

Louth Town Council

The Sessions House, Eastgate,
Louth, Lincolnshire, LN11 9AJ

01507 355895

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To the Members of the Town Council of Louth:

You are hereby summoned to attend a meeting of Louth Town Council, it's Community Resources Committee and it's Personnel Committee which will be held on Tuesday 1st December 2020 by Zoom Video Conference at 7pm. The business to be dealt with at the meeting is listed in the agenda below.

Please note that the meeting will begin at 7pm unless there is a need to hold a public forum. Any public, wishing to speak on an agenda item or 'sit in' on the meeting(s) should advise the Town Clerk, using the above email address, in advance and may 'join' the meeting using the following details:

To join by computer:

<https://us02web.zoom.us/j/82175690991?pwd=TKRoN200ZmYySHJGZk55K2xuSDJRdz09>

Meeting ID: 821 7569 0991, Passcode: 799395

To join by telephone: +44 203 901 7895, +44 131 460 1196, +44 203 051 2874, +44 203 481 5237, +44 203 481 5240. Meeting ID: 821 7569 0991, Passcode: 799395

Members of the public should note that they will not be allowed to speak during the formal meeting.

Mrs. L.M. Phillips

Town Clerk

Dated this 26th Day of November 2020

AGENDA

TOWN COUNCIL

(Chairman: Cllr. D. Hobson, Membership: All Cllrs.)

1. **Apologies for Absence**

To receive and note apologies where valid reasons for absence have been given to the Town Clerk at least one hour prior to the meeting.

2. **Declaration of Interest / Dispensations**

To receive declarations of interest in accordance with the Localism Act, 2011 – being any pecuniary interest in agenda items not previously recorded on Members' Register of Interests and any written requests for dispensation received by the proper officer under section 22 of the Localism Act.

3. **Council Minutes**

To approve as a correct record the notes of the following Council Meetings:

- a. 22nd September 2020.
- b. 3rd November 2020.

4. **Committee Minutes**

To confirm receipt of the minutes and adopt resolutions contained therein of the following Committee Meetings:

- a. Planning Committee 20th October 2020
- b. Governance and Finance Committee 8th September 2020
- c. Planning Committee 28th July 2020
- d. Community Resource Committee 25th February 2020
- e. Community Resources Committee 30th June 2020

5. **Town Clerk's Report / Update**
6. **Environment Agency Letter**
Council to note the contents of a letter which the Environment Agency are to send to residents of Louth who live at the side of the Lud/Stewton Beck.
7. **Annual Governance and Accountability Return (AGAR) 2019/20**
Council to note that Louth Town Council has received an unqualified Audit Report for 2019/20. The Notice of Conclusion of Audit has been completed and documentation is displayed on the Town Council Website and Parish Noticeboard.
8. **Renewal of Parish Agreement with LCC re. Grasscutting**
Council to resolve to renew its agreement with LCC re. Grasscutting for 2021/22.
9. **Speed Awareness Group**
Council to receive notes from the first meeting of the above and consider the recommendations therein.
10. **Tidy Louth Working Group**
Council to receive a verbal report from the Tidy Louth Working Group and consider a proposal that the Council write to LCC regarding the convoluted process involved when residents want to take rubbish to the Louth waste tip and express concern that this could lead to further fly tipping.
11. **Next Meeting**
Council to note that the date of the next scheduled Town Council Meeting is 19th January 2020.

COMMUNITY RESOURCES COMMITTEE
(Chairman: Cllr. A. Leonard, Membership: All Cllrs.)

