

HAILSHAM TOWN COUNCIL

NOTICE IS HEREBY GIVEN OF the ANNUAL MEETING of the HAILSHAM TOWN COUNCIL to be held at the James West Community Centre, Brunel Drive, Hailsham, BN27 3FY

on Thursday, 27th May 2021 at 7.00 p.m.

*Due to covid restrictions, public access will be limited by numbers. Members of the public wishing to attend should contact the Town Clerk in advance, by 12.00noon on the day of the meeting:
Email john.harrison@hailsham-tc.gov.uk Tel 01323 841702.*

Cllr. Paul Holbrook, Chairman/Town Mayor, will open the meeting.

The order of formal business to be transacted will be as follows:

1. ELECTION OF CHAIRMAN/TOWN MAYOR:

- To receive
- (a) Retiring Chairman's Address
 - (b) Nominations for Office
 - (c) Members' ballot on nominations
 - (d) Elected Chairman's Declaration of Acceptance of Office
 - (e) Elected Chairman's Address to the Council

2. PUBLIC FORUM:

Prior to commencement of the remainder of formal business of the meeting a period of not more than 15 minutes will be assigned for members of the public to address the Council or ask questions on matters relevant to responsibilities under the direction of this Council, at the discretion of the Chairman.

3. APOLOGIES FOR ABSENCE: To receive apologies for absence of elected members

4. DECLARATIONS OF INTEREST: To receive notice of declarations of personal and prejudicial interests in respect of items on this agenda.

5. ELECTION OF VICE-CHAIRMAN/DEPUTY TOWN MAYOR

- To receive
- (a) Nominations for Office
 - (b) Members ballot on nominations
 - (c) Elected Vice-Chairman's Address to Council

6. COUNCIL MEETINGS AND CORONAVIRUS LEGISLATION

To discuss the implications of coronavirus legislation for future council meetings.

7. COMMITTEES

7.1 APPOINTMENT OF COMMITTEES and WORKING GROUPS

7.1.1 To approve (or resolve to amend) that in accordance with Standing Order No.5, the following **COMMITTEES** be appointed:-

- (a) Planning & Development Committee
- (b) Finance, Budget, Resources & Staffing Committee
- (c) Assets Management Committee
- (d) Communities Committee
- (e) Neighbourhood Planning Committee
- (f) Strategy Committee

7.1.2 To approve (or resolve to amend) that each committee is appointed proportionately according to political, group or individual alignment, where possible.

7.1.3 To approve (or resolve to amend) that the following Working Groups be appointed:

- (a) Post Office Working Group
- (b) Hailsham Aspires Working Group
- (c) Hellingly Liaison Working Group

7.2 TERMS OF REFERENCE FOR COMMITTEES and WORKING GROUPS

To approve or resolve to amend the suggested Terms of Reference for each of the standing committees and working groups, including:

- The maximum number of seats on each committee or working group
- The purpose, remit and any Delegated Authorities for each committee or working group

7.3 MEMBERSHIP OF COMMITTEES and WORKING GROUPS

To approve or resolve to amend the allocation of members and substitute members to each of the standing committees and working groups according to nominations received (either in advance or made at the meeting).

7.3 APPOINTMENT OF CHAIRMEN OF COMMITTEES

To determine whether the committees should appoint their Chairman and Vice-Chairman at the first meeting of the committee or to receive nominations and elect Chairmen (and Vice-Chairmen) for each of the foregoing Committees.

7.5 REPRESENTATION ON EXTERNAL BODIES

To agree the councillor representation on external bodies as proposed in the report

8. MEETING DATES 2021 – 2022

To approve the schedule of meeting dates (which may be subject to amendments determined by each committee throughout the municipal year)

9. CONFIRMATION OF MINUTES

To resolve that the Minutes of the meetings of Hailsham Town Council held on 24th March 2021 and 7th April 2021, may be taken as read, confirmed as correct records, and signed by the Chairman.

10. COMMITTEE RECOMMENDATIONS TO COUNCIL

To consider recommendations made by committees, which are outside of their terms of reference or otherwise were resolved as recommendations to full council:

11. ANNUAL GOVERNANCE STATEMENT

To note, approve and adopt section 1 of the un-audited Annual Return for 2020/21 and approve they be signed off by the Clerk/RFO and Chairman of the Council

12. END OF YEAR ACCOUNTS AND AUDIT 2020-2021

- (a) To note, approve and adopt Annual Internal Audit report for 2020 -2021 for submission to the External Auditors
- (b) To note, approve and adopt the Statement of Accounts for year ending 31.03.21
- (c) and approve they be signed off by the Clerk/RFO and Chairman of the Council
- (d) To note, approve and adopt section 2 of the un-audited Annual Return for 2020/21 and approve they be signed off by the Chairman of the Council
- (e) To note, approve and adopt explanation of variances report for submission to the External Auditors
- (f) To note, approve and adopt the report in respect of the Fixed Asset Summary as at 31.03.21 as required by the External Auditor

13. GENERAL POWER OF COMPETENCE

To resolve that the Town Council continues to hold the 'General Power of Competence'

14. MOTION 178 – APPLICATION FOR LISTING

To consider a motion proposed by Cllr M. Laxton and seconded by Cllr N. Coltman:

That Hailsham Town Council makes an application to English Heritage that the Wall that currently encloses the cattle and farmers' market site in Market Street be listed.

15. CONFIDENTIAL BUSINESS

To resolve that the press and public are temporarily excluded during the discussion on the items (15 and 16) of the agenda as they concern: The terms of tenders and proposals and counter proposals in negotiation for contracts; terms and conditions of service. *(In accordance with the Council's Standing Orders No. 1E).*

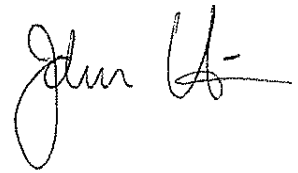
16. HAILSHAM ASPIRES - CONFIDENTIAL

To receive an update on the Hailsham Aspires Project.

17. MEMORIAL BENCHES

To receive an update on memorial benches

Dated this 20th day of May 2021

A handwritten signature in black ink, appearing to read 'John Harrison', with a stylized flourish at the end.

JOHN HARRISON
Town Clerk

Report to: Hailsham Town Council

Date: 27th May 2021

By: John Harrison, Town Clerk

Title of Report: COUNCIL MEETINGS AND CORONAVIRUS
LEGISLATION

PURPOSE:

To discuss the implications of the end of coronavirus legislation for future council meetings

BACKGROUND

Summary of the current situation from the National Association of Local Councils (NALC)

Following the High Court Judgment on remote meetings, without further legislation there are no definitive answers and NALC is taking the approach of advising the safest course for local councils taking into account both Covid laws and local government law.

The current position is unsatisfactory and will cause huge problems for many of the 10,000 local councils in England, which the sector will address in its usual professional way and in the best interests of residents.

It is clear that the legal position is that local councils need to meet face-to-face, rather than remotely, and be open to attendance in person from the public.

As we have advised previously in our guidance on preparing for the possible return to face-to-face meetings, local councils should take steps to address this issue through measures such as delegation to clerks, deferring controversial decisions or holding meetings later in the year, after the 21 June roadmap date.

Any face-to-face meeting should be held in line with restrictions and public health advice in place at the time. So, in practical terms, local councils will have no choice but to control the numbers of people physically in the meeting room at any one time in order to comply with the Government's Covid restrictions.

We are currently advising local councils not to meet before 17 May because of Covid regulations and the roadmap.

If a meeting is necessary, local councils must conduct a risk assessment of any available venue and you can find details of how to in the Managing Facilities and Public Spaces section.

In light of the risk assessment, it is advised to set out in the agenda the arrangements for safely meeting (for example social distancing, wearing of masks and hand sanitising and other measures) and the number of the public that can be accommodated.

If there is a large influx of the public for a meeting which exceeds the room's safe capacity as stated on the agenda, then the permitted number of attendees should not be exceeded. Local councils should manage as they would usually any disruptive behaviour or health and safety risks.

If the assessment is that the room cannot hold a safety meeting and no other venue is available or there is no outside space then, the local council will need to take appropriate mitigating actions including delaying meetings until after 21 June.

The meeting notice should also set out any arrangements for live streaming and making the meeting available for the public to observe proceedings and encourage the public to watch remotely.

Councils may also want to encourage members of the public to make written representations on issues rather than attending in person.

This summary and further information are set out below in the *Preparing for the return to face-to-face meetings* section.

Further information and statement on the current position

The High Court has decided that the continuation of remote meetings for councils in England is a matter that must be decided by Parliament and not by the courts. They made the point that the Parliament of Scotland and the Welsh Senedd have already passed legislation allowing remote meetings.

As a result of this **judgment**, issued on 28 April 2021, remote meetings cannot take place in England after 6 May 2021, though this will be reviewed in the longer term through the **government's call for evidence** which councils are being encouraged to respond to.

A **further High Court judgment** on 4 May 2021 addressed the issue of public participation in meetings and ruled that local authority meetings must be open to the public in a physical sense. References to a meeting are "open to the public" or "held in public" in the Court's view mean the physical attendance by the public. This means that the public can attend in person and councils have to provide such facilities. This should however be provided and managed in line with current restrictions and public health advice. So, in practical terms, local councils have no choice but to control the numbers of people physically in the meeting room at any one time to comply with the Government's Covid restrictions in place.

The Court judgment concludes:

"None of this, of course, prevents a local authority from broadcasting or live-streaming some or all of its meetings so as to allow wider public access. But such broadcasting or live-streaming does not, on its own, satisfy the requirement for the meeting to be "open to the public" or "held in public". We say nothing about the numbers of the members of the public who should be admitted in person, which will no doubt be subject to current public health or Government guidance. But subject to that practical consideration, or any other legislative intervention, where the requirement for the meeting to be "open to the public" or "held in public" applies, members of the public must be admitted in person as well."

Further information and guidance on this from the Association of Democratic Services Officers and Lawyers in Local Government, with which NALC concurs, is set out here.

Both NALC and the Society of Local Council Clerks are disappointed at this ruling (you can read **NALC's statement in response**) and are continuing to lobby the Government to address this issue as a matter of urgency as it is a problem of the Government's own making that they should have resolved already. Our chairman, Cllr Sue Baxter, has made direct representations to the minister and will be meeting him shortly. In the meantime, we would urge everyone to respond to the current call for evidence from MHCLG to enable remote meetings to continue should local councils wish. Please stay in touch with your MPs to draw this matter to their attention and ask them to support you by lobbying the Government.

The current situation will cause many county associations, local councils, councillors and clerks, huge difficulties and the impossible dilemma of balancing these requirements with the other restrictions imposed by the Covid pandemic rules.

However, we have a clear legal judgment that existing legislation does not permit councils to hold remote meetings and any practical solutions must not circumvent the law. Just as local councils responded positively to the pandemic embracing remote meetings to conduct business and ensure democratic oversight and accountability, we would expect local councils to make decisions to enable the business to be conducted safely and effectively and in line with the sector's traditions of good governance, transparency and democratic accountability; and within the framework of the Nolan Principles and the Code of Conduct.

Government guidance on holding meetings safely

The first point of call for local councils should be the **government guidance** for the safe use of council buildings which gives guidance on matters procedural, such as the delegation of decisions to officers. It has been updated and is kept under review. Individual local councils will have to decide what they do in practice based on their particular needs while also having reference to the requirements of transparency and democratic accountability.

Some key points from the guidance include:

- Use your existing powers to delegate decision making to minimise the number of meetings you need to hold
- If holding a physical annual meeting, local authorities should consider holding it (and any other physical meetings) after 17 May, at which point it is anticipated that a much greater range of indoor activity can resume in line with the **roadmap** set out by the government on 22 February.
- Local authorities have legal obligations to ensure that members of the public have access to most of their meetings.
- Where the social distancing guidelines cannot be followed in full, even though redesigning a particular meeting, local authorities should consider whether that meeting needs to continue for the local authority to operate and if so, take all the mitigating actions possible to reduce the risk of transmission between members and others.

- Local authorities that require additional space for essential meetings can hire function and event space at permitted venues. Local authorities should not hire function or event space for non-essential purposes.
- Meetings, where local authorities deem that in-person attendance is not required, should continue to be held virtually. For example, this would include non-statutory or other informal meetings.

NALC advice on risk assessments and mitigating measures

The Covid rules applicable at the time of the meeting must be complied with, including social distancing. It would be wise to ensure that sanitiser is provided. The room should be well ventilated (doors and windows open). One-way access should be provided if possible. Printed papers/agendas should be avoided as much as possible. NALC previous guidance published in March in the section further below set out preparations local councils should be taking to meet face-to-face and advice on how to reduce risk.

The Implications for Hailsham Town Council

The council will have to find a way to return to physical meetings while bearing in mind its duties to ensure the safety of councillors, public attendees and staff.

According to the government roadmap, from 21st June, the Town Council should be able to return to using the Fleur-De-Lys meeting room for all council meetings, without restriction.

It will be possible to broadcast the meeting via Zoom and therefore for other members of the public who may not wish to attend a physical meeting to view proceedings.

The council has a duty of care towards its staff, some of whom may not be able or willing to return to physical meetings as yet, particularly if they have not yet received their full vaccinations. The law states that councillors must attend meetings physically, but this does not extend to all officers, who could in theory, still attend remotely via Zoom, although we will ensure officers do attend to set up meetings etc.

Until the 21st June, the James West Centre is the only available venue suitable to hold completely covid safe meetings with capacity for forty people, thus allowing between 20-30 members of the public to attend (depending on the number of councillors and officers attending a meeting).

(For example; a 'full council' meeting fully attended = 18 council members, max four officers, leaves space for 18 members of the public. A committee meeting of seven members plus two officers leaves space for 31).

