



Tollesbury Parish Council

Notice is hereby given that the virtual Meeting of TOLLESBURY PARISH COUNCIL will be held on Tuesday 4th August 2020, via Zoom commencing at 7.30pm, to which members of the Council are summoned for the transaction of the under-mentioned business.

M. Curtis

Michelle Curtis – Clerk to the Council

28th July 2020

Councillors: S Plater (Chairman), T Lowther (Vice-Chairman), M Bell, V Chambers, R Clare, R Cole, R Lankester, S Legg, J Rogers, A St Joseph

THE PRESS AND PUBLIC ARE CORDIALLY INVITED TO ATTEND

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted however the privacy of (i) persons who object to the same and (ii) children and vulnerable adults must be respected by anonymising the identities of such.

The meeting is virtual and is being held via Zoom. If you wish to attend the meeting, please contact the Clerk who will email you joining information.

1. **Apologies for Absence**

To receive apologies for absence.

2. **Declaration of Interest**

Members are reminded that they are required to declare any Disclosable Pecuniary Interests, Other Pecuniary Interests and Non-Pecuniary Interests which they know they might have in items of business on the agenda. They are reminded that they will need to repeat their declarations at the appropriate point in the meeting and leave the room if required under the Code of Conduct. Unforeseen interests must be declared similarly at the appropriate time.

3. **Public Forum**

Members of the public will be given an opportunity to put forward their question(s) or statement to the Council. The Chairman will at his discretion then decide if he is able to answer the question(s) or proposes to put the item on the agenda for the next meeting.



4. District Councillors

To receive information from the District Councillors

5. Tollesbury – COVID-19

To receive update from Cllr Clare on Tollesbury Volunteers

6. Minutes

To receive and approve the Minutes of the Meeting held on 7th July 2020 #

7. Finance

7.1 To receive and approve the Monthly Financial Report as at 31st July 2020 #

7.2 To received and approve the Payments #

8. Planning

Planning Applications and Decisions

Applications are circulated to all Councillors with the agenda, for study ahead of the meeting. Planning documents are also available for everyone to view on Maldon District Council's website (www.maldon.gov.uk).

- **Applications:** To consider Planning Applications received from Maldon District Council including the following.

Application No: TCA/20/00673

Proposal: T1 - Monterey Cypress - Fell

Location: 41 East Street Tollesbury

- **Appeals:** To receive notification of Planning Appeals.
- **Planning Decisions:** To note decisions made by Maldon District Council.
- **Planning Appeal Decisions:** To note appeal decisions made by the Planning Inspectorate.
- **Tree Preservation Orders (TPOs):** To note TPOs made by Maldon District Council.

9. Committees

9.1 Recreation Ground Committee

9.1.1 To receive the Minutes of the Recreation Ground Committee Meeting held on 7th July 2020 #

9.1.2 To receive the Draft Minutes of the Recreation Ground Committee Meeting held on 3rd August 2020 #



9.1.3 To consider proposal from the Recreation Ground Committee for the Skate Park. #

9.1.4 To consider proposal from the Recreation Ground Committee for works to trees as recommended in the Tree Survey Report. #

9.1.5 To receive the Monthly Inspection Report #

9.2 Environment & Amenity Committee

9.2.1 To receive an update from the Environment and Amenity Committee.

To consider quotations for removal of the Willow Tree at Woodrolfe Green. #

9.3 Woodrolfe Hard and Marine Assets

9.3.1 To receive the Draft Minutes of the Woodrolfe Hard and Marine Assets Committee Meeting held on 6th July 2020 #

9.4 Woodup Pool

9.4.1 To receive an update from the Woodup Pool Committee.

9.4.2 To receive email from Risk Assessor in relation to the opening of Woodup Pool.*

9.4.3 To consider the reopening of Woodup Pool for the remainder of the 2020 season.

9.4.4 To receive letter from Maldon District Council regarding the water testing for Woodup Pool. *

9.5 Neighbourhood Plan

9.5.1 To receive an update on the Neighbourhood Plan.

10. Policies and Procedures

10.1 To discuss the proposed Terms of Reference for the Parish Council Committees *

10.2 To discuss the proposed Disciplinary Procedures *

10.3 To discuss the proposed Grievance Procedures *

11. 'The Hangout' – Youth Group

To receive an update on 'The Hangout' Youth Group.

12. Speeding Issues

To discuss speeding issues in the Village.

13. Royal British Legion

To receive letter from the Royal British Legion and consider request that the Parish Council assume the role of Event Organiser for the Remembrance Day Service and Parade. *



14. Police/Community Protection Officers (CPO)

- 14.1** To receive the Police Reports (confidential) and discuss policing matters within the village to feedback to Essex Police.
- 14.2** To receive the CPO Report for July 2020 #

15. Administration

To receive information from the Clerk – update on current and ongoing matters.

16. Community Concerns

To receive information only or note future agenda items.

17. Dates of the Next Meetings

Tuesday 1st September 2020 – Recreation Ground Committee – 6.30pm

Agenda items for consideration at the Recreation Ground Committee Meeting to be sent to the Clerk by Monday, 24th August 2020, at the latest.