1. **Apologies for Absence**
To receive and note apologies where valid reasons for absence have been given to the Town Clerk at least one hour prior to the meeting.
2. **Declarations of Interest / Dispensations**
To receive declarations of interest in accordance with the Localism Act, 2011 – being any pecuniary interest in agenda items not previously recorded on Members' Register of Interests and any written requests for dispensation received by the proper officer under section 22 of the Localism Act.
3. **Minutes**
To approve as a correct record the notes of the Community Resources Committee meeting held on 6th October 2020.
4. **Photocopier**
Committee to consider making a change to current photocopying arrangements in light of problems sourcing parts for the Council's current photocopier and to ensure uninterrupted service.
5. **Asset Review Working Group**
Members of the above (MB, SEL, AL, HF, SC, JMS, EB, (DH ex. officio)) to agree the date and time for a meeting of the above.
6. **Next Meeting**
Committee to note that the date of the next scheduled Community Resources Committee meeting is 2nd February 2020.

PERSONNEL COMMITTEE

(Chairman: Cllr. Mrs. J. Makinson-Sanders, Membership: Cllrs. Mrs. EB, SC, DEW, GEH)

1. **Apologies for Absence**
To receive and note apologies where valid reasons for absence have been given to the Town Clerk at least one hour prior to the meeting.
2. **Declarations of Interest / Dispensations**
To receive declarations of interest in accordance with the Localism Act, 2011 – being any pecuniary interest in agenda items not previously recorded on Members' Register of Interests and any written requests for dispensation received by the proper officer under section 22 of the Localism Act.
3. **Minutes**
To approve as a correct record the notes of the Personnel Committee meeting held on 8th September 2020.
4. **Annual Review of Staff Disciplinary and Grievance Policy**
Committee to complete the review of the above and authorise use of Disciplinary and Grievance Policy.
5. **Closed Session Item**
Committee to resolve to move into closed session in accordance with the Public Bodies (Admission to Meetings) Act 1960 due to the business to be discussed in the following item, information being of a confidential and sensitive nature in relation to personnel matters:
 - a. **Council Volunteer**
6. **Next Meeting**
Committee to note that the date of the next scheduled Personnel Committee meeting is 16th February 2020.

09-22-20 TC MINS

**MINUTES OF THE LOUTH EXTRA ORDINARY TOWN COUNCIL MEETING
HELD ONLINE USING THE ZOOM CONFERENCING PLATFORM
ON TUESDAY 22nd SEPTEMBER 2020**

Present The Mayor, Cllr. D. Hobson (DH) (in the chair).

Councillors: Mrs. E. Ballard (EB), J. Baskett (JB), M. Bellwood (MB), L. Cooney (LMC), A. Cox (AC), S. Crew (SC), D. Ford (DF), J. Garrett (JG), D.J.E. Hall (DJEH), G.E. Horton (GEH), A. Leonard (AL), Mrs. S.E. Locking (SEL), Mrs. J. Makinson-Sanders (JMS), J. Simmons (JS), Mrs. P.F. Watson (PFW) and D. Wing (DEW).

Councillors not present: H. Filer (HF), D. Jackman (DJ), K. Norman (KN) and F.W.P. Treanor (FWPT).

The Town Clerk, Mrs. L.M. Phillips and the Town Clerk's Assistant, Mrs. M.C. Vincent were also present.

114. Apologies for Absence

Apologies for absence were received from Councillors: HF, KN and FWPT.

115. Declarations of Interest / Dispensations

Cllrs. DH, Mrs. SEL and Mrs. PFW knew the District Valuer personally (Closed Session item) but did not know his job role. They all disclosed this at the beginning of the item being discussed.

NB: Cllrs: DJEH, GEH, DF and AC left for 2 minutes between 8:07pm-8:09pm from item 115 finishing and the commencement of item 116.

- 116.** It was **RESOLVED** to go into **Closed Session** in accordance with the Public Bodies (Admission to Meetings) Act 1960 due to the business to be discussed in the following item, information being of a confidential, commercial, third party and sensitive nature in relation to:

a. Old Mill House

The Council:

- i) Noted the District Valuers report.
- ii) Noted that the Council had an obligation to comply with the LGA 1972.
- iii) **RESOLVED** to authorise further expenditure which may be with the DV (on negotiations and advice) or in connection with other legal matters.
- iv) **RESOLVED** to give delegated authority to the Town Clerk to progress the matter, in conjunction with the Mayor and the Chairman of the Community Resources Committee.