If for any reason, the lockdown restrictions are not fully removed on 21st June, the Town council will need to consider its options.

1. Use of the James West Centre for meetings:

The Fleur-De-Lys meeting room is not large enough to hold committee or full council meetings under covid compliant conditions (for e.g. ensuring 2 metres distance between all attendees etc) that would ensure safety for all councillors, members of the public and officers.

The James West Community Centre has been provisionally booked for all forthcoming meetings as per the current meeting timetable. However, as lockdown restrictions are eased further, regular community groups are looking to returning to the centre for their regular sessions.

Therefore, if the council has to continue using the Centre this would result in a loss of income, including in the longer term as those groups are unable to run and find alternative accommodation and also the valued community groups and activities may have to cease their activities or relocate on a longer-term basis.

Continued use of the James West would also mean some dates and days of meetings would have to change. We could not have our Communities and Remembrance Day meetings on the Monday as we normally would as the Youth Service will be using the hall every Monday. Tuesdays and Thursdays are free there at the moment, so we have double checked with the current Communities Committee and their preference is looking like Thursday so as long as that doesn't change.

For the Assets Management Committee, Wednesdays are not free but it can it either be a Tuesday or a Thursday, so it doesn't clash with other users.

2. Use of Fleur-De-Lys with reduced number of members on committees

An alternative solution would be to reduce the number of members for each council committee to a number that could safely meet in the Fleur-De-Lys meeting room under covid safe conditions. The suggested number would be THREE members. The council could then review the numbers of members for each of its committees in 6-12 month's time.

This would mean that only full council meetings would have to be held in the James West Centre (six per year plus any extraordinary meetings called), thus enabling community groups to book the hall for the majority of the time.

It would still be necessary to hold meetings via Zoom to allow for members of the public to attend, or other council members, County Councillors etc, should they wish to do so (public access to meetings is also a legal requirement). At the moment the legalities of this are unclear

This would also offer a solution for the Communities Committee, which includes members from various organisations who attend the meeting in a non-voting capacity. They would then be able to attend the meeting remotely, as indeed would any officers who feel they cannot attend the physical meeting safely.

3. Possible use of other halls in Hailsham

Other halls may be able to incorporate Town Council meetings safely (for e.g. Hailsham East Community Centre, Hailsham Civic Community Hall, etc) The Diplocks Hall have advised they do not plan to re-open until September.

However, it would be necessary to abide by their own risk assessments in terms of numbers of people who can attend the hall, it would be necessary to complete our own risk assessments for each hall, it would be necessary to ascertain their availability before any decision can be made and there would be hall hire feed to pay. Each venue may carry it's own challenges and risks and also measures to ensure covid safety which may then prove onerous to implement for each meeting.

4. The implementation of a scheme of delegation

This to then be revisited in six months.

Temporary Scheme of Delegation

Temporary Scheme of Delegation

1. Section 101 of the Local Government Act 1972 provides:

- That a Council may delegate its powers (except those incapable of delegation) to a committee or an officer.
- A Committee may delegate its powers to an officer.

2. Any delegation to a Committee or the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and within the law.

3. The Proper Officer may nominate another named Officer to carry out any powers and duties, which have been, delegated to that Officer.

4. In an emergency the Proper Officer is empowered to carry out any function of the Council

5. Where officers are contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult the Members, and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

Delegation to The Proper Officer

6. As a temporary measure, to allow for effective decision making whilst Covid-19 restrictions and considerations are in place, the Proper Officer may be empowered to take any and all decisions recommended to them by the relevant Committee or Full Council

7. This empowerment does not affect the delegations already in place via Standing Orders or Financial regulations.

8. The Proper Officer may not take additional decisions that would normally be taken by a Committee or Full Council unless that Committee or Full Council has met in a meeting suitably convened under the requirements of the Local Government Act 1972, and made available to the public to view (where not covered by confidentiality) and expressly agreed for that decision to be enacted via this temporary delegation.

Full Council matters

9. The following items are reserved for Full Council decision only and cannot be delegated to an Officer.

- To appoint the Chairman and Vice-Chairman in May each year
- To sign off the Governance Statement by 30 June each year
- To set the Precept
- To appoint the Town Clerk
- To make byelaws
- To borrow money
- To consider any matter required by law to be considered by Council

Recommendations

The council is recommended to resolve that, in the event that Coronavirus lockdown measures are still in place and not lifted on 21st June, the Scheme of Delegation and Homeworking Policy are adopted, as set out below and previously implemented.

Full council meetings could continue to be held in the James West Centre, depending on the conditions of any lockdown and whether emergency measures to allow remote meetings are re-introduced.

1. SCHEME OF DELEGATION AND BUSINESS CONTINUITY PLAN.

(IN THE EVENT OF FURTHER LOCKDOWN, WITH NO LEGISLATION PERMITTING REMOTE MEETING)

Authority is delegated to the Town Clerk/Deputy Town Clerk (or in the event of their incapacity to work due to long term sickness, the next most senior officer), to make decisions on the following:

- Closure, reduction and re-opening of all town council services
- Expenditure within pre-resolved budget areas only
- Emergency expenditure on contingencies/capital receipts only, on urgent matters affecting staff safety, public safety or business continuity.

The officers will continue to liaise with Mayor/Deputy Mayor and other Councillors as necessary.

The Clerk/Officers will Inform Council of any and all new developments.

Exclusions

No new projects, service or expenditure will be initiated for the time this temporary scheme of delegation is in place, unless for matters of staff safety, public safety or business continuity,

No amendments to existing Town Council policies or key documents such as Financial Regulations and Standing Orders will be made unless for reasons of public safety, staff safety or business continuity. Any such amendments will be temporary during the time required as brought about by national pandemic.

- **Except by legally made resolution at a remotely held council meeting, pending the lifting of government advised 'lockdown' restrictions.**

Business Continuity Plan/Scheme

Officers will work at home as much as possible in line with government guidelines. Those officers who 'usually' commute to work on public transport will attend the office less frequently to ensure risk of infection by Coronavirus is minimised.

Staff have all exchanged contact numbers including personal mobile and phone numbers and home addresses.

If any member of staff goes into isolation or becomes ill, they will inform the Town Clerk and Deputy Clerk (or next most senior officer) as soon as possible.

Reception/Office

Receptionist/Administrator (Nikita) to work from Home
The phone to be covered by officers when available.

The office to be closed to face-to-face enquiries with a note on the door that HTC can be contacted via phone or email. Appointments for signing of 'proof of life' forms or other urgent requests can be made.

Cemetery

Will not take any more bookings for ashes burials until further notice

There is a Risk of unavailability of HTC's contracted grave digger should he need to go into isolation:

HTC will advise funeral directors that they may need to provide a grave digger for future bookings

HTC will ask neighbouring parishes if they have grave digger who could be listed as a contingency if that occurs.

Some parts of the cemetery may be accessible for digging via machine (will be necessary to hire a small digger) – other will not, this would also not be suitable for a 're-opening'.

Depending on government advice we may have to look at stop taking Chapel bookings too. As it would put a crowd in a small indoor area.

The funeral directors may put some restrictions in place for funeral attendance, however they might not or think they do not have to if we don't have something in place. HTC might have to put down some attendance guidelines for the funeral directors to follow?

Planning Committee

The Planning & Environment Officer (Karen) will forward all plans to the committee (and arrange for papers copies to be delivered to those members without email).

Individual members will then forward their comments to Karen and she will compile them, with relevant names against them, and forward to WDC with the caveat that they are individual comments, not the opinion of a convened meeting of the HTC Planning

committee (at present it is not legal for the council or its committees to make decisions by any means other than a quorate level of attendance at a meeting).

Significant/contentious applications will not be commented on other than through a legally convened 'remote' meeting.

Communities/Activities/Events

'Hailsham Live' – Paul Gibson is currently liaising with the national co-ordinators of VE day events - the steer is to cancel them. Looking at re-organising for VJ day on 15th August and are starting to organise. HTC are not currently organising anything for next summer,

Karen and Mickey will organise the tender for the Christmas lights between them, will pop into the office when necessary to send all the documents out. We plan on doing this in April

Market – cancelled for the for-see-able under government advice.

Hailsham Forward – meetings cancelled until further notice

Fishing Permits - it is closed fishing season at the moment, this runs 15th March to 15th June so we won't have anyone needing fishing season tickets at the moment. Karen will email Ross our Water Bailiff to let him know we are mostly working from home but he can contact me by phone or email if he needs anything.

Allotments - Karen will email the allotment society's main contact for the allotment sites, to tell him to email if he needs anything at the allotment site. We have one plot to re-let, We can email all the allotment paperwork over to her if the plot is taken on. As and when any other plots become available we will deal with this in the same way

Youth Service

In line with the government directive on the closure of schools, make the decision to close the service (Youth café, FNP and Monday club) as of Friday. The staff will work out ways they can support vulnerable young people without the service being open as well as undertaking on-line training. The management team (Andy and Helen) will continue to work in the office/service/at home as they need to, on supervisions, planning, administrative backlog. There is also an opportunity to get some maintenance jobs done in the facilities while closed.

Works team

The Team will continue to visit HTC sites doing safety checking and rubbish collections – will also pay particular attention to HTC sites (Southview – CAB and Mediation Plus are currently working from home) and the James West Centre

James West Centre – Hall is closed. All bookings cancelled and no more bookings to be taken until further notice.

Works Supervisor - will be working from home and will only be visiting the office early in the morning when needed and to avoid unnecessary contact. Can work from home on contacts, tree reports and play area information. Will be still carrying out sight visits if required, but will not be meeting anybody until it is safe.

Communications

Communications officer will mostly work from home – can come in on occasion to cover phones etc when needed. Will be in on Monday mornings. There will be a need to persistently update the website and social media with any changes etc

Finance

Finance Officer will come in as and when she needs to – priority is process payroll to ensure staff are paid and to ensure invoices are paid. Will drop off cheques with Cllrs Grocock and Coltman for cheque signing and liaise with Town Clerk for when coming into office or again, drop off.

Post office

Assume OK to stay open and had been designated an essential service by government. Town Clerk and PO Manager will need to keep an eye on PO Ltd national and local advice. Have decreased opening hours and/or number of positions open to just the fortress (as is better protected). PO Ltd have suggested Postmasters may be able to receive financial support due to loss of business and are currently liaising with national government on this issue. PO Ltd have agreed to cover losses due to reduced business by paying an 'average' of previous earning (to date for April and May – awaiting further advice)

Clerk and Deputy Clerk

Deputy Clerk – will predominantly work from home – but come in when needed, keeping Outdoor Works Team in the loop. Some issues with vehicle fleet coming up (MOTS and vehicle changes)

Meeting potential contractors for two footpath contracts – potentially could still be getting the job done.

Town Clerk John Harrison – intends to work from home most of the time but will attend the office probably twice per week to be available for members if needed (probably Tuesday and Thursday) to liaise with officers as necessary. Will keep up to date on NALC advice re meetings etc and keep staff and officers informed.

As new legislation allows for councils to meet remotely, it will be necessary for the council to meet by whatever means is available to it to formally 'sign-off' the accounts – probably before the end of June.

Advice and information will continue to be sought from SSALC. In the event that it proves necessary, locum clerks may be available from SSALC.

2. Flexible/Home Working Policy

Definition of Flexible Working

Flexible working includes homeworking and working from locations away from the normal workplace, usually with the assistance of information and communications technology providing links to the office, colleagues and clients. This could be 100% of the time at home, a split between working from home and making outside visits, a split between working at home and working in the office.

Scope of Policy

This policy applies to directly employed staff, both permanent and temporary. It does not apply to those who are self-employed consultants or agency workers for whom alternative arrangements will be made.

Flexible Working Ground Rules

For flexible/homeworking to work effectively it must meet certain ground rules as follows:

- Service to the customer must be maintained
- Flexible working has to be agreed with the manager
- Flexible working has to suit the team and the other individuals in it
- Employees must always be working in a safe and secure environment

It is a formal, contractual arrangement entered into jointly by the Council and the employee. Flexible working is directed by the needs of the service, not the circumstances of the individual and employees and managers are expected to be flexible with their working patterns to meet demands. Employees will, when required, have to work in the office on a “normal” homeworking day, this could be in order to attend team meetings, training or to maintain service to the customer when other staff are away etc.

Flexible working is based on the suitability of the post/ environment/person(s) concerned and must be agreed between management and the individual in each case.

In some cases a member of staff may be required to work flexibly where this is appropriate for both the individual and the Council.

National guidelines regarding health risks and issues (for e.g. risk from pandemic) will take effect and be adhered to at all times.

What are the criteria for flexible working?

HTC Managers will decide what posts are suitable for flexible working to include the following issues:

- Can the work be delivered and returned electronically?
- Is output measurable?
- Is direct face to face contact with the customer a requirement of the post?
- Is physical access to shared resources and capabilities necessary to perform duties?
- Does the home accommodation that the employee is intending to use comply with health and safety regulations (as self declared in Form)?
- Appropriate arrangements must be made to supervise any staff for which the employee is responsible.
- Working from home should preferably be carried out at times when the employee does not need to be accessible in person.
- Managers must ensure that the benefit to the Council is sufficient to warrant incurring any costs.

How do I make arrangements for flexible working?

To make arrangements for flexible working you should first discuss the details with your manager.

It should be noted that homeworking/flexible working is not a substitute for childcare or other caring responsibilities and staff working flexibly should devote their whole attention to work during their working hours.

What implications does flexible working have for my terms and conditions of service?

Unless you change your working hours, your pay and benefits are not affected.

Are there rules I must follow in relation to Council equipment?

