*

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- *Community Engagement Statement - 13/5/2024 (Ref: 24)*
- *Treasury and Investment Policy - 13/5/2024 (Ref: 25)*
- *Allotment Policy – 14/10/2024 (Ref: 28)*
- *Scattering of Ashes on Open Spaces Policy – 15/4/2024 (Ref: 48)*

16/9/2024

- *Crime and Disorder Policy – (Ref: 55.a)*
- *Whistleblowing Policy – (Ref: 55.b)*
- *Meeting Attendance Policy – (Ref: 55.c)*
- *Social Media Policy for Members and Officers – (Ref: 55.d)*
- *Public CCTV Policy – (Ref: 55.e)*
- *Councillor Grant Scheme Policy – (Ref: 56.a)*
- *Petitions Policy – (Ref: 56.b)*

22/7/2024

- *Hire of Open Spaces Policy – (Ref: 10)*
- *Commemorative Items on Witham Town Council Open Spaces Policy – (Ref: 11)*
- *Snow Clearance Policy – (Ref: 12)*
- *Biodiversity Policy – (Ref: 13)*

There were no tenders during the year that exceeded the £30,000 Public Contract Regulations threshold.

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 registration: **Yes** Ref: Z6922290

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.

Privacy Policy/Notice published: **Yes**

Link:

https://www.witham.gov.uk/_files/ugd/ddf4e3_399099d2c322414aab1ea5b762521b0c.pdf

Insurance was in place for the year of audit (Renewal date 1/7/2025). The Risk Assessment was reviewed at a meeting held on 2/4/2024 (Ref: 202) following recommendation from the Scrutiny Panel.

An Interim Financial Risk Assessment was undertaken on 5/9/2024.

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It is noted that Financial Regulations have been amended to reduce the number of signatories transferring funds to the CCLA account in excess of £5,000 from 3 to 2 (5/8/2024 – 66). For all other payments in excess of £5,000 the number of signatories required remains at 3 (FR 5.3).

Bank signatories were reviewed at a meeting held on 11/6/2024 (Ref: 34), with the addition of a 6th signatory. The annual review was carried out on 13/5/2024 (Ref: 21).

Statement of Internal Controls in place: **No**

Recommendation: *To adopt a Statement of Internal Control.*

The Council have effective internal financial controls in place. The Clerk provides financial reports to council meetings. Councillors are provided with information to enable them to make informed decisions.

Fidelity Cover: £1,000,000 (Internal Crime)

The level of Fidelity cover is within the recommended guidelines of year end balances plus 50% of the precept.

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: <https://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** councils must publish on their website:

External audit report

2024 Annual Return, Section One Published – Yes

2024 Annual Return, Section Two Published – Yes

2024 Annual Return, Section Three Published – Yes

Under **The Accounts & Audit Regulations** councils must publish on their website:

Notice of period for the exercise of public rights

Published – Yes

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Period of Exercise of Public Rights

Publication Date: [30/5/2024](#) Start Date: [3/6/2024](#) End Date: [12/7/2024](#)

Under the requirements of the **Accounts and Audit Regulations 2015 13(2b)** council are required to display AGARs for the five years 2019-20, 2020-21, 2021-22, 2022-23 and 2023-24 on their website.

The Council have met the publication requirements.

Budgetary controls
supporting documents

Verifying the budgetary process with reference to council minutes and

Precept: £942,473.57 (2024-2025) Date: 8/1/2024 (Ref: 157)

Effective budgetary procedures are in place. The precept was agreed in 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 a sample of income received and banked cross referenced with the Cash Book and bank statements.

Allotment fees were reviewed and an increase of 3p per square metre resolved for the 2026/2027 financial year (Ref: 22/7/2024 – 14).

Petty Cash

Associated books and established system in place

A satisfactory petty cash system is in place with supporting paperwork. A sample of receipts were examined from April 2024 to September 2024 and cross referenced with vouchers and the cash book. A good referencing system is in place and all were found to be in order.

Payroll controls

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

PAYE System in place: [Yes](#)
Employer's Reference: [245/WW723](#)
P60s issued: [Yes](#)

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The Council continue to operate RTI in accordance with HMRC regulations. Payroll is outsourced. Supporting paperwork is in place and P60s have been produced as part of the year end process. A selection of payroll records from April – September 2024 were examined and all were found to be in order. A further examination will be undertaken at the year end.

Asset control

Inspection of asset register and checks on existence of assets
Cross checking on insurance cover

A separate asset register is in place and a review was undertaken at the annual meeting held on 13/5/2024 (Ref: 22). Values are recorded at cost value/insurance value. A further examination will take place at the year end.

Bank Reconciliation

Regularly completed and cash books reconcile with bank statements

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.