NB: Cllr. Mrs. JMS left the meeting during the **Closed Session** at 8:36pm due to technical difficulties, rejoining the meeting at 8:45pm but as missed much of the item discussion was precluded from voting on the item. Cllr. GEH left the meeting at 9:13pm returning a minute later.

It was **RESOLVED** to come out of **Closed Session**.

117. Next Meeting

The Council noted that the date of the next scheduled Council Meeting was 6th October 2020.

The Meeting Closed at 9:31pm.

Signed _____ (Chairman) Dated _____

11-03-20 TC MINS

**MINUTES OF THE LOUTH TOWN COUNCIL MEETING
HELD ONLINE USING THE ZOOM CONFERENCING PLATFORM
ON TUESDAY 3rd NOVEMBER 2020**

Present

The Mayor, Cllr. D. Hobson (DH) (in the chair).

Councillors: Mrs. E. Ballard (EB), J. Baskett (JB), M. Bellwood (MB), L. Cooney (LMC), A. Cox (AC), S. Crew (SC), D. Ford (DF), J. Garrett (JG), D.J.E. Hall (DJEH), G.E. Horton (GEH), A. Leonard (AL), Mrs. S.E. Locking (SEL), Mrs. J. Makinson-Sanders (JMS), K. Norman (KN), J. Simmons (JS), F.W.P. Treanor (FWPT), Mrs. P.F. Watson (PFW) and D. Wing (DEW).

Note: Cllr. Mrs. PFW arrived at 7:28pm and Cllr. DF at 8:32pm.

Councillors not present: H. Filer (HF) and D. Jackman (DJ)

The Town Clerk, Mrs. L.M. Phillips, the Town Clerk's Assistant, Mrs. M.C. Vincent were also present.

146. Apologies for Absence

Apologies for absence were received from Councillors: DF and PFW who would both be late to the meeting.

147. Declarations of Interest / Dispensations

None.

148. Council Minutes

It was **RESOLVED** to approve as a correct record, the notes of the Council Meeting held on the 6th October 2020.

149. Committee Minutes

It was **RESOLVED** to confirm receipt of the minutes and adopt the resolutions contained therein of the following meetings: Planning Committee 22nd September 2020.

150. Tribute to Key Workers

Following many different ideas and lengthy discussion regarding a suitable tribute in the town to Key Workers, it was **RESOLVED** to defer the item until such a time as a clearer picture could be seen regarding the outcome of the Coronavirus crisis.

151. Light Up Louth Competition

It was **RESOLVED** to approve the arrangements for the Light Up Louth Competition also giving the Town Clerk and Floral Working Group delegated authority to investigate and launch a Louth Shop Window Competition, or suchlike, if required and able. Cllr. Mrs. PFW arrived during this item at 7:28pm.

152. Speeding

It was **RESOLVED** that a Group be formed to identify: 1) where speeding problem areas are within the town and 2) whether traffic calming measures could be introduced to assist. The Group to formulate recommendations to be brought back to Council. Members of the Group to be: Cllrs. GEH, DJEH, DF, JS, KN, AL, SC and DH.

Note: David Ford joined the meeting during this item at 8:32pm

153. LALC County Committee

No Councillors wished to stand as a second representative to sit on the LALC County Committee.

154. Cemetery Lodge

Following a recorded vote, Councillors **RESOLVED** to support the request by the current owners of the Lodge to use as a holiday let.

For Cllrs.	JB, MB, AC, LMC, DF, JG, DJEH, GEH, KN, PFW, DEW
Against Cllrs.	SC, DH, AL, JMS, JS, FWPT
Abstain Cllrs.	EB, SEL

155. Next Meeting

The Council noted that the date of the next scheduled Council Meeting was 1st December 2020.

The Meeting Closed at 8:30pm.