All equipment will remain the property of Hailsham Town Council and can be recalled from the user at any time. The Council will bear the cost of maintaining the equipment. Employees must take reasonable care of the Council's equipment and only use it as outlined in paragraph 9. The equipment will need to be returned to the Council when requested or when employment ends.

Am I insured for working flexibly?

IT equipment belonging to the Council is covered under the organisation's insurance arrangements, provided employees take reasonable care of it and ensure that it is stored securely when not in use. Equipment left in clear sight in unattended cars/vans etc. or left overnight in vehicles (whether locked or unlocked) will not be insured by the Council and staff will be expected to reimburse the Council for any loss.

Provided staff have acted reasonably as outlined above, any excess will be met by the Council.

Staff may wish to arrange for furniture to be covered by their home contents insurance, but the Council will not meet any costs. You should check that working from home does not affect your home and contents insurance policies before commencing homeworking.

Home workers will continue to be covered by the organisation's public and employer's liability insurance, but a homeworking risk assessment must be carried out by the employee before homeworking commences.

In the event of an accident or injury at home, it may, however, be very difficult to prove negligence on the part of the Council, because the officer working at home would be primarily responsible for their own working environment. Any accidents must be reported immediately using the Council's procedure.

Can "once off" costs for homeworkers be claimed?

Yes, employees will be entitled to reclaim the cost of business phone calls or other necessary expenses approved by their manager and incurred in the course of their work. An example could be postage costs. All claims must be accompanied by a copy of the employee's itemised appropriate bill with the relevant details highlighted.

What about Health and Safety issues?

Employees working flexibly are required to take reasonable care of their own health and safety and that of anyone else who might be affected by their actions and omissions. Flexible/ homeworking employees must undertake a home workplace risk assessment and complete and return the relevant form to the Town Clerk.

Working at home often means working alone. Is there anything I need to consider?

Your manager must ensure that you do not undertake activities which put you at significant risk or injury or expose you to unacceptable risks from violence. You must agree with your manager appropriate arrangements and checks in the event of an emergency. For instance, would anyone know when you would be expected back from a meeting with a client, and know if you hadn't returned?

Homeworkers should not give out their personal phone number nor hold meetings in their home with member of the public. Post should always be received via the office so that customers/service users will not have access to colleagues' home addresses.

Can my Line Manager visit me at home anytime to discuss work issues?

No, only by prior arrangement and your personal home phone number and address will not be disclosed to your team colleagues without your permission. Employees should not give out their personal home phone number or address for business use as this may cause unwarranted intrusion into their private life and may create an unnecessary risk. However, line managers and colleagues will be expected to communicate regularly with homeworking staff to discuss work issues, with agreement between the employee and their line manager these meetings can be conducted in the employee's home.

How about non standard working hours and flexi time?

One of the bonuses of flexible working is that employees can operate outside of standard working hours, however, this also brings with it the potential to work extended hours. It is important that working patterns and level of hours are not detrimental to health and wellbeing. It is part of an employee's responsibility to ensure that their manager is informed about the number of hours they work and to comply with the Working Time Regulations. As outlined above in terms of the importance of service delivery, staff must agree their working hours in advance with their line manager including working patterns using non standard hours which do not conflict with the needs of the team.

What can I do to ensure security of information?

All information and equipment must be kept secure at all times. You owe a duty of confidentiality to the Council in relation to information you handle and family and friends must not be able to access it under any circumstances. Line managers must be satisfied that adequate precautions are in place to maintain confidentiality of material in accordance with the Data Protection Act and Council guidelines, policies and procedures. **Never** dispose of paper that is work related through normal domestic rubbish, it should be returned to the office and placed in a confidential data disposal bin.

Will my Mortgage, Tenancy and Tax Arrangements be affected?

Employees working at or from home on a regular basis must inform anyone with an interest in the property of their intentions. This includes your landlord or mortgage provider.

Specific advice should be sought from the HMRC by the employee prior to commencing homeworking. Generally, working at or from home is viewed by the HMRC as being a matter of choice, and it is therefore unlikely that expenses will be allowable for income tax relief unless the particular job requires the employee to perform duties at home rather than elsewhere.

Working from home may affect an employee's capital gains tax liability if they sell, or otherwise dispose of their home. This generally will only apply if part of the house has at some time been used exclusively for employment purposes. If, however, no part of the home has been used exclusively for business then, depending upon individual circumstances, full relief could be available.

District Council advisers have indicated that working at or from home will not attract business rates.

Can I claim mileage in the usual way?

If you are classed as working at home for all of your hours, mileage or other travel costs will be claimable on business journeys from home. The manager and the employee will need to agree the detail of this for each person working flexibly. If you move house to outside the district covered by your service area, you will only be able to claim business mileage once you cross the boundary into the parish.

Business mileage can only normally be claimed when this exceeds the usual home to work base commute. In most cases the work base will be the Council's office in Hailsham.

Can I claim for heating, lighting etc. when working from home?

Where staff work 40% or more of their hours at home there will be a lump sum allowance paid of £3 per week, based on HMRC rules and reviewed annually. As this is a 'flat rate' only one payment can be made for each address, so that if two or more employees live at the same address, only one employee will be eligible to claim the allowance.

What happens if I plan to work in the evening but I can't log-in to the Council?

We cannot guarantee ICT support outside of normal office hours. You will not be able to claim hours unless you achieve what you have planned for the time i.e. a recognisable outcome. Where hours are contractual and therefore not claimed, alternative work must be agreed by the line manager, as a contingency, in case ICT networks are not available.

Will everyone in the same team be offered homeworking?

Homeworking is only suitable for certain roles

Other considerations would include the ability to provide suitable accommodation to work from home and to ensure the security of their work (both manual & computerised).

What happens if I was due to work from home but am sick?

Normal policies apply. You need to ring your line manager before 9.00am explaining what is wrong and how long you think you might be off sick. The usual self certification and medical certificates will be required on your return to work. Your normal or scheduled working days Monday to Friday will be counted for sickness absence recording. You must not complete any work (whether at home or in the office) during any period that you or your GP have indicated you are unfit to work.

Do I need to keep a record of the time I work?

Yes, you should record the time you work.

Can I work from home on a bank holiday, an extra statutory or concessionary day when the offices are closed or when I have booked time off for annual leave or flexi-leave?

No, if the offices are closed (or you would not ordinarily be at work) as the result of a bank holiday, extra statutory or concessionary day or your line manager has agreed to you taking leave you cannot work at home.

Do I get paid at a higher rate if I work in the evenings or at the weekend?

No. Flexible working enables you to choose when you prefer to work (subject to the needs of the service and your Line Manager's approval). If you choose and are able to work outside core hours this is your choice so a flat rate applies.

How about equalities and staff development?

Employees working from home will have the same opportunities for career development and training as office based employees. Managers will ensure that employees who work from home or at home will be given appropriate training in all areas. Home working employees will be expected to attend training arranged by the Council, whichever working day it takes place. It is recognised that when large numbers of staff work from home within a team that team meetings and face to face briefings will have to be more frequent and co-ordinated to ensure that flexible workers do not get isolated and teams still benefit from sharing ideas and best practice.

How often will the Flexible Working Policy be Reviewed?

It is recognised that Council policy on flexible working may need to change over time especially due to changes in technology and as staff and management gain more experience of how things work out in practice.

The policy will be reviewed as soon as a need is identified.

Payments made to staff towards the cost of providing broadband and use of home will be reviewed annually.

(The text for this policy has been appropriated from Wealden district Council's Flexible Working Policy, with sections removed due to their relevance to Hailsham Town Council and the current context surrounding the national pandemic).

Report to: Hailsham Town Council

Date: 27th May 2021

By: John Harrison, Town Clerk

Title of Report: COMMITTEES

PURPOSE:

This Report details the proposed Committee Structure, including the Terms of Reference and number of seats, for Hailsham Town Council for the Municipal year 2021-2022 and also proposals for representatives to External Bodies.

1. APPOINTMENT OF COMMITTEES AND WORKING GROUPS

1.1 Council is asked to consider that in accordance with Standing Order No.5, the following **COMMITTEES** be appointed:-

- (a) Planning & Development Committee
- (b) Finance, Budget, Resources & Staffing Committee
- (c) Assets Management Committee
- (d) Communities Committee
- (e) Neighbourhood Planning Committee
- (f) Strategy Committee

Council is particularly asked to consider whether the Neighbourhood Plan Committee is still required, as under its existing terms of reference, it exists to complete a Neighbourhood Plan, which has now been completed.

1.2 It is recommended that the council resolves. that each committee is appointed proportionately according to political, group or individual alignment, where possible (with the exception of the Strategy Committee, membership of which is appointed ex officio, consisting of the Chair and Deputy Chairs of each committee)

1.3. It is recommended that the council considers whether to appoint the following Working Groups:

- (a) Post Office Working Group (currently six members)
- (b) Hellingly Liaison Working Group (currently four members)
- (c) Hailsham Aspires Working Group (currently four members)

The council is particularly asked to consider if the Hailsham Aspires Working Group is now required in the light of the facts that: the town council has one elected member appointed to the Aspires Project Board, the project is addressed as a standing item on each 'full council' meeting, the Council's Strategy Committee can discuss the project as an objective within the Strategic Plan and WDC have held and plan to hold additional 'workshops' with the Town Council.

2. TERMS OF REFERENCE FOR COMMITTEES

It is recommended that the council resolves to adopt the terms of reference for each committee as included in this report,

2.2 The purpose, remit and any Delegated Authorities for each committee, sub-committee or working group as set out in the terms of reference set out as appendices to this report, including:

- The maximum number of seats on each committee
- The purpose, remit and any Delegated Authorities for each committee

3. MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES and WORKING GROUPS

It is recommended that the council appoints members (and substitute members) to each of the committees and working groups according to the terms of reference for each group, the nominations previously received, and any nominations made or altered during the meeting.

This has traditionally been the case for Hailsham Town Council as a 'political' council and is generally recommended within the sector when that is the case, as a means of avoiding committees taking decisions against the agreed strategic direction and will of the council.

However, this is by no means a statutory requirement at parish level, although it is for 'principal councils' (Districts/Boroughs, County or Unitary authorities).

Allocation of seats per group/individual

Please note that the number of seats is determined by the Terms of Reference as adopted by council for the 2020-2021 council year, with five committees of seven seats each, thus totalling 35, with the Strategy Committee then appointed ex-officio.

This may be subject to change dependent on council's resolution made in the light of the situation regarding covid legislation and the holding of meetings remotely or if the council resolves otherwise.

			Committee Seats Per Group
Total Posts (5X7 = 35)	35	% of Council	
Council Make Up	18 Seats	100.00%	35.0
Conservative	6	33.33%	12
Liberal Democrat	5	27.78%	10
Independent	1	5.56%	2
Independent	1	5.56%	2
Independent	1	5.56%	2
Independent	1	5.56%	2
Independent	1	5.56%	2
Independent	1	5.56%	2
Independent	1	5.56%	2
	18	100.00%	36.0*

**One above number of seats due to rounding up*

Groups or individual councillors should consider the following when nominating themselves or their group members for committee memberships:

- The Terms of Reference of each committee (as attached below)
- Their own specific interests, skills or expertise and aspirations for the community
- The frequency of meetings and their availability on the dates detailed in the Meeting dates document. Some committees will involve a much greater commitment in terms of attendance than others:
 - Planning & Development Committee– every three weeks on Tuesdays (18 times per year)
 - Communities Committee – every month on (usually) the first Monday (11/12 times per year)
 - Assets Management Committee – every month on (usually) the second Wednesday (11/12 times per year)
 - Finance, Budget, Resources & Staffing Committee – Six-seven times per year on (usually the third) Wednesday evening
 - Neighbourhood Planning Committee – dates to be determined as required. This committee will meet infrequently during the coming municipal year as the process is near to completion.
 - Working groups will generally meet on an ad-hoc basis as required, during office hours and are dependent on the availability of external parties (for e.g. the Hellingly Liaison Working Group is dependent on the attendance of Hellingly PC representatives, the Post Office WG on the attendance of the PO Ltd Regional Manager or other staff and the Hailsham Aspires WG on request to meet from WDC).

It is easier if individuals or groups can send their nominations to the Town Clerk before the Annual Council Meeting. Nominations received can then be completed and this report re-presented to the meeting.

Please note that the Town Council's Standing Orders state that "The Chairman and/or Vice-Chairman of the Council shall be voting members of every committee" (S.O. 5 (a))

Nominations for Committee and Working Group Membership (this is based entirely on current & existing membership, as in place for 2020-2021)

	Planning & Development Committee
1	D. Cottingham
2	B. Holbrook
3	P. Holbrook
4	A. O'Rawe
5	J. Puttick
6	A. Ricketts
7	

	Substitutes
1	G. Blake Coggins
2	A. Clarke
3	N. Coltman
4	B. Granville
5	M. Laxton
6	T. Powis
7	

	Finance, Budget, Resources & Staffing Committee
1	G. Blake-Coggins
2	N. Coltman
3	B. Granville
4	R. Grocock
5	K. Hinton
6	P. Holbrook
7	T. Powis
	Substitutes
1	C. Bryant
2	D. Cottingham
3	B. Holbrook
4	M. Laxton
5	A. O'Rawe
6	
7	

	Assets Management Committee
1	C. Bryant
2	B. Granville
3	R. Grocock
4	K. Hinton
5	P. Holbrook
6	M. Laxton
7	T. Powis
	Substitutes
1	N. Coltman
2	D. Cottingham

3	B. Holbrook
4	A. O'Rawe
5	J. Puttick
6	
7	

	Communities Committee
1	G. Blake Coggins
2	C. Bryant
3	A. Clarke
4	N. Coltman
5	K. Nicholls
6	A. O'Rawe
7	A. Ricketts
	Substitutes
1	K. Balsdon
2	B. Granville
3	B. Holbrook
4	T. Powis
5	
6	
7	

	Neighbourhood Planning Committee
1	K. Balsdon
2	N. Coltman
3	D. Cottingham
4	K. Hinton
5	P. Holbrook
6	M. Laxton
7	K. Nicholls
8	J. Puttick
	Substitutes
1	B. Holbrook
2	A. Clarke
3	
4	
5	
6	
7	

	Post Office Working Group
1	N. Coltman
2	D. Cottingham
3	P. Holbrook
4	M. Laxton
5	A. O'Rawe
6	A-M. Ricketts
	Substitutes
1	
2	
3	
4	
5	
6	

	Hellingly Liaison Working Group
1	G. Blake-Coggins
2	N. Coltman
3	K. Hinton
4	P. Holbrook
	Substitutes
1	
2	
3	
4	

	Hailsham Aspires Working Group
1	G. Blake-Coggins
2	M. Laxton
3	A. O'Rawe
4	A-M. Ricketts
	Substitutes
1	
2	
3	
4	

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4. APPOINTMENT OF CHAIRMEN (AND VICE CHAIRMEN) OF COMMITTEES

To determine whether to appoint the Chairmen and Vice-Chairmen of each committee at the Annual Council Meeting or at the first meeting of each committee.