Tuesday 1st September 2020 – Full Council Meeting – 7.30pm

Agenda items for consideration at the Full Council Meeting to be sent to the Clerk by Monday, 24th August 2020, at the latest.

Tuesday 8th September 2020 – Woodrolfe Hard and Marine Assets Committee – 7.30pm

Agenda items for consideration at the Recreation Ground Committee Meeting to be sent to the Clerk by Monday, 31st August 2020, at the latest.

Tuesday 6th October 2020 - Full Council Meeting - 7.30pm

Agenda items for consideration at the Full Council Meeting to be sent to the Clerk by Monday, 28th September 2020, at the latest.

Tuesday 3rd November 2020 - Full Council Meeting - 7.30pm

Agenda items for consideration at the Full Council Meeting to be sent to the Clerk by Monday, 26th October 2020, at the latest.

Key: * = attached - # to follow

Clerk: Michelle Curtis

Address: 4 Valkyrie Close, Tollesbury, Essex CM9 8SL

Telephone: 01621 869039. **Email:** clerk@tollesburyparishcouncil.gov.uk



Appeal Decision

Site visit made on 23 June 2020

by L Gilbert BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th July 2020

Appeal Ref: APP/X1545/D/20/3247171

47 East Street, Tollesbury, Essex CM9 8QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs I Adcock against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/19/01098, dated 9 October 2019, was refused by notice dated 11 December 2019.
 - The development proposed is a single storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the proposed single storey rear extension at 47 East Street, Tollesbury, Essex CM9 8QD in accordance with the terms of the application, Ref HOUSE/MAL/19/01098, dated 9 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building, with the exception of the render shown on drawing number MD19008.03.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: MD19008.06, MD19008.07, MD19008.04, MD19008.03 and MD19008.02.

Main Issue

2. The main issue is the effect of the proposal upon the living conditions of the occupiers of No 45 East Street, with particular reference to outlook.

Reasons

3. The proposed rear extension at No 47 East Street would infill a narrow gap between the side of the outrigger and the boundary with No 45 East Street (No 45). A solid wooden boundary fence with a trellis above, presently separates the rear of the appeal site with No 45. The design features of the proposed extension include a sloped roof which lowers to a height of 2.25m by the shared boundary with No 45.
4. No 45 has a ground floor window on the inset rear wall of the main house that appears to serve a habitable room. It also has two side windows which would face the proposed development, the larger of these serves a kitchen. The

outlook from these ground floor windows would have views of the proposed extension.

5. Although not solid, the trellis above the existing boundary fence adds additional height and partially obscures views of the appeal site from No 45, therefore the outlook from windows in both elevations is already limited. I note there is a modest gap between the proposal and No 45's ground floor windows. However, due to the proposed boundary height of the extension, it would not greatly differ to the existing situation and therefore would not significantly harm outlook from the ground floor windows of No 45, nor be oppressive.
6. Accordingly, I find that the proposal would not significantly harm the living conditions of the occupiers of No 45, with particular reference to loss of outlook. It would therefore accord with Policies D1 and H4 of the Maldon District Approved Local Development Plan 2014-2029 (2017), which seeks amongst other things that all development will be design-led and will seek to optimise the use of land having regard to the impact upon the amenities of neighbouring properties. The proposal would also be consistent with Paragraph 127 of the National Planning Policy Framework in relation to providing development that promotes health and well-being.

Other Matters

7. Although not a matter of dispute between the main parties, as the site lies within the Tollesbury Conservation Area (CA) I am required to pay special attention to the desirability of preserving or enhancing the CA's character and appearance. The CA derives a great deal of its significance from the historic townscape of the centre of the village, where buildings from a variety of ages, and in places mature trees, create a harmonious streetscape. The proposed extension's modest scale and height, and discreet position at the rear of the house, would not intrude in views within this streetscape nor would it harmfully alter the CA's historic character. Consequently, the proposal would preserve the character and appearance of the CA. I note the Council reached a similar view in this respect.

Conditions

8. The purpose of the approved plans condition is to create certainty for all parties; and the materials condition seeks to safeguard the character and appearance of the area.

Conclusion

9. For the reasons set out above, I conclude that the proposed development would be acceptable and thus the appeal should be allowed.

L Gilbert

Inspector

Town and Country Planning Act 1990
Weekly List Of Decisions
Week Ending 10th July 2020



MLA/MAL/20/00482 Tollesbury West

Application for the revocation of the existing Section 106 legal agreement
executed under planning application 93/00215/FUL.

Bridge Farm Colchester Road Tolleshunt D'Arcy Essex
(UPRN - 100091257905)

Michael & Andrew Coe

APPROVED

Officer: Julia Sargeant

Dated : 07/07/2020

Covid 19 and reopening swimming pools

From: James Thomas [REDACTED]

To: tollesburypc@btinternet.com

Date: Monday, July 20, 2020, 11:31 AM GMT+1

Hi Michelle

Apologies for the slight delay in responding to your request for my views on re-opening pools.

Lets start with what we know, who is responsible for operating the facilities in your case Tollesbury PC there needs to be an appointed person responsible for Covid 19 that would be you as the Parish Clerk or an appointed member of the committee operating the facility i.e. Chairperson.