Signed _____ (Chairman) Dated _____

ACTIONS EMANATING 2020/21

Minute No	Cttee	Date	Agenda Item	Resolution	Action Required By:	Actioned	Date
116	TC	22/09/2020	Old Mill House	1) To authorise further expenditure which may be with the DV (on negotiations and advice) or in connection with other legal matters. 2) To give delegated authority to the Town Clerk to progress the matter, in conjunction with the Mayor and the Chairman of the Community Resources Committee.	Clerk	Ongoing	23/09/2020
122	TC	06/10/2020	Litter Signs	To explore possible options and places in Louth for the erection of signage with regards to preventing littering in the town.	Clerk/D F/Cllrs	Ongoing	30/10/2020
123	TC	06/10/2020	Petition to Reopen the East Lincolnshire Railway (ELR)	To support in principal the petition to reopen the ELR between Grimsby and Peterborough via Louth.	Clerk	✓	13/10/2020
126	TC	06/10/2020	Resomarium	To defer taking a decision on whether to grant or deny the request for access, pending the receipt of further information. The Council felt that it would require the requesters to supply further information before it could consider the matter properly and to this end the Council agreed to invite the requesters to provide, at their own cost, documentation to conclusively evidence, to the Council's satisfaction, both the rights they claim exist over this route and their right to entitlement, to be accompanied by the legal opinion of a solicitor on the matter, explaining and confirming the situation.	Clerk	✓	21/10/2020
132	CR	06/10/2020	Julian Bower Field	to renew the mowing licence and to arrange to enter into a licence with the person wishing to graze sheep on the field for this winter and beyond. Winter grazing licence to commence as soon as possible.	Clerk	✓	13/11/2020
133	CR	06/10/2020	Louth Athletics Club (LAC) Drains	That LTC should undertake the repair at a cost quoted of £900 plus VAT, and in tandem, a claim be made to Northern Powergrid for the damage caused to the sewer-pipe by their heavy machinery. The Town Clerk to inform Louth Athletics Club of the decision.	Clerk	✓	05/11/2020
134	CR	06/10/2020	Cemetery Improvements	That this report should go to the Asset Review Working Group who should consider each of the eight points individually, decide which points to pursue, take professional advice if required and then for proposals to go on an agenda for the Community Resources Committee to consider.	Asset Review WG	Ongoing	26/11/2020
135	CR	06/10/2020	All Weather Pitch - London Road	That the Town Clerk should ask Magna Vitae for a quarterly report regarding the progress of the new All-Weather Pitch and that the report should also be sent to Cllr. Grist.	Clerk	✓	14/10/2020
144	PL	20/10/2020	St. Bernard's Avenue Pedestrian Crossing	That Louth Town Council should write to LCC with their concerns and request a review and upgrade of lighting possibly to traffic lights.	Clerk	✓	05/11/2020
151	TC	03/11/2020	Light Up Louth Competition	To approve the arrangements for the Light Up Louth Competition also giving the Town Clerk and Floral Working Group delegated authority to investigate and launch a Louth Shop Window Competition, or suchlike, if required and able. Cllr. Mrs. PFW arrived during this item at 7:28pm.	Clerk	✓	05/11/2020
152	TC	03/11/2020	Speeding	That a Group be formed to identify: 1)where speeding problem areas are within the town and 2) whether traffic calming measures could be introduced to assist. The Group to formulate recommendations to be brought back to Council. Members of the Group to be: Cllrs. GEH, DJEH, DF, JS, KN, AL, SC and DH.	GEH	✓	10/11/2020
153	TC	03/11/2020	Cemetery Lodge	To support the request by the current owners of the Lodge to rent it out, if they wished in the future, as a holiday let.	Clerk	✓	05/11/2020
160	GF	03/11/2020	Citizens Advice Bureau	To authorise the release of funds in the sum of £1,000 as per the 2020/21 budget but to also ask the CAB how they were coping during the Coronavirus Crisis, and if they required further financial support.	Clerk	Ongoing	26/11/2020

creating a better place
for people and wildlife



Date: 00 Month Year

Dear Property owner/occupier,

River Lud/Stewton Beck – responsibilities

I am writing to bring to your attention your responsibilities for the section of riverbank behind your property.