5. REPRESENTATION ON EXTERNAL BODIES

Council is asked to consider and agree to councillor representation on external bodies as proposed:

- Wealden District Association of Local Councils: Recommended - Chair and/or Vice Chair of Council
- Hailsham Aspires Board - One Member (plus one Member of HTC officer staff)
- Hailsham Active (formerly Hailsham and District Sports Alliance): Recommended - Chair or Vice Chair of Communities Committee or Assets Management Committee (to be agreed when elected)
- Hailsham Forward Executive: X2 members;
- Cuckmere Community Bus Stakeholder's Group: X1 member
- Environment Hailsham Board: X1 Member
- Wealden and District Citizen's Advice Bureau Board: X 1 Member
- Wealden Dementia Action Alliance: X 1 Member
- Movement and Access Strategy for Hailsham and Hellingly ('MASHH') Steering Group: Recommended - Chair of Council plus one other member –(NB this committee has not met for some years despite requests to ESCC)

No other appointment to external bodies are proposed to be made unless by invitation from those organisations.

HAILSHAM TOWN COUNCIL
PLANNING & DEVELOPMENT COMMITTEE
TERMS OF REFERENCE 2021-2022

Hailsham Town Council is a consultee in the planning legislative process, it is the responsibility of the Planning & Development Committee to receive and respond to planning applications, planning appeals and applications for certificate of lawful development from Wealden District Council, East Sussex County Council and the South Downs National Park local Planning Authorities.

In reviewing planning applications its purpose is to ensure that they meet with current planning law, satisfy local development frameworks and published development guidance.

The committee will also comment on matters of local concern including major developments, proposed planning gain agreements in respect of developing community and commercial infrastructure, statutory, utility and common communal services and matters relating to the historical essence and character of Hailsham.

The committee will also provide responses for licensing applications and for matters determining, amending or stopping up Public Highway, Public Right of Way and will respond to proposed temporary, experimental or permanent traffic regulation orders.

TERMS OF REFERENCE

1. The Planning & Development Committee is constituted as a Standing Committee of Hailsham Town Council. The Committee composition shall be a maximum of Seven Councillors as voting members.
2. Quorum shall be half of appointed members or the closest majority to that number
3. The Chairman and Vice-Chairman of the committee shall be elected annually by the Committee or Town Council.
4. The Committee shall meet every three weeks, or unless otherwise required and agreed by resolution of the committee.

PLANNING

5. A record of all planning applications, the responses and eventual results shall be noted in the minutes of meetings.
6. The Committee has delegated authority to consider all planning applications pertaining to the Town and environs of Hailsham and to respond to Wealden District Council, East Sussex

County Council or the South Downs National Park as local planning determination authorities. Minutes/Reports of all meetings will be presented for adoption at the next full Council meeting

7. The Planning & Development Committee may canvas opinions for and against applications to assist with fair determination of applications. The Committee has an obligation to ensure that relevant parties are given a reasonable hearing – applicants, as well as objectors, will have the opportunity to speak prior to the commencement of meetings in accordance with the Town Council Standing Orders. Solely at the discretion of the Chairman the committee may seek clarification of views expressed by applicants or objectors when a specific application is presented and debated.

8. The committee clerk shall present each application for consideration by the committee. The clerk shall identify the location of the application, shall provide an outline of the application, present the planning history and shall make recommendations of options available to the committee. The clerk shall where appropriate have visited the application location to photograph any existing buildings on the site and the surrounding buildings and land.

9. Presentation of application plans and supporting documentation shall make full and appropriate use of electronic files and overhead projection systems, ensuring that this can be clearly viewed by both the committee and attending members of the public. The committee will use paper documentation only when suitable electronic systems are unavailable.

10. Applications considered to be controversial may be referred to the Full Council. A time sensitive response may be made by the Committee Chairman or Clerk following a majority decision by the Committee. Any two (2) Councillor members of the committee may request an application be deferred for a meeting of the Full Town Council.

11. Where an onsite meeting is arranged, it will be subject to the prior approval of the Chairman or Vice-Chairman. A Committee member will then present findings to the Committee.

12. Where an application is subject to an appeal, the Committee is authorised to make written representation or to elect a member of the Committee to attend the hearing.

13. All correspondence shall be conducted through the Town Clerk (or the delegated officer).

14. The Town Clerk (or the delegated officer) will write letters to the appropriate Planning Authority or other relevant body detailing the Planning Committee's response to each application and will ensure that these letters arrive within the timescale for each application.

15. Where an application is subject to an appeal, the Committee will prepare and recommend a draft written representation to the full Town Council and propose a member of the Committee to attend the hearing and speak on behalf of the council if called to give evidence.

16. Wherever possible, a member of the Planning Committee is to be nominated to attend Planning Authority's Planning meetings to represent the Committee's views in respect of major and controversial planning applications.

17. Minutes of all meetings are to be kept by the Clerk. Agendas and minutes shall be forwarded by e-mail to all members of the Town Council. (Only members who do not have access to e-mail, or have not agreed to receive minutes and agendas in this manner, shall receive a printed copy by post).

18. The Planning and Development Committee shall ensure that due regard is given to the content of the Hailsham Neighbourhood Plan when commenting on planning matters.

DEVELOPMENT

19. The committee shall work with adjacent parishes, District and County Councils, Police, Fire & Rescue, Ambulance and NHS Authorities to ensure that appropriate development is fully and transparently determined for the residents of Hailsham being mindful that this should comply with current planning law and guidance.

20. The committee will seek to meet with land owners, agents and developers to offer pre-application advice about the council and community views of potential developments within Hailsham and also within adjacent parish locations that could impact visually or environmentally upon Hailsham Residents.

21. Any views expressed by members will be indicative of likely community views, the committee should not be regarded as determining the specific view of the council and residents prior to the council being consulted about finalised outline or full applications presented for determination by the appropriate planning authority.

22. The committee will seek to encourage developers of significant major applications to meet with the full council and to provide a presentation for residents. The Planning & Development Committee is empowered to ensure that such presentations are widely advertised to encourage public participation.

23. The committee will monitor the progress of s106/CIL planning gain agreements for developments within Hailsham and its environs, ensuring that applicants and planning authorities are advised of the views of the council and community about the provisions of the agreement at appropriate payment trigger points.

24. The chairman and committee clerk will provide progress reports to full council on behalf of the committee of all development consultation and s106 activities.

25. Community Land Trust. The council has resolved to initiate the formation of a Community land Trust and delegated authority to the Planning and Development Committee to undertake this. The Planning and Development committee will appoint members to the board of the CLT if required or requested.

HAILSHAM TOWN COUNCIL
FINANCE, BUDGET, RESOURCES AND STAFFING COMMITTEE
TERMS OF REFERENCE 2021-2022

This Committee is appointed to make recommendation to the council on all aspects of the Town Council's financial and budgetary management, staffing and resources. The committee makes recommendations to council on some of these areas and also has some delegated authority. All delegated authorities shall be subject to any Standing Orders in place requiring council to make final decisions if so requested.

The Committee is responsible for working in partnership with other organisations to achieve these objectives.

Membership: Total number of seats allocated to the committee is seven

Quorum: Shall be half of appointed members or the closest majority to that number

Frequency of Meetings: The Committee must meet quarterly and has delegated authority with regard to budgetary control, the verification of quarterly financial statements (Item 2 in the Terms of Reference below) and the council's overall financial position

A meeting in January/February of each year should also consider such matters as appointment of Internal Auditor and audit plan, and review of Financial Regulations. The committee has delegated authority for this aspect of its remit.

In addition, the committee will establish a second 'stream' of meetings in order to make recommendations to Council on the budget for the following financial year. These meetings must be timed to ensure that council can resolve the precept to be levied in January and/or according to the timetable and deadlines for the precept request as set by the District Council. The committee has NO delegated authority with regard to this area of its terms of reference

Any of these meeting 'streams' may consider staffing and other resource issues as and when they arise and recommendations are required. The committee has NO delegated authority with regard to this area of its terms of reference

Meetings shall ordinarily start at 7.00pm unless the committee resolves otherwise

Membership eligibility: Open to all members of council, as formally appointed at the Annual Meeting of Council or subsequently at other meetings.

Other members may be co-opted from other organisations, or guests invited for specific purposes, if and when appropriate. Other members who are not members of council will have no voting-rights.

Remit

1. Budget Preparation: The Committee is required to prepare a recommendation for income and expenditure during the financial year for recommendation to a council meeting in December/January in order that the precept to be levied for the ensuing financial year can be agreed in January.

The committee will seek recommendations from the other standing committees of council on what budgets are required for any activities within their remit that are planned for implementation in the next financial year.

The committee will seek recommendations from the Strategy Committee (or any other committee appointed to have oversight of the council's strategic aims and plans for the forthcoming year) that these planned activities are consistent with the council's overall strategic aims and any business plan that is in place and agreed. (process for the Town Council's budget setting is as set out below)(NO DELEGATED AUTHORITY)

2. Budgetary Control: The Committee will examine the detailed summary of receipts and payments, comparing actual expenditure against that planned and confirm compliance to council on a quarterly basis. (HAS DELEGATED AUTHORITY)
3. Annual Appointment of Internal Auditor – conditions of appointment for approval.(HAS DELEGATED AUTHORITY)
4. Accounting and Audit :
 - (a) Reconciliation and quarterly verification of statements with the appropriate records and confirm that the financial statements present fairly the current financial position of the Council and are effective in design to adequately detect fraud or malpractice. To be signed by the Committee Chairman.
 - (b) Receive the Internal Auditor's reports and consider any recommendations and means to achieve compliance, Annual Review of Internal Control to complete and present to Council.
 - (c) Annual Audit Report.
 - (d) Annual Internal Audit Report – to liaise with the RFO and Internal Auditor to prepare the Annual Audit Plan for presentation to Council
 - (e) To hold meetings with the Internal Auditor as required
 - (f) To review the Annual External Auditor's Report and draft response in collaboration with the RFO
 - (g) To approve for presentation to Council the end of year Statement of Accounts and Annual Return and any other information required by the External Auditors prior to submission

(HAS DELEGATED AUTHORITY TO ALL OF THE ABOVE, ALTHOUGH SOME AREAS ARE FOR PRESENTATION TO COUNCIL AS NOTED)

5. Contracts : To work with other committees to discuss the financial implications of contracts as and when they are due for renewal.

In a situation where there is a time limited offer and opportunity to accept a quotation (e.g. energy supplier), that cannot be considered by any other relevant committee due to the timescales involved, the RFO or Finance Officer may, after contacting the Chairman of the Finance, Budget, Resources & Staffing Committee and Town Clerk, authorise and proceed, and report to the next meeting of the Committee or Council as appropriate. (HAS DELEGATED AUTHORITY)

6. Annual Governance Statement: To satisfy that all items under Section 2 of the Annual Return are achieved, and signed off by the Chairman of the Council. (HAS DELEGATED AUTHORITY)
7. The Chairman of the Committee, or their representative, should meet weekly, or as decided by the Committee, with the RFO or Finance Officer for two-way communication.
8. All members of the Committee shall comprise members of the Cheque Signatory Panel plus the Chairman of the Council, if for any reason that councillor is not a member of the Finance, Budget and Resources Committee.
9. All members must be conversant with the requirements of the Governance and Accountability for Local Councils manual.
10. The Annual Review of the Council's Financial Regulations – for report to Council. (HAS DELEGATED AUTHORITY)
11. The annual review of fees charged by Council (allotments, pitch hire, pavilion hire, Fleur de Lys hire, fishing permits, cemetery fees etc.) (HAS DELEGATED AUTHORITY)
12. To consider the annual subsidy request application from Hellingly Parish Council and the existing arrangements for funding with Hellingly Parish Council, if deemed necessary appointing a Working Group to liaise with Hellingly Parish Council for this purpose. (NO DELEGATED AUTHORITY)
13. The annual consideration of grants to external bodies (the committee may appoint a sub-committee for this purpose if it chooses to do so).(HAS DELEGATED AUTHORITY)
14. To receive notice of changes in employment law and pension funds that affects the employees of Hailsham Town Council (HAS DELEGATED AUTHORITY)
15. Consider and make recommendations to Council in respect of all aspects of staff employment, considering staffing needs in relation to decisions of the Council (NO DELEGATED AUTHORITY)
16. Consider and make recommendations to the council in respect of all aspects of other resources, including equipment and vehicles, considering resource needs in relations to decisions of the council (NO DELEGATED AUTHORITY)
17. Consider and make recommendations with regard to staff health and safety and resource or other requirements to ensure adequate health and safety and staff welfare provisions are fit for purpose (NO DELEGATED AUTHORITY).
18. Exclusions.