Bank Balances at were confirmed as:

<i>Lloyds Business</i>	<i>xxxx2286</i>	<i>£23,305.80</i>	<i>(20/9/2024)</i>
<i>Lloyds Deposit</i>	<i>95 Day</i>	<i>£197,976.87</i>	<i>(30/9/2024)</i>
<i>Unity Trust</i>	<i>xxxx4430</i>	<i>£45,120.81</i>	<i>(30/9/2024)</i>
<i>Unity Trust</i>	<i>xxxx5851</i>	<i>£925,604.71</i>	<i>(30/9/2024)</i>

Reserves

General Reserves are reasonable for the activities of the Council
Earmarked Reserves are identified

To be carried out at the year end.

Year-end procedures

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.

To be carried out at the year end.

Sole Trustee

The Council has met its responsibilities as a trustee

The Council is not a sole trustee.

**Internal Audit
Procedures**

The 2024 Year End Internal Audit report was considered by the Council at a meeting held on 13/5/2024 (Ref: 27).

A review of the effectiveness of the Internal Audit was carried out as part of the Internal Audit tender process for the 2024/2025 financial year.

Heelis & Lodge were appointed as Internal Auditor at a meeting held on 13/5/2024 (Ref: 23).

External Audit

The Council formally approved the 2024 AGAR at a meeting of the full Council held on 13/5/2024 (Ref: 29 & 30).

The External Auditor's report was considered at a meeting held on 2/9/2024 (Ref: 85).

There were no matters arising from the External Audit.

Additional Comments/Recommendations

- The Annual Town Council meeting was held on 13/5/2024. The first item of business was the Election of Tow Mayor, in accordance with Standing Orders.
- There are no additional comments/recommendations to make in relation to this audit.
- I would like to record my appreciation to the Clerk to the Council for her assistance during the course of the audit work and the quality of documentation provided for the audit.



Heather Heelis
Heelis & Lodge
5 November 2024

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Statement of Internal Control for the Year Ending 31st March 2025

Scope of Responsibility

Witham Town Council (The Council) is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently, and effectively. In discharging this overall responsibility, The Council is also responsible for ensuring that there is a sound system of internal control as required by Section 2 of the Annual Return – Annual Governance Statement.

The Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

Identifying and assessing risks:

The authority identifies, assesses and records risks associated with actions and decisions it has taken or considered taking during the year that could have financial or reputational consequences in accordance with Assertion 5, Section 1 of the AGAR.

The Internal Control Environment

The Council:

The Council has appointed a Chairman, who is responsible for the running of meetings and for ensuring that all Council decisions are lawful. The Council reviews its obligations and objectives and approves budgets and sets the level of precept at a full council meeting in the fourth Quarter of the financial year. The Full Council meets at least four times each year and monitors progress against its aims and objectives and actions to achieve them at each meeting. The Council carries out regular reviews of its internal controls, systems, and procedures.



Clerk to the Council/Responsible Financial Officer:

The Council has appointed a Clerk to the Council who acts as the Council's advisor and administrator. The Clerk is the Council's Responsible Financial Officer and is responsible for administering the Council's finances. The Council operates an approved Scheme of Delegation. The Clerk is responsible for the day-to-day compliance with laws and regulations that the Council is subject to and for managing risks. The Clerk also ensures that the Council's procedures, control systems and policies are adhered to.

Payments:

All payments by cheque or BACS are authorised by two or three Members of the Council (depending on the amount) and later reported to the Policy and Resources Committee.

Income:

All income is received and banked in the Councils' name in a timely manner and reported to the Policy and Resources Committee.

Risk Assessments / Risk Management:

The Council carries out regular risk assessments in respect of actions and regularly reviews its systems and controls.

Internal Audit:

The Council has appointed an Independent Internal Auditor who reports to the Council on the adequacy of it's:

- Records
- Procedures
- Systems
- Internal control
- Regulations
- Risk management

Reviews

The effectiveness of the internal audit system is reviewed annually.

External Audit:

The Council's External Auditors, PKF Littlejohn, submit an annual Certificate of Audit, which is presented to the Council.



REVIEW OF EFFECTIVENESS

The Council has responsibility for conducting an annual review of the effectiveness of the system of internal control. The review of the effectiveness of the system of internal control is informed by the work of:

- The Financial Scrutiny Panel;
- The Full Council;
- The Clerk to the Council/Responsible Financial Officer who has responsibility for the development and maintenance of the internal control environment and managing risks;
- The independent Internal Auditor who reviews The Council's system of internal control;
- The Council's external auditors, make the final check using the Annual Return, a form completed and signed by the Responsible Financial Officer, the Chairman and the Internal Auditor, and issue an annual audit certificate. The external auditors for 2024/2025 will be PKF Littlejohn.
- The number of significant issues that are raised during the year.