The River Lud/Stewton Beck is a main river, which means it is an important watercourse. There have been regular instances of property owners depositing garden waste material onto the river bank. This material then often falls into the river and travels downstream. It ends up stuck in the river or trash screens causing blockages, which in turn increases flood risk.

Our officers remove these blockages and often remove garden waste from the riverbank to prevent this happening. However, it is not part of our publicly funded role to remove garden and riverbank waste from banks, unless we own them. If these actions continue by some property owners, we may need to intervene more formally.

The Environment Agency has discretionary powers to carry out maintenance works to the River Lud/Stewton Beck, however the responsibility to maintain a river ultimately falls to the owner of the watercourse - the riparian landowner. If your land boundary is along a river it is assumed your land extends to the centre of the river and you are responsible to carry out maintenance where appropriate. The landowner on the opposite side of the watercourse is responsible for the other half.

It is the responsibility of the riparian landowner to keep the riverbank and channel free from obstruction (weeds, sticks, trees), ensuring water flows naturally.

We have enclosed a booklet which provides information on owning a watercourse, and further information is available on our website www.gov.uk/guidance/owning-a-watercourse.

I and my team have a wealth of experience of working on the river and would be very happy to provide you with support and advice on your responsibilities and future maintenance. Please find my teams contact details below.

This letter has been delivered to all properties which run alongside the River Lud and Stewton Beck.

Speed Aware Group

Notes of a Meeting of the Speed Aware Group held on Tuesday 10th November 2020 via Zoom.

Attendance:

Cllr. D. Hobson (Chair), Cllr. S. Crew, Cllr. D. Ford, Cllr. D. Hall, Cllr. A. Leonard, Cllr. G. Horton

The above Councillors were representing St. Marys, St Margaret's, Trinity, North Holme, St. James' and St. Michaels Wards respectfully.

It was agreed that residents had, over the last few weeks, shown great concern not only for the speed of vehicles but also the noise emitting from some of them in their community.

Councillors highlighted problem areas that they had either witnessed for themselves, or had received a number of complaints about these being: Grimsby Road, Ugate, Brackenborough Road, North Holme Road, Keddington Road, Victoria Road, Eastgate, St. Bernard's Avenue, Aswell Street, Newmarket/Legbourne Road, Broadly Crescent, London Road, Wood Lane and Stewton Lane.

It was agreed that the majority of problems started after dark.

The group noted that the Council own two interactive speed signs which act as an effective deterrent and record the speed of passing vehicles and flash to warn motorists if they are speeding but do not record the registration details of offenders.

The group discussed the possibility of inviting such organisations as the Police, the Lincolnshire Road Safety Partnership or a representative from a Community Speed Watch scheme to a group meeting.

RECOMMENDATIONS:

- 1) That letters be sent on behalf of residents to the two County Councillors, with a view to their being passed on to the Portfolio Holder for Highways at LCC. Letters to confirm the perceived problem areas and ask if there is anything that can be done.
- 2) That Cllr. D. Hobson approach the Town Clerk and request that an amount be placed into the draft budget for the purchase of new signs or equipment (the figure obviously to be agreed/ adjusted as the Council deems appropriate).
- 3) That the Council write to each of the seven district Councillors and both the County Councillors, to enquire if they have any funds left in their community funds, and if so, would they be prepared to make a contribution to the cost of any equipment the Council might wish to purchase.

On behalf of the Speed Awareness Group.

10-06-20 CR MINS

**MINUTES OF THE LOUTH TOWN COUNCIL COMMUNITY RESOURCES COMMITTEE
HELD ONLINE USING THE ZOOM PLATFORM
ON TUESDAY 6TH OCTOBER 2020**

Present

Cllr. A Leonard (AL) (in the chair).