The committee is not responsible for making decisions or recommendations to council for any aspect of council services or projects that fall under the remit of other council committees, although it can make decisions/ recommendations on all financial, staffing or resource-related aspects of such areas.

Hailsham Town Council Budget Setting Process:

Date	Meeting	Activity
July	Finance, Budget, Resources & Staffing Committee	Agree baseline budget according to known costs
August/September	All Standing Committees of Council	Consider additions to baseline budget according to plans for next financial year
October	Strategy Committee	Consider whether requests from Standing Committees are consistent with Council's Business Plan and Strategic Aims & raise any queries for committees.
November	All Standing Committees of Council	Address any queries from Strategy Committee
December	Finance, Budget, Resources & Staffing Committee	Finalise recommended budget, including full information regarding tax base etc
January	Hailsham Town Council	Determine budget precept to be requisitioned from WDC

These terms of reference are subject to agreement by council at the Annual Council Meeting on 15th May 2019.

HAILSHAM TOWN COUNCIL
ASSETS MANAGEMENT COMMITTEE
TERMS OF REFERENCE 2021-2022

This Committee monitors the operation of all Town Council buildings, assets and some projects & services, ensuring a high standard of provision. It considers their further development and the development of other buildings or projects.

The Committee is responsible for working in partnership with other organisations to achieve these objectives.

The committee has delegated authority to make decisions related to these areas. All delegated authorities shall be subject to any Standing Orders in place requiring council to make final decisions if so requested.

The committee has no delegated authority to make decisions outside of its terms of reference or for areas that would affect areas within the remit of other council committees (for example, in relation to staffing, budgets & finance, business development activities, festivities and events), nor does it have authority to authorise expenditure outside of the council's agreed budget parameters.

Membership: Total/maximum number of seats allocated to the committee is SEVEN

Quorum: Shall be half of appointed members or the closest majority to that number

Frequency of Meetings: MONTHLY or as and when appropriate (including less frequently if determined by committee resolution)

Time of Meetings: Meetings shall commence at 7.00pm (or earlier or later if determined by committee resolution)

Membership eligibility: Open to all members of council, as formally appointed at the Annual Meeting of Council or subsequently at other council meetings.

Other members may be co-opted from other organisations for specific purposes as and when appropriate. Other members who are not members of council will have no voting-rights.

Minutes of all meetings are to be kept by the Clerk. Agendas and minutes shall be forwarded by e-mail to all members of the Town Council. (Only members who do not have access to e-mail, or have not agreed to receive minutes and agendas in this manner, shall receive a printed copy by post).

Terms of Reference

1. To manage the use, maintenance, improvement, development and good management of all council owned or leased buildings, including:
 - The Cemetery & Cemetery buildings including Cemetery Lodge
 - The Fleur-De-Lys and Blackman's Yard Complex

- 6 Market Square (The building leased to Kemer Kebabs)
- Union Corner Hall
- The Grovelands Barn Complex
- 1 Market Street (The Square Youth Café and connected buildings)
- James West Community Centre
- 4 Market Square
- The Maurice Thornton Pavilion
- 2 North Street ('Cortlandt Stable Block') & the public toilets
- Any other buildings adopted or leased by the Town Council in the future

2. To manage the use, maintenance, improvement, development and good management of all other council owned or leased assets, including;

- Bus Shelters
- Town seats
- Street Lighting
- HTC's contribution to the town's CCTV facilities.
- Any other Assets adopted by council

3. To manage the use, maintenance, improvement, development and good management of all council owned, leased or otherwise controlled:

- play areas and open spaces
- Any new play areas and open spaces taken over by the Council
- Sports and recreation grounds
- Sports facilities where appropriate
- Any new sports grounds taken over by the Council
- Any new sports facilities taken over by the Council where appropriate
- Allotments
- Dog Bins

To be responsible for:

- Tree maintenance
- Horticultural and Grass cutting contract
- Dog bins

4. To act as responsible landlords for sites owned by the Town Council and leased to other organisations for management, reviewing leases and any other terms of agreement between the Council and the lessees or other parties and receive requests from them for developments or changes to council owned buildings and assets.

5. To act as liaison for and to project manage any developments or changes to council owned or leased buildings and assets as defined above.

6. To project manage or act as liaison with Council Services, in consultation with the appropriate officers and any other relevant stakeholders and partners. These services to include:

- a. Youth Services (including the Youth Café, East Side Youth Club, The Friday Night Project, the Youth Council and Youth Mayor)
- b. Council Communications and Marketing

- c. Any other project related to council buildings, Play parks and open spaces, assets or services as adopted by council

- 7. To appoint sub-committees, small working parties, project management groups or individuals to oversee and report back to the committee on any of the above areas deemed necessary by the council or committee. This therefore includes the appointment of members of the committee for the following roles:

- a. Cemetery Wardens
- b. Community Halls
- c. Allotments

These sub-committees, small working parties, project management groups or individuals will undertake their oversight functions according to the requirements of the role, the requirements of the committee and through the best and most efficient means possible, in consultation with the relevant officers and other stakeholders and partners.

They will report back to the Assets Management committee to an agreed reporting schedule and their reports will form substantive points of the committee's agenda moving forwards.

- 8. The committee may receive and consider representations, suggestions or complaints from any other member of council or outside organisation or person with regard to any aspect within its remit as delineated above and may invite such persons to attend the meeting and speak on those aspects.
- 9. The Committee has authority to spend up to £10,000 per item (up to a maximum of four items per year) from capital reserves on any remedial repair or maintenance required to the council's assets. This expenditure is subject to the council's financial regulations regarding the awarding of contracts etc. Excluded from this are any improvements or enhancements to the council's assets portfolio.

Hailsham Town Council
Communities Committee
Terms of Reference 2021-2022

The name of the Committee is the Communities Committee.

The Council or Committee shall elect a Chairman and Vice Chairman on an annual basis in May of each year.

The Committee will meet on a planned 4 weekly schedule with extra meetings scheduled in the month(s) leading up to any planned event, with a minimum of 3 days clear notice given.

The Committee will meet at 6.00pm and the first items on the agenda will deal with the Festivities Items.

The Committee shall consist of a maximum of seven Hailsham Town Council members plus representatives from local businesses and the community.

Quorum shall be half of appointed members or the closest majority to that number.

Local business and community members will be members but without voting rights.

Minutes of all meetings are to be kept by the Clerk. Agendas and minutes shall be forwarded by e-mail to all members of the Town Council. (Only members who do not have access to e-mail or have not agreed to receive minutes and agendas in this manner, shall receive a printed copy by post).

The business strategy will be to consider all aspects of commercial related activity in and around Hailsham that will provide a benefit to Hailsham residents/businesses with an overall aim of attracting new businesses to Hailsham and thus improving employment opportunities. Focusing on the Town Centre and outlying areas of Hailsham.

Committee will work with Hailsham Forward and other stakeholders in the establishment and delivery of a Business Focussed Plan for Hailsham.

The council and Hailsham Forward have agreed that the management of the Town Market should be undertaken by the Town Council and the Communities Committee will oversee this function.

The Festivities strategy will be to:

- Organise community events to include at least one summer event/fair and one Christmas event
- Work with and encourage participation from local shop keepers and businesses
- Encourage community participation
- Support other community events such as Hailsham Arts Festival

The budget areas that this committee makes recommendations for expenditure against are:

- Festivities and Events (or any such budget identified by the council for the same purpose)

- The Revitalisation Fund (or any such budget identified by the council for the same purpose)

The Communities Committee will submit plans to full council detailing what it wishes to implement and what it will spend on the Festivities and Events budget and the Revitalisation budget for the following municipal year.

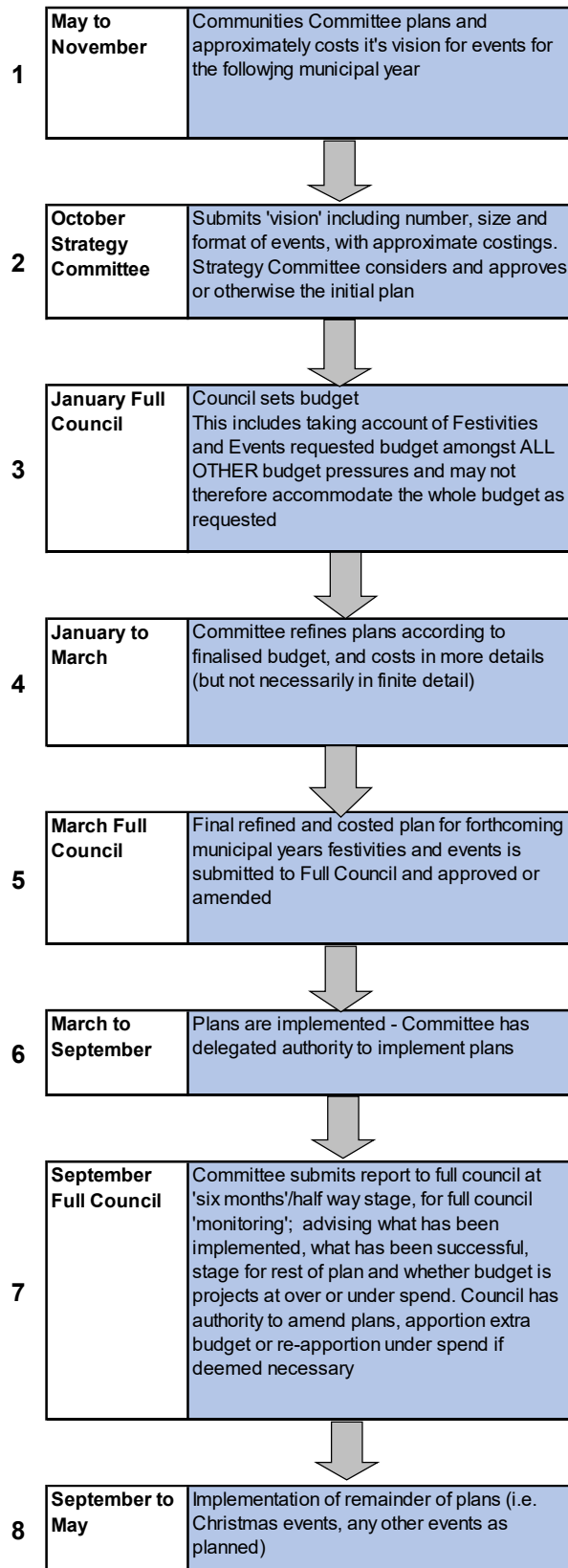
The Revitalisation Fund is set aside for items identified in the 'Hailsham – The Way Forward' business plan.

These plans are subject to approval by full council and once finally agreed, the committee will have delegated authority to implement these plans without reference back to full council.

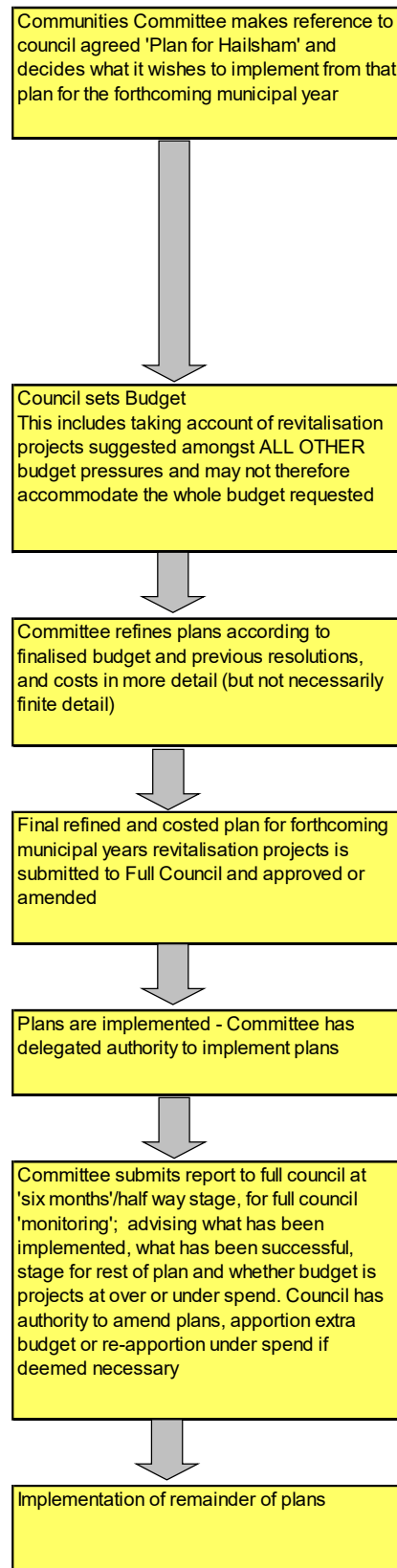
This will work on a rolling annual schedule, with two plan submission dates and a September 'six months progress' report back to council as follows:

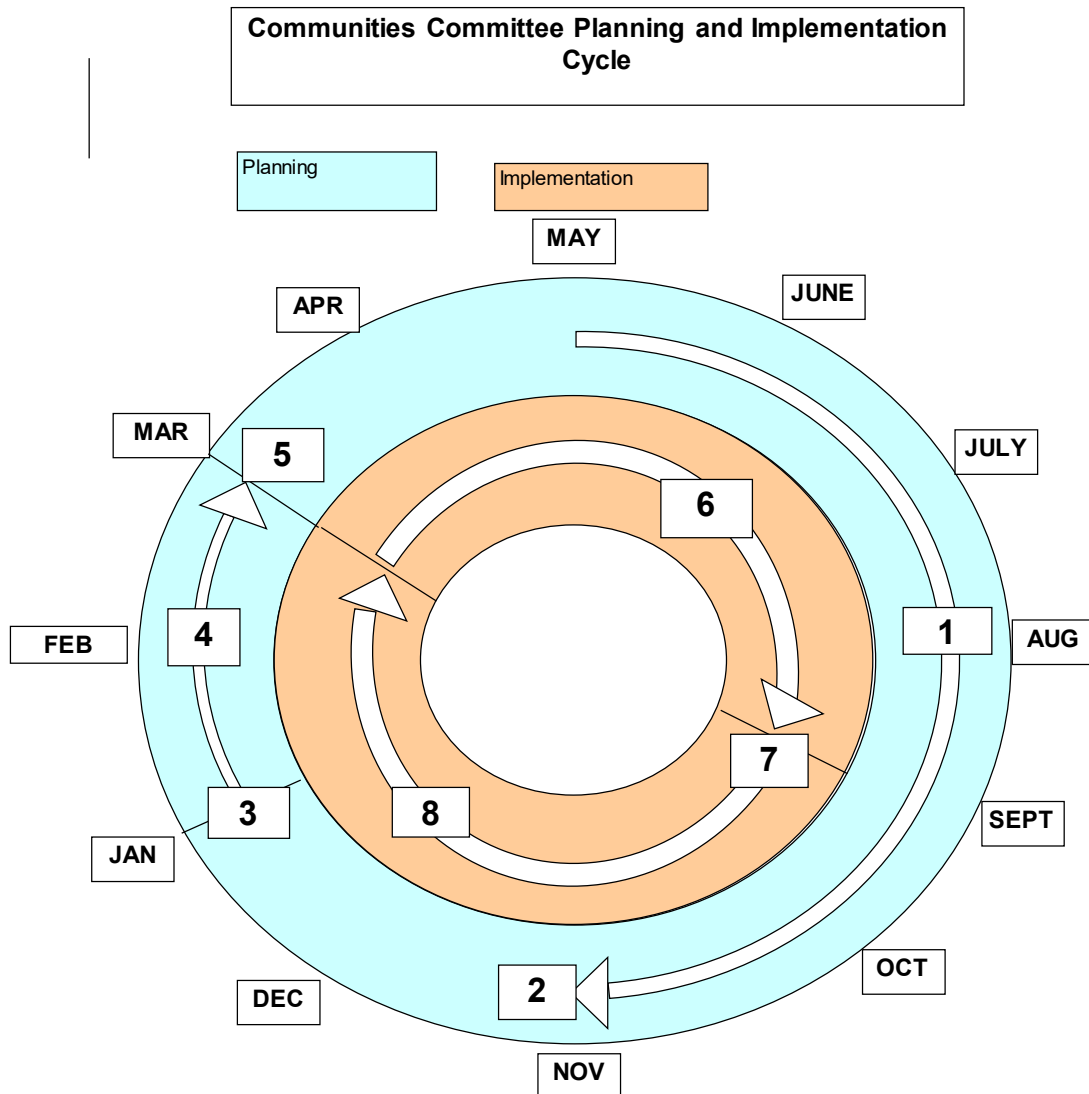
All delegated authorities shall be subject to any Standing Orders in place requiring council to make final decisions if so requested.

Festivities and Events Budget



Revitalisation Fund





Hailsham Town Council
Neighbourhood Planning Committee
Terms of Reference 2021-2022

1. Introduction

Hailsham Town Council (HTC) took the decision in July 2015 to produce a Neighbourhood Plan (NP) following the Government's publication in 2011 of the Localism Act.

In order to produce the plan the Town Council established a Neighbourhood Planning Committee (NPC) to oversee a process that will result in the preparation of a Draft Plan which will be put to a public referendum.

In doing so it is deemed appropriate that the Committee are provided with and accept the following terms of reference;

The plan will seek to:

Identify all the important aspects of life in the Parish/Town for which plans for the future are needed, with particular regard to land use; and

Bring forward proposals which will enhance the quality of life in the Parish/Town in the years to come

Provide a framework for future land usage within the parish.

2. Membership of the Neighbourhood Planning Committee (NPC)

The NPC will be formed from up to seven Town Councillors (and previously up to five members of the public who are appointed as lay (non-voting) members)

The NPC may from time to time form Working Groups or sub-committees to undertake various aspects of the work involved in producing the Neighbourhood Development Plan and may seek help from other members of the public or other organisations in order to do this.

The NPC may also co-opt further representation from any other person or organisation that is likely to bring additional benefit or specialisation to the project

The NPC should be supported by officers of Wealden District Council, who as The Local Planning Authority are obliged to provide assistance under the statutory provisions of the Localism Act 2011

The NPC shall exist until the Neighbourhood Plan has been assessed and approved by the independent examiner or such a time as the Town Council resolves to dissolve the NPC.

The NPC shall pass the draft neighbourhood plan to Hailsham Town Council for approval prior to independent examination (completed).

The committee has delegated authority to implement its agreed plans, subject to forward approval by the Town Council. Therefore the Neighbourhood Planning Process shall form a standing item on all ordinarily scheduled Town Council meetings and approval to implement future aspects of the plans will be granted or may be challenged.

All delegated authorities shall be subject to any Standing Orders in place requiring council to make final decisions if so requested

The NPC will have access to funds as resolved by the town council as available for the process and any other funds held by the Town Council from external sources provided for the Neighbourhood Planning Process.

The NPC will invite representation from neighbouring parishes and relevant district and county councils to attend and participate in its meeting as appropriate.

The Council has previously agreed that it will seek to work with Hellingly Parish Council on the Neighbourhood Planning process. Hellingly Parish Council has declined the offer to work on a joint plan with HTC, but has previously asked that a member of its equivalent group attend the HTC NPC meetings and vice versa.

3. Roles and Responsibilities of the NPC

The Committee will;

Elect a Chair (and Vice-Chair if deemed necessary), from amongst its council members, and re-appoint at the first meeting of each municipal year (unless council appoints these roles at its Annual Meeting)

If the Chairman is not present, the Vice Chairman shall preside at the meeting. If neither is present, members shall elect a Chairman for the meeting from amongst their number of council members.

Promote the process of preparing the Neighbourhood Plan and be encouraged to participate and provide their views and opinions on the specific topics which are covered during the preparation of the Plan.

Arrange meetings and appoint sub-groups to gather views and consult on emerging policies which are considered appropriate for incorporation in the Draft Plan

Assess existing evidence about the needs and aspirations of the neighbourhood area.

Liaise with relevant organisations and stakeholders to secure their input in the process

Analyse the results of questionnaires or other evidence received during the planning process and use them to prepare a robust draft Plan

Inform the Town Council of progress on a regular basis in order that NPC or Working Group Minutes can be noted

Support WDC and HTC during the referendum process.

Where appropriate keep proper records of all expenditure, time keeping or other costs of external parties engaged to assist in the preparation of the plan.

Produce a Project Plan and a Project Programme for delivery of the Neighbourhood Plan and monitor the results of their work.

The NPC may also request assistance/advice from any other person or organisation that is likely to bring additional benefit of specialisation to the project.

The Town Council will;

Support the NPC throughout the process providing sufficient assistance and financial resources to ensure the plan is prepared expeditiously providing that overall expenditure falls within the grants received and funds allocated by the Town Council

Appoint professional planning expertise and provide any relevant aid during the development of the Plan as deemed necessary. Drafting of the Plan will require professional assistance to ensure conformity to national and local policy and that the Plan will be sound and robust enough to withstand independent examination.

Work with the NPC and the Hailsham Area Action Plan Steering Group or any similar committee to establish that the future infrastructural needs of the area are provided alongside any housing or other development occurring within the Parish/Town.

Work with the NPC to develop policies to guide the future development and use of land in the area.

Support the NPC in developing assessments requested by the Local Planning Authority prior to the Plan being submitted.

Support the NPC in efforts of engagement and consultation with the local communities throughout the plan making process

Create and maintain a link to the Town Council web site for recording details of the NPC activities

Facilitate any required contact with the relevant statutory bodies or parties who must be consulted

during the plan making process.

Carry out all statutory duties contained in the Neighbourhood Planning (General) regulations 2012 (and any subsequently made) and engage with Wealden District Council during the referendum process of the plan for which the principal authority are responsible.

Following the preparation of the draft Plan and with the agreement from the Group, submit the plan to the Local Planning Authority for inspection and independent examination

Appoint or re-appoint the membership of the NPC at its annual council meeting in May each year.

Review these terms of reference at each Annual Council meeting in May and may resolve to amend these terms of reference at any point by resolution.

All Members of the Committee will;

Declare any personal interest that may be perceived as being relevant to any decisions or recommendations made by the group. This may include membership of an organisation, ownership of interest in land (directly or indirectly) or a business or indeed any other matter likely to be relevant to the work undertaken by the Steering Group.

Ensure that there is no discrimination in the plan making process and that it is a wholly inclusive, open and transparent process to all groups in both the neighbourhood area and to those wishing to undertake development or be involved in the plan making process

Work together for the benefit of the communities established within the Parish/Town.

Treat other Members of the Committee with respect and dignity, allowing Members to express their views without prejudice and interruption.

Five Hailsham Town Councillors (or half the appointed council membership) are required to be in attendance for a meeting to be quorate.

If inquorate meetings may proceed but any decisions taken may be advisory only and require future ratification by the NPC when a quorum can gather.

Any decisions taken by the NPC, other than those delegated to appointed officers, will be carried forward if the majority (more than 50% of members in attendance) are in favour. The Chair will have the casting vote in instances where there is no majority, or the Vice-Chair in the absence of the Chair.

In accordance with the Town Council's Standing orders, voting (Town Council) members may be substituted by previously appointed substitute members, to attend in their place by notifying the committee or Town Clerk by 12.00 noon on the day of a meeting.

4. Procedure of Meetings

The NPC will meet on a regular basis, at least every four to six weeks, or more or less frequently if deemed necessary.

Meetings will ordinarily be at 7.00pm at the Town Council offices unless resolved otherwise by the Committee.

All NPC meetings shall be open and may be attended by residents or those who work in the area identified for the plan to observe proceedings or participate in the proceedings at the discretion of the committee chair.

The NPC shall keep Minutes of meetings which will be open to public scrutiny. These will be publicised on the NPC or Town Council web site

Notices, Agenda, Minutes and associated papers shall normally be despatched to NPC members by email unless otherwise specified or agreed.

Meetings shall be conducted in accordance with set procedure to be determined and agreed by the NPC.

The NPC will regularly update and report its progress to the Clerk of the Town Council ensuring that she/he, as the Responsible Financial Officer for the council, is aware of the on-going budgetary implications and requirements associated with the project.

The Terms of Reference will be reviewed throughout the project and amended as required. Any changes to NPC Terms of Reference shall require approval of the Town Council.

HAILSHAM TOWN COUNCIL
STRATEGY COMMITTEE
TERMS OF REFERENCE 2021-2022

Background:

This committee is appointed to make recommendation to the council in drawing up a business plan of priorities for the Town Council, monitoring progress against that business plan and recommending any amendments or changes to the business plan as it progresses.

The committee is responsible for working in partnership with other organisations, members of the town council or other town council committees or sub-committees to achieve this objective.

Membership: The working group consists of appointed Chair and vice-Chair of Council and the Chair and Vice Chairs of Committees (but not Sub-Committees or other Working groups).

Chairmanship The working group shall be chaired by the Chairman of the Town Council or in their absence, the Vice Chair of council.

Quorum: Shall be half of appointed members or the closest majority to that number

Frequency of Meetings: The Working Group must meet quarterly (or more frequently if deemed necessary) in order to develop a business plan for the Town Council over the coming municipal year, monitoring progress against that business plan and recommending any amendments or changes to the business plan as it progresses.

Membership eligibility: Open to members of council who have been appointed as Chairs or Vice-Chairs of Council or Committees,

The members may therefore be any member of Hailsham Town Council.

The Committee may appoint non-council members of the committee, subject to this being a recommendation to the Council. Non-Council members of the Committee may not have voting rights.

Other members may be co-opted from other organisations, or guests invited for specific purposes, if and when appropriate.

Remit

1. The Committee is appointed to draw up a Business Plan for the Town Council, containing key aims, priorities and objectives for the Town Council to implement over a given period.
2. The committee is appointed to monitor progress against that business plan and recommend any amendments or changes to the business plan as it progresses. It will report on these matters to full council
3. The Committee is able to respond to consultations on behalf of the town council, although it must recommend responses only, to be finally agreed by full council.
4. The committee exists to make recommendation to the council only. The acceptance of the plan at its key stages of progress, a final plan, or any recommended changes to the existing plan is to be agreed by resolution of full council only.
5. The business plan is expected to set out key priorities for the chosen time period, the resources required to implement them, any 'key milestones' to be reached during the life of the plan and any intended output or outcome targets arising from the actions identified in the plan, against which its success can be measured.
6. The Committee must be mindful of the legal and financial restrictions on its recommendations at all times and in particular employment law and statutory responsibilities as an employer
7. The Strategy Committee will ensure that the contents of the Hailsham Neighbourhood Plan are taken into account when considering the council's overall strategic direction.
8. Exclusions

This committee has no delegated authority to make decisions on any of the areas above, but is responsible for making recommendations to the Town Council.