How does Covid 19 spread? it seems that person to person contact (within about 2 metres) mainly caused by respiratory droplets and infectious aerosols, so close contact in the form of a hug, handshake or being in a busy public space allows infected individuals to easily spread their respiratory droplets i.e. talking, sneezing, coughing.

Implications for Woodup pool? firstly there are no lifeguards present, or any other staff members to supervise visitors, there are no showers so you are relying on individuals to come "Beach ready". Porto loos are normally brought to site for the season now we have the issue of disinfecting surfaces, guidance tells us the surfaces touched should be cleansed after every use the virus on hard surfaces, toilet seats, hand rails, door handles both outside and inside the units can survive for up to 72 hours.

Social distancing either 1 metre plus or 2 metres who will ensure people abide by the rules? since easing of lockdown we have seen at popular outdoor bathing places vast numbers of visitors arriving especially during spells of warm weather which we have recently enjoyed and totally ignoring the Governments guidance on this matter.

What does it mean for the Parish Council if you were to open say for the remainder of this season? Firstly you would need to consider policing the facility either with an army of volunteers or paid staff they would need to ensure that visitors abide by the new regulations which would need to be produced and the persons trained, those responsible for overseeing the facility enforcing it. Secondly, regular cleaning and disinfecting of any surfaces the visitors are likely to touch Bench seating, tables, BBQ units, Toilets etc.

Track and Trace have you considered how that would work? major headache for those responsible for operating the facility, difficulty in monitor opening times and visitors using the pool outside of these times.

Regular emptying and filling of the pool at least twice weekly subject to the tide conditions.

Having given the matter due consideration and because so little is known about Covid 19

virus at this time as your pool consultant I would strongly urge the Parish Council to take the decision NOT TO OPEN this season but prepare for the 2021 season when we hopefully will know more about Covid 19 behaviour patterns.

Finally, we know in disinfected and circulated swimming pool water (which yours is not) there is no risk of the virus surviving due to the chlorine's ability to kill viruses and pathogens almost instantaneously.

If I can be of further assistance to you on this matter please let me know.

Kindest.

Jim Thomas.
Technical Consultant.
Link into Leisure Ltd.

22nd July 2020

Mrs. M. Curtis
Clerk to the Tollesbury Parish Council
4 Valkyrie Close,
Tollesbury,
Maldon,
Essex
CM9 8SL

Enquiries to Hannah Wheatley
Email: hannah.wheatley@maldon.gov.uk

Dear Mrs Curtis,

Water Sampling - Woodup Pool, Tollesbury

Following the Zoom meeting on Tuesday 19th May 2020 with members of Tollesbury Parish Council, the Director of Regulatory Services and I have reviewed the Council's resources and re-considered its position in relation to the water sampling of Woodup Pool, Tollesbury. I am pleased to inform you that Maldon District Council will pay for the sampling analysis until October 2020 when you close the pool for the Winter.

Officers of Maldon District Council will make a funding bid during this financial year (ending 31st March 2021) to pay for the sampling analysis going forward. This will be subject to a decision by Members of Maldon District Council. Once a decision is made, the Council will inform you of this decision and whether or not it will pay for the sampling of Woodup Pool on an on-going basis from May 2021. Please note that further funding is not guaranteed and so alternative options for funding should be considered for 2021-22 onwards.

I was wondering if Tollesbury Parish Council has decided to open Woodup Pool in Tollesbury following the lifting of the coronavirus restrictions for outdoor swimming pools on the 11th July 2020? If so, would you like Maldon District Council to resume water sampling at the site?

If you are or intend operating the pool during the coronavirus pandemic, you will need to ensure that a Covid secure risk assessment is undertaken. Safety controls will need to be in place to mitigate the risk of coronavirus transmission. Guidance can be found on the government website, see <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/providers-of-grassroots-sport-and-gym-leisure-facilities>

In the meantime, if you have any questions or wish to discuss this matter further, please contact me at the Council.

Yours sincerely

Hannah Wheatley
Specialist Services Manager



Environment & Amenity Ground Committee

1. Membership

- 1.1 Membership shall consist of 4 Council Members appointed at the Annual Parish Meeting.
- 1.2 Members may be co-opted on the basis of their special knowledge or interest.
- 1.3 The Chairman of the Committee shall be elected as per Standing Orders 4d(vii). A Vice-Chairman shall also be appointed.

The Chairman of the meeting may give an original vote on any matter put to the vote and in the case of equal votes may exercise his casting vote whether or not he gave an original vote, voting should be via show of hands.

- 1.4 A quorum shall consist of 3 members of the Committee.

2. Meetings

- 2.1 The calendar of meetings shall be confirmed at the first meeting after the Annual Meeting of the Parish Council.
- 2.2 The Environment & Amenity Committee will be convened in accordance with the Parish Council's Standing Orders.
- 2.3 The Agenda will be published in accordance with Standing Order 3b.
- 2.4 Minutes of all meetings will be recorded by the Parish Clerk or by a person nominated by the Clerk and shall be presented electronically at the next full meeting of Tollesbury Parish Council. All Environment & Amenity Committee decisions will be circulated with any recommendations needed for consideration to be put forward at the next Full meeting of Tollesbury Parish Council.
- 2.5 Additional meetings will be arranged as required.