Councillors: Mrs. E. Ballard (EB), J. Baskett (JB), M. Bellwood (MB), A. Cox (AC), S. Crew (SC), D. Ford (DF), J. Garrett (JG), D.J.E. Hall (DJEH), D. Hobson (DH), G.E. Horton (GEH), Mrs. S.E. Locking (SEL), Mrs. J. Makinson-Sanders (JMS), K. Norman (KN), J. Simmons (JS), F.W.P. Treanor (FWPT), Mrs. P.F. Watson (PFW) and D. Wing (DEW).

Councillors not present: L. Cooney (LMC), H. Filer (HF) and D. Jackman (DJ).

The Town Clerk, Mrs. L.M. Phillips, the Town Clerk's Assistant, Mrs. M. Vincent and two members of the public were also present.

129. Apologies for Absence

Apologies for absence were received from Councillors: LMC and HF.

130. Declarations of Interest / Dispensations

Cllr. Mrs. EB – item 5 as a representative of Louth Town Council on the Louth Athletics Club Committee and also President of the Club.

131. Minutes

It was **RESOLVED** that the notes of the Community Resources Committee Meeting held on 30th June 2020 be approved as the Minutes.

132. Julian Bower Field

The Committee noted that expressions of interest had been received regarding the use of the above field (to buy, graze horses, turn into an orchard or graze sheep). The Committee discussed past arrangements which were to enter into an annual mowing licence and it was **RESOLVED** to renew the mowing licence and to arrange to enter into a licence with the person wishing to graze sheep on the field for this winter and beyond. Winter grazing licence to commence as soon as possible.

133. Louth Athletics Club (LAC) – Drains

The Committee noted the following: that LAC had a problem with the toilets flooding in their clubhouse. After a pipeline camera investigation, undertaken by Anglian Water, of a sewage pipe which runs underneath the gateway to the land on which the clubhouse stands, the cause of the problems had been diagnosed as a crushed pipe. Anglian Water would not take responsibility for the issue as the pipe was deemed on LTC land. It was thought that the damage to the pipe may have been caused by heavy plant machinery using the gateway to access the bottom of the Julian Bower field where Northern Powergrid had done some work, to connect a property. Northern Powergrid had been contacted and had confirmed that they would not take responsibility for the issue unless evidence that one of their employees or contractors had caused it could be provided. They also required evidence of the cost of the repair. Following a lengthy discussion it was **RESOLVED** that LTC should undertake the repair at a cost quoted of £900 plus VAT, and in tandem, a claim be made to Northern Powergrid for the damage caused to the sewer-pipe by their heavy machinery. The Town Clerk to inform Louth Athletics Club of the decision.

134. Cemetery Improvements

The Committee considered a report by Cllr. MB and it was **RESOLVED** that this report should go to the Asset Review Working Group who should consider each of the eight points individually, decide which points to pursue, take professional advice if required and then for proposals to go on an agenda for the Community Resources Committee to consider.

135. All Weather Pitch - London Road

Following a verbal report by Cllr. Mrs. JMS, it was **RESOLVED** that the Town Clerk should ask Magna Vitae for a quarterly report regarding the progress of the new All-Weather Pitch and that the report should also be sent to Cllr. Grist.

136. Next Meeting

The Committee noted that the date of the next scheduled Community Resources Committee meeting was 15th December 2020.

The Meeting Closed at 9.15pm.

Signed _____ (Chairman)

Dated _____

09-08-20 PERS MINS

**MINUTES OF THE LOUTH TOWN COUNCIL PERSONNEL COMMITTEE
HELD ONLINE USING THE ZOOM PLATFORM
ON TUESDAY 8TH SEPTEMBER 2020**

Present: Councillor Mrs. J. Makinson Sanders (JMS) (in the chair).

Councillors: Mrs. E. Ballard (EB), Mrs. S Crew (SC), G.E. Horton and D. Wing (DEW).

Councillors not present: None.

The Town Clerk, Mrs. L.M. Phillips, was also in attendance.

101. Apologies for Absence

None.

102. Declarations of Interest / Dispensations

None.