The committee is not responsible for making recommendations to Town Council for any aspect of council services or projects that fall under the remit of other council committees or sub-committees (that is, areas of responsibility of those committees falling outside of the time scale of any recommended plan)

The committee is expected to set priorities, objectives, actions and targets within a plan which are directly within the control of the Town Council and not outside of its statutory or other remit Although such priorities, objectives, actions

and targets may include areas in which the Town Council seeks to influence other statutory service providers, local authorities or any other organisation.

Hailsham Town Council Meetings Calendar 2021-2022

#

May	June	July	August	September	October	November	December	January	February	March	April	May
1 Sa	1 Tu	1 Th	1 Su	1 We	1 Fr	1 Mo CC 44	1 We	1 Sa New Year's Day	1 Tu PDC	1 Tu	1 Fr	1 Su
2 Su	2 We	2 Fr	2 Mo 31	2 Th	2 Sa	2 Tu PDC	2 Th	2 Su	2 We	2 We	2 Sa	2 Mo Early May Bank Hol.
3 Mo Early May Bank Hol.	3 Th	3 Sa	3 Tu	3 Fr	3 Su	3 We	3 Fr	3 Mo Substitute day 1	3 Th	3 Th	3 Su	3 Tu
4 Tu	4 Fr	4 Su	4 We	4 Sa	4 Mo CC 40	4 Th	4 Sa	4 Tu	4 Fr	4 Fr	4 Mo CC 14	4 We
5 We	5 Sa	5 Mo CC 27	5 Th	5 Su	5 Tu	5 Fr	5 Su	5 We	5 Sa	5 Sa	5 Tu PDC	5 Th
6 Th	6 Su	6 Tu	6 Fr	6 Mo 36	6 We	6 Sa	6 Mo CC 49	6 Th	6 Su	6 Su	6 We	6 Fr
7 Fr	7 Mo CC 23	7 We FBRC	7 Sa	7 Tu	7 Th	7 Su	7 Tu	7 Fr	7 Mo CC 6	7 Mo CC 10	7 Th	7 Sa
8 Sa	8 Tu PDC	8 Th	8 Su	8 We	8 Fr	8 Mo 45	8 We FBRC	8 Sa	8 Tu	8 Tu	8 Fr	8 Su
9 Su	9 We	9 Fr	9 Mo 32	9 Th	9 Sa	9 Tu	9 Th	9 Su	9 We AMC	9 We	9 Sa	9 Mo CC
10 Mo 19	10 Th	10 Sa	10 Tu PDC	10 Fr	10 Su	10 We	10 Fr	10 Mo CC 2	10 Th	10 Th	10 Su	10 Tu
11 Tu	11 Fr	11 Su	11 We	11 Sa	11 Mo STC 41	11 Th	11 Sa	11 Tu PDC	11 Fr	11 Fr	11 Mo 15	11 We
12 We	12 Sa	12 Mo STC 28	12 Th	12 Su	12 Tu PDC	12 Fr	12 Su	12 We FBRC	12 Sa	12 Sa	12 Tu	12 Th
13 Th	13 Su	13 Tu	13 Fr	13 Mo 37	13 We	13 Sa	13 Mo 50	13 Th	13 Su	13 Su	13 We	13 Fr
14 Fr	14 Mo 24	14 We HTC	14 Sa	14 Tu	14 Th	14 Su	14 Tu PDC	14 Fr	14 Mo 7	14 Mo 11	14 Th	14 Sa
15 Sa	15 Tu	15 Th	15 Su	15 We AMC	15 Fr	15 Mo 46	15 We AMC	15 Sa	15 Tu	15 Tu PDC	15 Fr Good Friday	15 Su
16 Su	16 We	16 Fr	16 Mo 33	16 Th	16 Sa	16 Tu	16 Th	16 Su	16 We	16 We AMC	16 Sa	16 Mo 20
17 Mo 20	17 Th	17 Sa	17 Tu	17 Fr	17 Su	17 We AMC	17 Fr	17 Mo STC 3	17 Th	17 Th	17 Su	17 Tu PDC
18 Tu PDC	18 Fr	18 Su	18 We	18 Sa	18 Mo 42	18 Th	18 Sa	18 Tu	18 Fr	18 Fr	18 Mo Easter Monday 16	18 We ACM
19 We	19 Sa	19 Mo 29	19 Th	19 Su	19 Tu	19 Fr	19 Su	19 We FBRC	19 Sa	19 Sa	19 Tu	19 Th
20 Th	20 Su	20 Tu PDC	20 Fr	20 Mo 38	20 We FBRC	20 Sa	20 Mo 51	20 Th	20 Su	20 Su	20 We FBRC	20 Fr
21 Fr	21 Mo 25	21 We FBRC	21 Sa	21 Tu PDC	21 Th	21 Su	21 Tu	21 Fr	21 Mo 8	21 Mo 12	21 Th	21 Sa
22 Sa	22 Tu	22 Th	22 Su	22 We HTC	22 Fr	22 Mo 47	22 We	22 Sa	22 Tu PDC	22 Tu	22 Fr	22 Su
23 Su	23 We AMC	23 Fr	23 Mo CC 34	23 Th	23 Sa	23 Tu PDC	23 Th	23 Su	23 We	23 We HTC	23 Sa	23 Mo 21
24 Mo 21	24 Th	24 Sa	24 Tu	24 Fr	24 Su	24 We HTC	24 Fr	24 Mo 4	24 Th	24 Th	24 Su	24 Tu
25 Tu	25 Fr	25 Su	25 We	25 Sa	25 Mo 43	25 Th	25 Sa Christmas Day	25 Tu	25 Fr	25 Fr	25 Mo 17	25 We AMC
26 We	26 Sa	26 Mo 30	26 Th	26 Su	26 Tu	26 Fr	26 Su Boxing Day	26 We HTC	26 Sa	26 Sa	26 Tu PDC	26 Th
27 Th ACM	27 Su	27 Tu	27 Fr	27 Mo 39	27 We AMC	27 Sa	27 Mo Substitute day	27 Th	27 Su	27 Su	27 We AMC	27 Fr
28 Fr	28 Mo 26	28 We AMC	28 Sa	28 Tu	28 Th	28 Su	28 Tu Substitute day	28 Fr	28 Mo 9	28 Mo STC 13	28 Th ATM??	28 Sa
29 Sa	29 Tu PDC	29 Th	29 Su	29 We	29 Fr	29 Mo 48	29 We	29 Sa		29 Tu	29 Fr	29 Su
30 Su	30 We	30 Fr	30 Mo August Bank Hol.	30 Th	30 Sa	30 Tu	30 Th	30 Su		30 We ATM??	30 Sa	30 Mo Spring Bank Hol.
31 Mo Spring Bank Hol.		31 Sa	31 Tu PDC		31 Su		31 Fr	31 Mo 5		31 Th		31 Tu

HTC	Hailsham Town Council, Wed 7.00pm
ATM	Annual Town Meeting, Wed 7.00pm
ACM	Annual Council Meeting, Wed 7.00pm
STC	Strategy Committee, Mon 7.00pm
FBRC	Finance, Budget, Resources and Staffing Committee, Wed 7.00pm
FBRC	FBRSC Budget Setting, Wed 7.00pm
PDC	Planning and Development Committee, Tues 6.30pm
AMC	Assets Management Committee, Wed, 7.00pm
CC	Communities Committee, Mon 6.00pm

All Meetings are held at the *Fleur de Lys Meeting Rooms* , unless Council resolves otherwise and are open to the Press & Public, unless otherwise stated.

Physical Meetings are dependent on ongoing Covid restrictions and may therefore be held online if required.

All dates are subject to potential change dependent on agreement by the specific committees.

Report to: Hailsham Town Council

Date: 27th May 2021

By: John Harrison, Town Clerk

Title of report: General Power of Competence

PURPOSE:

To consider the passing of a resolution that the council remains eligible to implement the General Power of Competence

BACKGROUND.

The Government included the 'General Power of Competence' in the Localism Act 2011.

The intention was that local authorities would no longer have to identify a specific power in order to undertake activities

Previous to this, Parish and Town Councils could only undertake activity that they are allowed to do by statute. This means that before undertaking any activity, and in particular before spending money, members must be satisfied that the town council has the power under statute to do so

Parish and Town councils have many specific powers and there is also the general power in section 137 of the Local Government Act 1972 to spend up to a certain limit for 'purposes not otherwise authorised'. Since 2007 parish or town councils satisfying certain conditions have also had a 'power to promote wellbeing'. Despite the wide range of powers local authorities were always at risk of being challenged.

The general power of competence has replaced the power of well-being, which is no longer applicable to local authorities in England, including Town and Parish Councils.

CONSIDERATIONS.

The General Power of Competence is the 'power to do anything that individuals generally may do'.

It is specifically stated that this includes things that are unlike anything else the local authority does, or unlike anything that other public bodies do. The authority can use the general power of competence inside or outside the parish and it need not show that the action benefits the authority or its area or its residents. There is no limit on expenditure under the general power of competence.

The general power cannot be used where the primary purpose of an activity is to raise money but it could be used to invest (subject to government guidance) in a company or a co-operative society where there may be an investment return.

Restrictions the council should consider before exercising the power are:

- Relevant existing legislation – (e.g. *Employment and Health and Safety law*).
- Restrictions applying to an overlapping power
- Existing procedural duties for regulating governance must be maintained (– for e.g. no delegation of authority to individual members)
- Existing statutory duties remain in place

Some examples of the sort of activities that might be undertaken under the general power could be:

- Running a community shop or post office
- Investing in a local co-operative society
- Setting up a company to provide a service such as a bus service
- Providing a grant to an individual, e.g. an Olympic athlete

The general power is available automatically to principal councils and **only to ‘eligible’ parish councils**. The conditions for eligibility are:

- The parish council must pass a resolution stating that it is eligible to use the general power
- When the council passes the resolution at least two thirds of the membership of the council must have been elected (i.e. not co-opted)
- The clerk must hold the Certificate in Local Council Administration (the recognised qualification for clerks) and must also pass the 2012 CiLCA module on the general power

There is no requirement for councillors to have been trained in the General Power of competence

Eligibility lasts until the next annual meeting of the council (May 2018) but can be renewed at that meeting provided the conditions are still satisfied.

Parish councils which are eligible to use the general power are no longer within the scope of section 137 so no separate record of section 137 expenditure need be kept.

Hailsham Town Council now satisfies all the conditions as:

- Over two thirds of the Town Councillors are elected (i.e not co-opted)
- The Town Clerk holds CiLCA
- The Town Clerk has passed the 2012 CiLCA module on the general power

The Council is recommended to pass a resolution stating that it is eligible to use the General Power of Competence.



Historic England

Designation Application Checklist

November 2015

Before you start your application please review this checklist to ensure you have all the relevant information:

- The property address, or location information for sites without a postal address, so that we can clearly identify the building or site you are proposing.
- Ownership details including contact details. This is essential information so we can ensure people are informed and consulted when appropriate. If unknown, ownership information can usually be found on the [Land Registry](#) web site.
- Details of any current planning applications, permission or marine consent. This information can usually be found on your council website, or see the [Planning Portal](#) for further information.
- Photographs to support your application.
- The reasons why you believe the building or site should be assessed for listing (historic, architectural, archaeological, and/or artistic interest)
- Documentary evidence to support your application, such as historic maps and research reports – see the sources checklist below.
- A list of the books, articles, websites etc that you have used in completing your research.

Research Checklist

Where appropriate, the following web sources should be checked for information about the building or site you are proposing for listing:

Historic England [Selection Guides](#) set out the criteria against which buildings are assessed for listing.

The [National Heritage List for England](#) is a searchable database of all nationally designated heritage assets including listed buildings, scheduled monuments, registered parks and gardens, registered battlefields and protected wreck sites.

Historic England [Introductions to Heritage Assets](#) offer detailed overviews of different categories of archaeological sites.

Use the [Heritage Gateway](#) to search for archived information across national and local records of England's historic sites and buildings.

[Pastscape](#) allows you to search nearly 400,000 records held in our national historic environment database. You'll find information on archaeological, architectural and maritime sites.

[British History Online](#) is a digital library containing some of the core printed



Historic England

primary and secondary sources for the medieval and modern history of the British Isles.

The [Access to Archives](#) database contains catalogues describing archives held locally in England and Wales and dating from the eighth century to the present day.

[Images of England](#) is a 'point in time' photographic library of England's listed buildings, recorded at the turn of the 21st century. You can view over 300,000 images of England's built heritage giving you an indication of the sorts of buildings which might merit listing.

The [Oxford Dictionary of National Biography](#) contains details of the people who shaped the history of the British Isles and may be useful if the asset has a connection to a renowned person

Additionally there are numerous web sites dedicated to specific building types and we recommend that further research is done using the internet and your local record office, if appropriate.