3. Areas of responsibility

- 3.1 To implement decisions and duties of the Tollesbury Parish concerning the Cemetery, Allotments, Woodrolfe Green, Hasler Green, Bus Shelter, Streetlighting, Dog/Litter Bins and Highways including:
 - Day to day management and monitoring
 - Health and Safety
 - Inventories
 - Schedule of maintenance
 - Authority for payment for work undertaken
- 3.2 The Committee will propose, cost and obtain estimates for works subject to the approval of Tollesbury Parish Council subject to the annual budget allocation.
- 3.3 The Committee will act within the annual agreed budget. The RFO will provide financial reports to the Full Council monthly.
- 3.4 The Committee is authorised to establish sub-committees and working groups and to appoint volunteers (complying with age related, GDPR and pecuniary interests) when required to assist in its work.
- 3.5 To consider annual budget requirements for the Environment & Amenity to be submitted to the Finance Committee by no later than December in accordance with Financial Regulations 3.1.
- 3.6 The Environment and Amenity Committee to carry out an inspection at least once a year of the Allotments, Cemetery, Woodrolfe Green and Hasler Green.
- 3.7 Members of the public have the opportunity to feedback to the Parish Council via the Contacts Form on the Parish Council website.



Finance Committee

1. Membership

- 1.1 Membership shall consist of 4 Council Members appointed at the Annual Parish Statutory Meeting.
- 1.2 The Chairman of the Committee shall be elected as per Standing Orders 4d(vii). A Vice-Chairman shall also be appointed.

The Chairman of the meeting may give an original vote on any matter put to the vote and in the case of equal votes may exercise his casting vote whether or not he gave an original vote, voting should be via show of hands.

- 1.3 A quorum shall consist of 3 members of the Committee.

2. Meetings

- 2.1 The calendar of meetings shall be confirmed at the first meeting after the Annual Meeting of the Parish Council.
- 2.2 The Finance Committee will be convened in accordance with the Parish Council's Standing Orders.
- 2.3 The Agenda will be published in accordance with Standing Order 3b.
- 2.4 Minutes of all meetings will be recorded by the Parish Clerk or by a person nominated by the Clerk and shall be presented electronically at the next Full Meeting of Tollesbury Parish Council. All Finance Committee decisions will be circulated with any recommendations needed for consideration to be put forward at the next Full Meeting of Tollesbury Parish Council.
- 2.5 Additional meetings will be arranged as required.



TOLLESBURY
PARISH
COUNCIL

3. Areas of responsibility

- 3.1 The Finance Committee will monitor the Parish Councils finances and ensure that the Parish Council acts within the annual agreed budget. The Responsible Financial Officer (RFO) will provide financial reports to the Full Council monthly.
- 3.2 The Finance Committee will propose the annual precept for approval of Tollesbury Parish Council.
- 3.3 The Finance Committee will review fees annually when setting the precept for approval of the Tollesbury Parish Council. The RFO to update website accordingly.
- 3.4 Members of the public have the opportunity to feedback to the Parish Council via the Contacts Form on the Parish Council website.



Recreation Ground Committee

1. Membership

- 1.1 Membership shall consist of 4 Council Members appointed at the Annual Statutory Parish Meeting.
- 1.2 Members may be co-opted on the basis of their special knowledge or interest.
- 1.3 The Chairman of the Committee shall be elected as per Standing Orders 4d(vii). A Vice-Chairman shall also be appointed.

The Chairman of the meeting may give an original vote on any matter put to the vote and in the case of equal votes may exercise his casting vote whether or not he gave an original vote, voting should be via show of hands.

- 1.4 A quorum shall consist of 3 members of the Committee.

2. Meetings

- 2.1 The calendar of meetings shall be confirmed at the first meeting after the Annual Statutory Meeting of the Parish Council.
- 2.2 The Recreation Ground Committee will be convened in accordance with the Parish Council's Standing Orders.
- 2.3 The Agenda will be published in accordance with Standing Order 3b.
- 2.4 Minutes of all meetings will be recorded by the Parish Clerk or by a person nominated by the Clerk and shall be presented electronically at the next Full Meeting of Tollesbury Parish Council. All Recreation Ground Committee decisions will be circulated with any recommendations needed for consideration to be put forward at the next Full Meeting of Tollesbury Parish Council.
- 2.5 Additional meetings will be arranged as required.



3. Areas of responsibility

- 3.1 To implement decisions and duties of the Tollesbury Parish concerning the Victory Recreation Ground and Pavilion including:
- Day to day management
 - Health and Safety
 - Inventories
 - Schedule of maintenance
 - Authority for payment for work undertaken
- 3.2 The Recreation Ground Committee will propose, cost and obtain estimates for works subject to the approval of Tollesbury Parish Council subject to the annual budget allocation.
- 3.3 The Recreation Ground Committee will act within the annual agreed budget. The Responsible Financial Officer (RFO) will provide financial reports to the Full Council monthly.
- 3.4 The Committee is authorised to establish sub-committees and working groups and to appoint volunteers (complying with age related, GDPR and pecuniary interests) when required to assist in its work.
- 3.5 To consider annual budget requirements for the Recreation Ground to be submitted to the Finance Committee by no later than December in accordance with Financial Regulations 3.1.
- 3.6 Members of the public have the opportunity to feedback to the Parish Council via the Contacts Form on the Parish Council website.