103. Minutes

It was **RESOLVED** that the notes of the Personnel Committee Meeting held on 30th June 2020 be approved as the Minutes.

104. NJC Pay Scales and Holiday Entitlement

The Committee noted that the National Joint Council for Local Government Services (NJC) had reached agreement on the new pay scales for 2020/21, which would be implemented from 1st April 2020 and had agreed that holiday entitlement for employees with less than 5 years' service would increase from 21 to 22 days.

105. Lincolnshire Pension Fund – Exit Credit Policy and Funding Strategy Statement

The Committee noted the information regarding the Lincolnshire Pension Fund - Exit Credit Policy and Funding Strategy Statement which set out the general guidelines that the Lincolnshire Pension Fund would follow when determining the amount of an exit credit payable, if any, to a ceasing employer in line with Regulation 64 of the Local Government Pension Scheme Regulations 2013. The document also contained an update to be included in the Funding Strategy Statement.

106. Next Meeting

The Committee noted that the date of the next scheduled Personnel Committee meeting was 17th November 2020.

The Meeting Closed at 8.40pm.

Signed _____ (Chairman)

Dated _____

Louth Town Council

STAFF GRIEVANCES & DISCIPLINE PROCEDURE

1 Informal Grievances

If a member of staff feels that they are unhappy with an element of their employment with the Council they should initially discuss the matter with the Clerk on an informal basis.

If the Employee feels uncomfortable about talking to the Town Clerk about their concerns, they should be able to approach the Chair of Personnel.

2 Informal Discipline - Employee Conduct / Performance

Should the Clerk be unhappy with either the conduct or performance of an Employee, they will initially discuss their concerns with the Employee on an informal basis.

The purpose of this meeting will be to guide and support the Employee to help them address the problem and perform to a standard acceptable to Management. For this reason the Clerk will take notes during this meeting, decide what action should result from the meeting and ask the Employee to sign the notes.

Only the Clerk and Employee should attend this meeting. There will be no entitlement to be accompanied.

3 Mediation

In the event that an Employee is unhappy with the outcome of the Informal Grievance Procedure, or either party do not feel that performance / conduct issues are being addressed effectively, either an Employee or Clerk can request that the matter be subjected to mediation.

This will involve the use of a third party Mediator. In its simplest form, Mediation will involve the Mediator talking to either party individually, to listen to their side of the issue. If the Mediator feels that a resolution to the problem is possible, a meeting will be arranged between all parties at which the Mediator will set out their assessment of the issues and invite both party to reach their own resolution.

The resultant action plan should have the agreement and support of both parties, be set out in writing and be signed by all involved in the Mediation process.

4 Formal Grievances

In the case of Grievances not being fully resolved by the informal / mediation approach, a formal approach to the Chair of the Personnel Committee is required, preferably in writing and stating clearly that the Employee wishes the matter to be addressed as a Formal Grievance. An Employee's Formal Grievance should set out the nature of the Grievance in as much detail as reasonably possible, and state what their desired outcome would be.

As a consequence a formal meeting will be held between the Employee and a Grievance Panel to address the matter.

This meeting will be arranged as soon as reasonably possible. A letter of invitation to a Formal Grievance hearing will be sent to the Employee, usually within seven days of Management receiving the Employee's Grievance.

At this meeting Employees are entitled - and encouraged - to be accompanied by a work colleague from the Council or a trade union representative.

Employees will be informed in writing of the outcome of the meeting within seven days.

If the Employee making the grievance is unhappy with the response to the meeting, they can issue an appeal. Details of the Appeal Procedure are given below.

5 Formal Discipline

If an issue regarding an Employee's conduct, behaviour or performance isn't fully addressed by informal methods / Mediation, the Management will pursue the matter through its formal Disciplinary Procedures.

Typical examples of areas of concern may be poor performance, unacceptable and unexplained absenteeism, poor conduct and behaviour at work, or lack of capability by an Employee to carry out their job.