SIGNIFICANT INTERNAL CONTROL ISSUES

No significant internal control issues were identified during the financial year ended 2023-2024. The internal auditor in their report for the financial year ending 31 March 2024;

- a) made the following recommendations:
It is noted that the payments made to event volunteers may be classed as taxable income. It is recommended that advice is sought to clarify the situation.
- b) Due to the financial risk associated with the General Data Protection Regulations, the Council have included this in their Financial Risk Assessment. It is recommended that this is also included in the Risk Register.

EXTERNAL AUDIT FINDING

The external auditor in the 2023/2024 certificate stated that :

Except for the matters reported below, on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR 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.

APPROVAL

A Statement of Internal Control shall be approved at the Annual Town Meeting each year.

Approved 25th November 2024

Town Council Agenda - 25th November 2024
Members' Attendance at Meetings – 2024 - 2025

Agenda Item 11

Meeting and Date	E. Adelaja	L. Barlow	P. Barlow	J.C. Coleman	J.M. Coleman	B. Fleet	L. Headley	P. Heath	T. Hewitt	J. Martin	R. Playle	R. Ramage	J. Robertson	A. Sloma	B. Taylor	E. Williams
Annual Meeting 13.5.2024	√	√	√	√	√	A	A	√	√	A	A	A		√	√	A
Planning 28.5.2024	√		√	A	X		√		√	A		√		√		√
Community 28.5.2024	√	√	√	√		A	√	√			√	√				√
Open Spaces 4.6.2024			A			√		A	A			X				
Planning 11.6.2024	√		√	A	A		√		√	√		A		√		A
Town Council 11.6.2024	√	√	√	A	A	√	√	√	√	√	A	A		√	√	A
Planning 24.6.2024	√		√	√	A		√		√	√		X		LA		√
Planning 8.7.2024	√		√	√	√		√		√	√		X		LA		A
Town Council 8.7.2024	√	√	√	√	√	√	√	√	A	√	A	A		LA	√	√
Planning 22.7.2024	A		√	X	A		√		√	√		√		LA		A
Environment 22.7.2024	A			A	A	√			√	√		√	√	LA	√	
Planning 5.8.2024	√		√	A	√		√		√	√		A		LA		A
Town Council 5.8.2024	√	√	√	A	√	A	√	√	√	√	√	√	√	LA	√	A
Planning 19.8.2024	√		A	√	√		√		√	√		√		LA		√
Community 19.8.2024	X	A		√		A	√	A			A	√	√			√
Extraordinary T C 27.8.2024	X	√	√	√	√	X	√	√	A	A	A	X	√	LA	A	X
Planning 2.9.2024	√		√	A	√		√		A	√		√		LA		A
Town Council 2.9.2024	√	√	√	√	√	√	√	A	A	√	√	√	√	LA	A	A
Open Spaces 3.9.2024			A			√		A	A			X				
Planning 16.9.2024	A		√	√	A		A		√	X		√		LA		√
Policy & Resources 16.9.2024		A	√	√		√	√	A		X	√	√			A	

√ - indicates attendance, A – Apologies, X – Absent. LA indicates approved Leave of Absence. Grey cell indicates that the Councillor is not a Member of that Committee.

Town Council Agenda - 25th November 2024
Members' Attendance at Meetings – 2024 - 2025

Meeting and Date	E. Adelaja	L. Barlow	P. Barlow	J.C. Coleman	J.M. Coleman	B. Fleet	L. Headley	P. Heath	T. Hewitt	J. Martin	R. Playle	R. Ramage	J. Robertson	A. Sloma	B. Taylor	E. Williams
Extraordinary TC 30.9.2024	√	√	√	√	√	√	√	√	X	√	√	A	√	LA	√	√
Town Council 30.9.2024	√	√	√	√	√	√	√	√	X	√	√	A	√	LA	√	√
Planning 7.10.2024	√		√	√	A		√		LA	√		√		LA		X
Planning 14.10.2024	√		√	√	A		√		LA	√		X		LA		√
Environment 14.10.2024	X			√	A	√			LA	√		X	√	LA	X	
Planning 29.10.2024	√		√	√	√		√		LA	X		√		LA		√
Town Council 29.10.2024	√	√	√	√	√	A	√	√	LA	A	√	X	√	LA	√	√
Planning 11.11.2024	√		√	√	A		√		LA	A		√		LA		X
Community 11.11.2024	X	√		√		A	√	√			√	√	√			X
Percentage Attendance	74 %	84 %	88 %	71 %	54 %	58 %	92 %	66 %	60 %	68 %	61 %	50 %	100 %	100 %	66 %	48 %

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