Woodup Pool Committee

1. Membership

- 1.1 Membership shall consist of 4 Council Members appointed at the Annual Statutory Parish Meeting.
- 1.2 Members may be co-opted on the basis of their special knowledge or interest.
- 1.3 The Chairman of the Committee shall be elected as per Standing Orders 4d(vii). A Vice-Chairman shall also be appointed.

The Chairman of the meeting may give an original vote on any matter put to the vote and in the case of equal votes may exercise his casting vote whether or not he gave an original vote, voting should be via show of hands.

- 1.4 A quorum shall consist of 3 members of the Committee.

2. Meetings

- 2.1 The calendar of meetings shall be confirmed at the first meeting after the Annual Meeting of the Parish Council.
- 2.2 The Woodup Pool Committee will be convened in accordance with the Parish Council's Standing Orders.
- 2.3 The Agenda will be published in accordance with Standing Order 3b.
- 2.4 Minutes of all meetings will be recorded by the Parish Clerk or by a person nominated by the Clerk and shall be presented electronically at the next Full Meeting of Tollesbury Parish Council. All Woodup Pool Committee decisions will be circulated with any recommendations needed for consideration to be put forward at the next Full Meeting of Tollesbury Parish Council.
- 2.5 Additional meetings will be arranged as required.



3. Areas of responsibility

- 3.1 To implement decisions and duties of the Tollesbury Parish concerning Woodup Pool and the surrounding areas including:
- Day to day management
 - Health and Safety
 - Inventories
 - Schedule of maintenance
 - Authority for payment for work undertaken
- 3.2 The Woodup Pool Committee will propose, cost and obtain estimates for works subject to the approval of Tollesbury Parish Council subject to the annual budget allocation.
- 3.3 The Woodup Pool Committee will act within the annual agreed budget. The Responsible Financial Officer (RFO) will provide financial reports to the Full Council monthly.
- 3.4 The Woodup Pool Committee is authorised to establish sub-committees and working groups and to appoint volunteers (complying with age related, GDPR and pecuniary interests) when required to assist in its work.
- 3.5 To consider annual budget requirements for Woodup Pool to be submitted to the Finance Committee by no later than December in accordance with Financial Regulations 3.1.
- 3.6 Members of the public have the opportunity to feedback to the Parish Council via the Contacts Form on the Parish Council website.



Woodrolfe Hard and Marine Committee

1. Membership

- 1.1 Membership shall consist of 6 Council Members appointed at the Annual Parish Meeting.
- 1.2 Members may be co-opted on the basis of their special knowledge or interest.
- 1.3 The Chairman of the Committee shall be elected as per Standing Orders 4d(vii). A Vice-Chairman shall also be appointed.

The Chairman of the meeting may give an original vote on any matter put to the vote and in the case of equal votes may exercise his casting vote whether or not he gave an original vote, voting should be via show of hands.

- 1.4 A quorum shall consist of 3 members of the Committee.

2. Meetings

- 2.1 The calendar of meetings shall be confirmed at the first meeting after the Annual Statutory Meeting of the Parish Council.
- 2.2 The Woodrolfe Hard and Marine Assets Committee will be convened in accordance with the Parish Council's Standing Orders.
- 2.3 The Agenda will be published in accordance with Standing Order 3b.
- 2.4 Minutes of all meetings will be recorded by the Parish Clerk or by a person nominated by the Clerk and shall be presented electronically at the next Full Meeting of Tollesbury Parish Council. All Woodrolfe Hard and Marine Assets Committee decisions will be circulated with any recommendations needed for consideration to be put forward at the next Full Meeting of Tollesbury Parish Council.
- 2.5 Additional meetings will be arranged as required.



3. Areas of responsibility

- 3.1 To implement decisions and duties of the Tollesbury Parish concerning Woodrolfe Hard and Marine Assets including:
- Day to day management
 - Health and Safety
 - Inventories
 - Schedule of maintenance
 - Authority for payment for work undertaken
- 3.2 The Woodrolfe Hard and Marine Assets Committee will propose, cost and obtain estimates for works subject to the approval of Tollesbury Parish Council subject to the annual budget allocation.
- 3.3 The Woodrolfe Hard and Marine Assets Committee will act within the annual agreed budget. The Responsible Financial Officer (RFO) will provide financial reports to the Full Council monthly.
- 3.4 The Woodrolfe Hard and Marine Assets Committee is authorised to establish sub-committees and working groups and to appoint volunteers (complying with age related, GDPR and pecuniary interests) when required to assist in its work.
- 3.5 To consider annual budget requirements for Woodrolfe Hard and the Marine Assets be submitted to the Finance Committee by no later than December in accordance with Financial Regulations 3.1.
- 3.6 Members of the public have the opportunity to feedback to the Parish Council via the Contacts Form on the Parish Council website.