Employees will be informed by letter that they are required to attend a formal disciplinary meeting. This letter will include details of the allegation they are to answer, the date, time and venue of the meeting, and also inform them of their right to be accompanied by a work colleague from the Council or trade union representative.

This is a four step procedure, which increases in the severity of its outcome if the issue isn't resolved at the previous step. Each step involves a formal meeting between the affected Employee and a member of the Management Team, at which the Employee will be given every opportunity to put their side of the issue.

Meetings will be conducted as soon as reasonably possible after the incident(s) which are being investigated to ensure that facts and witness statements are clear and up to date. At this meeting Employees are entitled - and encouraged - to be accompanied by a work colleague from the Council, or trade union representative.

If the allegation of misconduct is proven, the meeting may result in the following action being taken by the Council Management against the Employee:

STEP No	ACTION TAKEN	LIVE PERIOD	MANAGER RESPONSIBLE
1	Formal Oral Warning	Six months.	Clerk to the Council
2	Formal Written Warning	Twelve months	Clerk to the Council
3	Final Written Warning	Twelve months	Clerk to the Council
4	Termination of Contract of Employment	N/A	Clerk to the Council

Particularly severe acts of indiscipline may result in the Management bypassing Steps 1 and 2.

Employees will be informed by letter that they are required to attend a formal disciplinary meeting. This letter will include details of the allegation they are to answer, the date, time and venue of the meeting, and also inform them of their right to be accompanied by a work colleague from the Council.

6 Gross Misconduct

Acts of Gross Misconduct, if proven after an appropriate investigation (*including searches of bags, coats and other personal effects, as well as cars, vehicles and any appropriate Council property*) and a Disciplinary Hearing, will result in Dismissal.

Employees accused of Gross Misconduct will be suspended on full pay and receive a written invitation to a Formal Disciplinary Hearing, giving them details of the allegation they are to answer, the date, time and venue of the meeting, and also inform them of their right to be accompanied by a work colleague from the Council or trade union representative. The letter will provide a minimum of 2 working days prior notice to the meeting.

The Management recognises the following as acts of Gross Misconduct. (This is not an exhaustive list).

1. Theft.
2. Abusive or threatening behaviour of any nature.
3. Being under the influence of alcohol or drugs.
4. Dishonesty in dealings with Management.
5. Sexist, racist or any other behaviour against an individual, which could be classed as creating a hostile, intimidating or threatening environment.
6. Breach of confidentiality.
7. Failing to carry out reasonable Management instructions.
8. Fighting and acts of aggression.
9. Deliberately damaging Council property.
10. Deliberate breaches of Council Health and Safety procedures.
11. Unauthorised access to Council computer files, software or any other such breach of confidentiality.

Employees who have been dismissed for acts of Gross Misconduct do have a right to appeal against their dismissal. Appeals should be submitted within a reasonable timescale following the dismissal, and addressed to the Chair of the Council. A reasonable timescale would normally be no longer than a week following the dismissal.

Employees submitting an appeal must make it clear that they are appealing against the decision to dismiss them, and set out the reasons for their appeal.

Once the Management have received notice of the Employee's decision to Appeal, they will follow the Appeal Procedure detailed below.

7 Appeal Procedure

Employees have the right to appeal against a decision made at any stage of the Formal Disciplinary Procedure, the outcome of a Grievance Hearing, or dismissal caused by redundancy or sickness.

Appeals should be made to the Chair of the Council, preferably in writing and within a reasonable timescale following the action the Employee is appealing against. A reasonable timescale would normally be no longer than a week. Appeals made after one week will be considered if the Employee has a reasonable explanation for having taken so long.

Employees submitting an appeal must make it clear to the Chair of the Council that they are appealing against the decision affecting them, and set out the reasons for their appeal.

A Formal Appeal Hearing, involving the Employee and the Management will be held within fourteen days of receipt of the appeal request. At this meeting Employees are entitled - and encouraged - to be accompanied by a work colleague from the Council, or a trade union representative.