Disciplinary Procedure

Clerk: Michelle Curtis

Address: 4 Valkyrie Close, Tollesbury, Essex CM9 8SL

Telephone: 01621 869039. **Email:** clerk@tollesburyparishcouncil.gov.uk



Introduction

- 1 This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>). It also takes account of the ACAS guide on discipline and grievances at work.
https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf
The policy is designed to help Council employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.
- 2 The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
- 3 This policy confirms:
 - informal coaching and supervision will be considered, where appropriate, to improve conduct and / or attendance
 - the Council will fully investigate the facts of each case
 - the Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective. For more information see ACAS "Performance Management" at <https://www.acas.org.uk/index.aspx?articleid=6608>
 - employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
 - employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing
 - employees may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the



employee's wishes or prevent the employee from explaining his/her case

- the Council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions
- if the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
- any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council
- information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- employees have the right to appeal against any disciplinary decision. The appeal decision is final
- if an employee who is already subject to the Council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure
- disciplinary action taken by the Council can include a written warning, final written warning or dismissal
- this procedure may be implemented at any stage if the employee's alleged misconduct warrants this
- except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct



- if an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it,
- the Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties

Examples of misconduct

4 Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct: The list is not exhaustive.

- unauthorised absence
- poor timekeeping
- misuse of the Council's resources and facilities including telephone, email and internet
- inappropriate behaviour
- refusal to follow reasonable instructions
- breach of health and safety rules.

Examples of gross misconduct

5 Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct: The list is not exhaustive

- bullying, discrimination and harassment
- incapacity at work because of alcohol or drugs
- violent behaviour
- fraud or theft
- gross negligence
- gross insubordination
- serious breaches of council policies and procedures e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology
- serious and deliberate damage to property



- use of the internet or email to access pornographic, obscene or offensive material
- disclosure of confidential information.

Suspension

- 6 If allegations of gross misconduct or serious misconduct are made, the council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.
- 7 While on suspension, the employee is required to be available during normal hours of work in the event that the council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or to discuss this matter with any other employee or councillor.
- 8 The employee must not attend work. The council will make arrangements for the employee to access any information or documents required to respond to any allegations.

Examples of unsatisfactory work performance

- 9 The following list contains some examples of unsatisfactory work performance: The list is not exhaustive.
 - inadequate application of management instructions/office procedures
 - inadequate IT skills
 - unsatisfactory management of staff
 - unsatisfactory communication skills.

The Procedure

- 10 Preliminary enquiries. The council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.

If the employee's manager believes there may be a disciplinary case to answer, the council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.



- 11 Informal Procedures. Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

- 12 A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.
- 13 If a formal disciplinary investigation is required, the Council's **staffing committee** will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor. If the **staffing committee** considers there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The **staffing committee** will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:
 - the allegations or events that the investigation is required to examine
 - whether a recommendation is required
 - how the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report
 - who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.
- 14 The Investigator will be asked to submit their findings within 20 working days of appointment where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).



- 15 The **staffing committee** will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the Investigator so that he/she has reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when he/she meets with the Investigator, he/she will have the opportunity to comment on the allegations of misconduct.
- 16 Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.
- 17 If there are other persons (e.g. employees, councillors, members of the public or the Council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.
- 18 The Investigator has no authority to take disciplinary action. His/her role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the **staffing committee** whether or not disciplinary action should be considered under the policy.
- 19 The Investigator's report will contain his/her recommendations and the findings on which they were based. He/she will recommend either:
 - the employee has no case to answer and there should be no further action under the Council's disciplinary procedure
 - the matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or
 - the employee has a case to answer and a formal hearing should be convened under the Council's disciplinary procedure.
- 20 The Investigator will submit the report to the **staffing committee** which will decide whether further action will be taken.



- 21 If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The disciplinary meeting

- 22 If the **staffing committee** decides that there is a case to answer, it will appoint a **staffing sub-committee** of three councillors, to formally hear the allegations. The **staffing sub-committee** will appoint a Chairman from one of its members. The Investigator shall not sit on the **sub-committee**.
- 23 No councillor with direct involvement in the matter shall be appointed to the **sub-committee**. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:
- the names of its Chairman and other two members
 - details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting
 - a copy of the information provided to the **sub-committee** which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure
 - the time and place for the meeting. The employee will be given reasonable notice of the hearing so that he /she has sufficient time to prepare for it
 - that witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least two working days before the meeting
 - that the employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official

The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- the Chairman will introduce the members of the **sub-committee** to the employee and explain the arrangements for the hearing
- the Chairman will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation)
- the Chairman will invite the employee to present their account



- the employee (or the companion) will set out his/her case and present evidence (including any witnesses and/or witness statements)
 - any member of the **sub-committee** and the employee (or the companion) may question the Investigator and any witness
 - the employee (or companion) will have the opportunity to sum up
- 24 The Chairman will provide the employee with the **sub-committee's** decision with reasons, in writing, within five working days of the meeting. The Chairman will also notify the employee of the right to appeal the decision.
- 25 The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the **sub-committee**.

Disciplinary action

- 26 If the **sub-committee** decides that there should be disciplinary action, it may be any of the following:

First written warning

If the employee's conduct has fallen beneath acceptable standards, a first written warning will be issued. A first written warning will set out:

- the reason for the written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action
- the employee's right of appeal
- that a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:

- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal



- the employee's right of appeal
- that a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Dismissal

The Council may dismiss:

- for gross misconduct
- if there is no improvement within the specified time period, in the conduct which has been the subject of a final written warning
- if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

- 27 The Council will consider very carefully a decision to dismiss. If an employee is dismissed, he/she will receive a written statement of the reasons for his/her dismissal, the date on which the employment will end and details of his/her right of appeal. If the **sub-committee** decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The appeal

- 28 An employee who is the subject of disciplinary action will be notified of the right of appeal. His/her written notice of appeal must be received by the Council within five working days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.
- 29 The grounds for appeal include;
- a failure by the Council to follow its disciplinary policy
 - the **sub-committee's** disciplinary decision was not supported by the evidence
 - the disciplinary action was too severe in the circumstances of the case
 - new evidence has come to light since the disciplinary meeting.
- 30 Where possible, the appeal will be heard by a panel of three members of the **staffing committee** who have not previously been involved in the case. This



includes the Investigator. There may be insufficient members of the **staffing committee** who have not previously been involved. If so, the appeal panel will be a committee of three members of the Council who may include members of the **staff committee**. The appeal panel will appoint a Chairman from one of its members.

- 31 The employee will be notified, in writing, within 10 working days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that he/she may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.
- 32 At the appeal meeting, the Chairman will:
 - introduce the panel members to the employee
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision
 - explain the action that the appeal panel may take.
- 33 The employee (or companion) will be asked to explain the grounds for appeal.
- 34 The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.
- 35 The appeal panel may decide to uphold the disciplinary decision of the **staffing committee**, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.
- 36 If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.
- 37 The appeal panel's decision is final.



TOLLESBURY
PARISH
COUNCIL

Version	Details of Changes	Date	Approver
V1.0	Adopted – NALC Template November 2019		TPC
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TOLLESBURY
PARISH
COUNCIL

PARISH COUNCIL POLICY

Grievance Procedure

Clerk: Michelle Curtis

Address: 4 Valkyrie Close, Tollesbury, Essex CM9 8SL

Telephone: 01621 869039. **Email:** clerk@tollesburyparishcouncil.gov.uk



Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>). It also takes account of the ACAS guide on discipline and grievances at work. (https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf). It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
2. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.
3. This policy confirms:
 - employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for his /her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.
 - the Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
 - any changes to specified time limits must be agreed by the employee and the Council



- an employee has the right to appeal against the decision about his/her grievance. The appeal decision is final
- information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
- if a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith
- the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties
- Employees can use all stages of the grievance procedure If the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the council's grievance procedure (paragraph 4) to deal with all grievance issues, including a complaint about a councillor Employees cannot use the formal stages of the council's grievance procedure for a code of conduct complaint about a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring officer of Maldon District Council who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the council's grievance procedure (see paragraph 5)
- If the grievance is a code of conduct complaint against a councillor, the employee cannot proceed with it beyond the informal stage of the council's grievance procedure. However, whatever the complaint, the



council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors are properly trained and by protecting staff from bullying, harassment and all forms of discrimination

- If an employee considers that the grievance concerns his or her safety within the working environment, whether or not it also concerns a complaint against a councillor, the employee should raise these safety concerns with his or her line manager at the informal stage of the grievance procedure. The council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime

Informal grievance procedure

4. The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with his/her manager to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with his/her manager (for example, because it concerns the manager), the employee should contact the Chairman or, if appropriate, another member of the council. If the employee's complaint is about a councillor, it may be appropriate to involve that councillor at the informal stage. This will require both the employee's and the councillor's consent.

Formal grievance procedure

5. If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the **staffing committee**.
6. The **staffing committee** will appoint a **sub-committee** of three members to hear the grievance. The **sub-committee** will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the **sub-committee**.



Investigation

7. If the **sub-committee** decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigation may include interviews (e.g. the employee submitting the grievance, other employees, councillors or members of the public).
8. The investigator will summarise their findings (usually within an investigation report) and present their findings to the **sub-committee**.

Notification

9. Within 10 working days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:
 - the names of its Chairman and other members
 - the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 25 working days of when the Council received the grievance
 - the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
 - a copy of the Council's grievance policy
 - confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of his/her witnesses as soon as possible before the meeting
 - confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least two days' notice
 - findings of the investigation if there has been an investigation
 - an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).



The grievance meeting

10. At the grievance meeting:

- the Chairman will introduce the members of the **sub-committee** to the employee
- the employee (or companion) will set out the grievance and present the evidence
- the Chairman will ask the employee questions about the information presented and will want to understand what action does he/she wants the Council to take
- any member of the **sub-committee** and the employee (or the companion) may question any witness
- the employee (or companion) will have the opportunity to sum up the case
- a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the **sub-committee**.

11. The Chairman will provide the employee with the **sub-committee's** decision, in writing, usually within five working days of the meeting. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.

The appeal

12. If an employee decides that his/her grievance has not been satisfactorily resolved by the **sub-committee**, he/she may submit a written appeal to the **staffing committee**. An appeal must be received by the Council within five working days of the employee receiving the **sub-committee's** decision and must specify the grounds of appeal.

13. Appeals may be raised on a number of grounds, e.g.:

- a failure by the Council to follow its grievance policy
- the decision was not supported by the evidence
- the action proposed by the sub-committee was inadequate/inappropriate
- new evidence has come to light since the grievance meeting.

14. The appeal will be heard by a panel of three members of the staffing committee who have not previously been involved in the case. There may



be insufficient members of the **staffing committee** who have not previously been involved. There may be insufficient members of the **staffing committee** who have not previously been involved. If so, the appeal panel will be a committee of three Council members which may include members of the **staffing committee**. The appeal panel will appoint a Chairman from one of its members.

15. The employee will be notified, in writing, usually within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 25 working days of the Council's receipt of the appeal. The employee will be advised that he/she may be accompanied by a workplace colleague, a trade union representative or a trade union official.
16. At the appeal meeting, the Chairman will:
 - introduce the panel members to the employee
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the **staffing sub-committee**
 - explain the action that the appeal panel may take.
17. The employee (or companion) will be asked to explain the grounds of appeal.
18. The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within five working days of the appeal meeting.
19. The appeal panel may decide to uphold the decision of the **staffing committee** or substitute its own decision.
20. The decision of the appeal panel is final.

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Version	Details of Changes	Date	Approver
V1.0	Adopted – NALC Template November 2019		TPC
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Patron Her Majesty The Queen

38 Thurstable Road
Tollesbury
Maldon
Essex CM9 8SG

20th July 2020

Michelle Curtis
Parish Clerk
Tollesbury Parish Council

Dear Michelle,

Very shortly we will be starting to organise this year's Poppy Appeal, followed by Remembrance Sunday service and parade, events that we hope, in view of Covid-19 Pandemic, will still be permitted to go ahead.

For many years, the Branch has organised the Remembrance Day service and parade but since losing the assistance of the police, we have also provided marshals for the control of traffic. The Branch has recently received instructions from the RBL regarding the organisation of Remembrance parades specifying that the Branch should not be taking the lead role, a copy of which I have enclosed.

From the enclosure the Royal British Legion is explicit that while branches are willing to assist in the organisation of local Remembrance parades and services, with funding and delivery being the responsibility of the civic authorities. As you are well aware, the Branch have always supplied the band, and this will continue with the band being funded by Tollesbury Royal British Legion.

The organising of the parade and Remembrance service are well rehearsed and should only require minimal input from the Parish Council.

When the parade marches there are no actual road closures, just the traffic being stopped whilst the parade passes. This is no more than a few minutes for each section of the parade and at each point of the parade there is an alternative route available for traffic not prepared to wait a few minutes.

Tollesbury Legion Branch asks that the Parish Council assume the role of Event Organiser and responsibility for delivering the parade which receives great support from the village, to ensure that this event continues.

Should it be required, I am happy to discuss this proposal in more detail with the Parish Council to ensure that this Remembrance event can continue.

Yours sincerely,

Malcolm Cousens
Branch Chairman Tollesbury Royal British Legion

Enclosure - Organisation of remembrance parades: Position of The Royal British Legion

LIVE ON

Registered Charity Number: 219279



ORGANISATION OF REMEMBRANCE PARADES: POSITION OF THE ROYAL BRITISH LEGION

BACKGROUND

We know that branches and members are proud to play an active part in Remembrance services and parades every year and are only too happy to support local authorities in their planning for such important community events. Whilst the Legion often plays an active support role, Remembrance events are a civic matter and most local authorities show a great deal of support for Remembrance. However, every year a number of Legion branches report they are being asked to organise and/or bear the costs of road closures and policing.

ROLE OF LEGION BRANCHES AND COUNTIES

Organisation of parades brings with it a range of responsibilities and liabilities which could result in significant charitable funds being diverted away from our vital welfare work. As a result, whilst Legion branches, or counties or districts, may support councils in their planning of local Remembrance services and parade routes, they may not assume responsibility for the design and delivery of parade routes, especially the organisation and deployment of Temporary Traffic Management Orders (TTMOs) or the contracting of traffic management services, where the liabilities can run into millions of pounds.

ROAD CLOSURES

Where a branch, or county or district, has to be the Event organiser (because the Civic Authorities refuse) they may take this role but there can be no street Parade, no road closure and, therefore, no need for a Temporary Traffic Management Operation (TTMO) unless this aspect of the event is owned by a Civic Authority. Whilst the branch can be involved in determining a Parade route, it should not itself contract with a third party and may not take responsibility for the design, planning and deployment of a TTMO. On the day of the Parade, the RBL and its volunteers must not engage in the deployment, management or removal of any TTMO. This includes, for example, placing barriers, directing traffic or driving vehicles that are involved in the TTMO.

INSURANCE

Our Public Liability Insurance covers only these risks which are within the Legion's control (e.g. if a Standard is dropped and injures an attendee). Other incidents happening due to conditions outside our control, for example when someone trips up over a raised paving stone, are the local authority's responsibility.

SUMMARY

The Legion is clear that while our branches are very willing to assist in the organisation of local Remembrance parades and services, for instance through the provision of Standard Bearers or the identification of local veterans, responsibility for both their funding and delivery rests with civic authorities. In short, Remembrance parades and services are important community events supported by the Legion, not Legion events supported by the community.