Referencing Sources

It is important that we are able to refer to the sources which you use to support your application. The following information will allow us to do so:

For **books** please give the author(s), title, date and page references:

eg

Black, G, Lewis, S, Lender to the Rich, Giver to the Poor (1992), 169-200

Cherry, B, Pevsner, N, Buildings of England, London 4, North (1999), 534-535

Clarke, BFL, The Parish Churches of London (1966), 170

For **articles**, please give the author(s), article title, journal title, volume, date and page references:

eg

Clarke, J, 'Cones, not Domes: John Nash and Regency Structural Innovation', Proceedings of the 2nd International Congress on Construction History, Construction History Society, Vol 1 (2006), 102-108

Matthew Saunders 'Appreciating Victorian Arts and Crafts Stained Glass: a Battle Half Won', Ecclesiology Today, July 2008, 83-91

or, where anonymous

'Ada Lewis House', The Builder, Vol. 104 (23 May 1913), 56-7

For **websites**: please specify the title of the web page, the organisation and/or author, the URL (the complete web address), and the date the web page was accessed.

eg



Historic England

'West Pier Destroyed by Fire', BBC News, URL:

<http://news.bbc.co.uk/1/hi/england/2894981.stm> Date accessed 23 June 2011

'Old College Boys', UK National Inventory of War Memorials, URL:

<http://www.ukniwm.org.uk/server/show/conMemorial.4182/fromUkniwmSearch/1> Date accessed 1 July 2011

For **maps**: please specify the area or location, publisher and/or surveyor, date, and where the map can be obtained.

eg

Dorset (1:2500), Ordnance Survey, first edition 1886

Parish of Greenwich Tithe Map, FW Simmons, Civil Engineer, 1838

Temple Newsam Township Tithe Map, 1847, available from the West Yorkshire Archive Service

Chatham Field Defences, War Office 8 November 1914

Contact

listing.enquiries@HistoricEngland.org.uk

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Historic England

National Heritage List for England

Online Application Form

Step-by-Step Guidance

April 2019

These guidance notes are to accompany your application to add a building, site or monument (heritage asset) to the National Heritage List for England (NHLE or 'the List'), or for amending or removing a heritage asset which has already been listed. They also provide information on applications for Certificates of Immunity from Listing (COI) and Building Preservation Notices (BPN).

Listing is the term given to the practice of listing buildings, scheduling monuments, registering parks, gardens and battlefields, and protecting wreck sites. Anyone can put forward a building, site or wreck for listing. Equally, anyone can apply for the amendment or removal of an existing heritage asset from the List, as long as there are sufficient grounds for making such an application.

It is recommended that you refer to the guidance and fact sheets when completing your application. If you require advice about completing the form, or would like to request a fact sheet, please contact your regional Listing team (details below).

Types of Application

New

Select this application type if the subject of your application is not currently listed.

Amendment

Select this application type if you wish to apply for a change to an existing List entry. This includes changes to the address, mapped extent, description or grade. It would be helpful if you could provide the relevant List entry number, which can be obtained by searching the [National Heritage List for England](#)



Removal

Select this application type if you wish to apply to remove an existing heritage asset from the List.

- Please be aware that a building can only be removed from the List if it is no longer of special architectural or historic interest in a national context.
- We will not generally consider requests for de-listing whilst the building in question is the subject of enforcement action by the local planning authority or such action is likely, or is subject to other legal proceedings. Requests for de-listing will be considered on a case-by-case basis.
- De-listing is not an alternative to seeking the relevant listed building or planning consent. Please see our [de-listing guidance](#) for further details.
- Scheduled monuments can only be removed from the List if it can be clearly demonstrated that their special interest has been so degraded they can no longer be considered to be of national importance.
- For wreck sites, protection may be revoked by the Secretary of State if there is not, or is no longer, any wreck in the area which requires protection.

Certificate of Immunity (COI)

Anyone can apply for a Certificate of Immunity, regardless of whether they own the building in question. A Certificate of Immunity is a legal guarantee that the building or buildings named in the certificate will not be considered for listing as a building of special architectural or historic interest in a national context, for five years subsequent to the date on which the certificate is signed. A Certificate of Immunity also prevents the local planning authority from serving a Building Preservation Notice (BPN) on the building for the duration of the certificate. Statutory provisions relating to Certificates of Immunity are set out in Section 6 of the Planning (Listed Buildings and Conservation Areas) Act 1990. If an application for a Certificate of Immunity does not result in a certificate being issued, the building will normally be added to the statutory list.



Building Preservation Notice (BPN)

A Building Preservation Notice is a temporary listing served by the local planning authority under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Planning authorities and National Park authorities have the power to serve a Building Preservation Notice on the owner of a building which is not listed, but which they consider is of special architectural or historic interest in a national context and is in danger of demolition or alteration in such a way as to affect special interest. A Building Preservation Notice provides protection for a building for a period of six months after the notice is served whereby it is subject to the same considerations as if it were a listed building. All applications for listing triggered by a Building Preservation Notice should be submitted by the local planning authority to Historic England via the online application form. Please select Building Preservation Notice from the list when submitting your application as this will allow the BPN to be published on the List.

Enhanced Advisory Services

In addition to our free service, we offer two enhanced services in return for a fee to cover our costs. Our Fast-Track Listing service provides certainty sooner over whether or not a building meets the criteria for listing while our Listing Enhancement service produces more detailed List entries which set out clearly why the building has been listed and where its significance lies. Details of these services, and cost estimates, are available in the [Enhanced Advisory Services](#) section of our website. You can request an enhanced service in the Contacts page of the form. We will consider whether your case is suitable and contact you within three working days.

Completing Your Application

All applicants are requested to apply using the online application form which, once completed and submitted, is imported directly into Historic England's Unified Designation System (UDS). This speeds up the progress of initial assessment and allows us to make a decision about whether or not we can take the application forward as a full case. If you do not have access to a computer, it is possible to register a request for a paper application form by calling the relevant Listing team and talking to one of our Listing Co-ordinators (see contact details below).



Location

Please provide the name, address or location of the heritage asset you wish to be considered. It is important to provide a National Grid Reference (NGR) for the location of the asset if it does not have a postal address, for example a milestone, bridge, archaeological site, etc. There is information about National Grid References on the Ordnance Survey website, but there are a number of websites which will allow you to identify the NGR from a map (i.e. TL456876983).

<http://gridreferencefinder.com>

Map

You will be asked to highlight the building or site you have selected on a digital map. You can find simple step-by-step instructions on how to do this in our [Mapping Guide](#). Guidance is also available in the Help section of the mapping page itself.

Threat

It is important to provide details of any current planning permissions or applications including marine consent applications. To allow us to prioritise our strategic work, we can only take forward applications where the building or site falls under one of the following:

1. Is under serious threat of demolition or major alteration;
2. Is one of our [strategic listing priorities](#);
3. Has very strong potential for inclusion on the NHLE.

We are therefore unlikely to progress your application if the building or site is not currently under threat, so to help us make this judgement please provide as much information as possible in this section about the threat. You can get this information from your local planning authority website or from the [Planning Portal](#) or [Marine Management Organisation](#).



Ownership & Occupancy Details

In order for Historic England to carry out a full assessment of the heritage asset, it is important to provide us with the contact details of the owner of a building or site so that we may contact them to organise a visit. Failure to provide this information may delay your application. Owner details can be obtained from Land Registry Online at https://www.landregistry.gov.uk/wps/portal/Property_Search

When entering multiple owner/occupier details it would be helpful to indicate the extent of ownership for each dwelling or parcel of land. For instance, if applying to list a row of cottages, please indicate which owner owns which cottage or if applying for an amendment of a scheduled ancient monument, please supply the contact details of all the land owners within both the existing and proposed areas

If you are concerned that the owner may pre-emptively damage or destroy the asset on being notified of the application for listing it is essential that you inform us.

Change of use, unoccupied property or proposed sale are not considered to be threats in this context, although we would appreciate any information you are able to give us about the status of the building or site.

Reasons for Application

Your reasons for application should set out how the heritage asset meets the criteria for designation as set out in the Principles of Selection, and whether it has historic, archaeological, architectural or artistic interest. The asset may have interest in one or more of these categories. Include details of any alterations or losses to the building or site.

When considering a building for listing, we assess historic, archaeological, architectural and artistic interest against the [Principles of Selection for Listed Buildings](#) (DCMS November 2018). Details of what we consider when assessing sites for scheduling can be found in the [Scheduled Monuments Policy Statement](#) (DCMS October 2013). Detailed guidance on what we look for when assessing buildings for listing can be found in our [Selection Guides](#), which are



available on our website or can be requested from Historic England Customer Services (0370 333 0607). Similarly, the criteria used to assess sites for inclusion in the Register of Historic Parks and Gardens, the Battlefields Register, the Schedule of Ancient Monuments or the list of Protected Wrecks, are available via our [website](#) or by request from Historic England Customer Services as above.

Please be aware that condition is not a relevant consideration in the listing process unless it detracts from the special interest so much that the building no longer meets the criteria for listing. Similarly, economic and social factors cannot be taken into account during the assessment process.

Photographs

Please provide recent colour photographs of the building or site you would like us to consider. These should include where appropriate, exterior photographs of each side of the building including any architectural features and interior views of the main rooms. For archaeological sites, battlefields, parks and gardens, and marine sites, images of the site and any features and finds are essential. Photographs allow us to make an informed initial assessment of the heritage asset. Any photographs that you send will be used by us during the assessment and we will always seek permission first should we wish to use them for any other future purpose. Please provide a short description of, or label, each photograph. If you can provide us with copies of any historic photographs of the heritage asset, these can be extremely useful. Documents which contain historic photographs can be included in the Documents section.

When uploading photographs, please keep in mind that 1MB per photograph is more than suitable, however, if you would like to send a large number of photographs or any large photographs, please send them to us on a CD where possible.

Your application may be delayed if you do not provide adequate photographs, however, please take care not to trespass on private property when taking photographs.

If you are unable to provide us with photographs, please state why on the form.



Documents

Please provide copies of any documents, maps, charts, plans, drawings, book or journal extracts which support your application. Any documents that you send will be used by us during the assessment and we will always seek permission first should we wish to use them for any other future purpose. Please provide details of any documentary sources you have used or that you think might be useful to us in making our assessment.

Large documents, for example, plans, should be sent to us on a CD rather than as a hardcopy where possible.

Comments

This section is for any extra information that you think might be relevant to your application. For example it would be helpful to let us know if the subject lies within or close to any other protected areas (e.g. a Conservation Area or a World Heritage Site etc.) or if it is on a Local List.

Submitting Your Application

When you've completed every section of the form you will see a summary of your application. You can return to any section and add, edit or remove information as often as you like until you are happy with it. When you are ready, please scroll down to the bottom of the page and press the 'submit' button on the left-hand side.

You will receive a confirmation email once your application is submitted. If you do not receive this email, it is possible that your application has not been processed. If this should happen, please contact our Listing Helpdesk at Listing.Enquiries@HistoricEngland.org.uk.

You can find information about what happens next in the [Listing Process](#) section of our website.



Freedom of Information and Privacy Policy

As a public authority Historic England is subject to the Freedom of Information Act and Environmental Information Regulations. Information held by us, including that provided by third parties and private individuals, will be considered for release under the appropriate legislation upon request.

We will always store your personal details securely. We collect data that you provide to us and only ever collect the information we need in order to carry out our statutory purposes and that helps us to deliver and improve our services. We will only share personal data when we are required to by law or with carefully selected partners who work for us. If you would like to know more or understand your data protection rights, please take a look at our [privacy policy](#).

Contact Details

Listing Team East

Bedfordshire

Cambridgeshire

Derbyshire

Essex

Hertfordshire

Leicestershire

Lincolnshire

Norfolk

Northamptonshire

North East Lincolnshire

North Lincolnshire

Nottinghamshire

Rutland

Suffolk

Listing Team East

Historic England

Brooklands

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Historic England

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01223 582700

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Listing Team North

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County Durham

Cumbria

Greater Manchester

Humberside

Lancashire

Merseyside

Northumberland

Tyne & Wear Cleveland

East Riding of Yorkshire

North Yorkshire

South Yorkshire

West Yorkshire

Listing Team North

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37 Tanner Row

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Listing Team West

Avon

Bath

Bristol

Cornwall

Devon

Dorset

Gloucestershire

Herefordshire

Shropshire



Historic England

Somerset
Staffordshire
Warwickshire
West Midlands
Wiltshire
Worcestershire

Listing Team West
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BS1 4ND
01179 750700

ApplicationsWest@HistoricEngland.org.uk

Listing Team South

Berkshire
Buckinghamshire
Hampshire
Isle of Wight
Kent
London
Oxfordshire
Surrey
East and West Sussex

Listing Team South
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4th floor, Cannon Bridge House
25 Dowgate Hill
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Department for
Digital, Culture,
Media & Sport

PRINCIPLES OF SELECTION FOR LISTED BUILDINGS

November 2018

Contents

Introduction	3
The Selection of Listed Buildings	4
Background	
Listing	
Statutory criteria	
General principles	
Certificates of Immunity from Listing	
Building Preservation Notices	
Notes	8

Introduction

1. This document sets out the statutory criteria and general principles that the Secretary of State applies when deciding whether a building is of special architectural or historic interest and should therefore be added to the list of buildings compiled under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act"). The Secretary of State takes into account these criteria and general principles when considering his decision.

The Selection of Listed Buildings

Background

2. England is exceptionally rich in its heritage of historic buildings – some are national icons, known the world over. They range from the great cathedrals and houses, to more modest yet fascinating structures distributed right across the land. Together, they form a key aspect of the historic environment which lies all around us, and which enriches the lives of present and future generations.
3. Processes of classification are necessary for the practical purposes of identifying and protecting individual buildings. This is achieved through the statutory system for listing buildings. Listing is a celebration of special architectural and historic interest, and plays a vital part in safeguarding this legacy. It protects a diverse range of buildings and structures, from palaces to barns, tombstones to skate parks, sculpture to cinemas.
4. Listed buildings benefit from enhanced protection through the planning system through the processes of Listed Building Consent (LBC) and planning permission. Government planning policy can be found in the National Planning Policy Framework (NPPF).

Listing

5. Section 1 of the 1990 Act imposes a duty on the Secretary of State to compile or approve a list or lists of buildings of *special* architectural or historic interest ('listed buildings') as a guide to planning authorities when carrying out their planning functions.
6. For the purposes of listing, a 'building' includes any structure or erection and a 'listed building' includes any object or structure: (a) fixed to it; or (b) within its curtilage which, although not fixed to it, forms part of the land and has done so since before 1st July 1948, unless the list entry expressly excludes such things. In some cases, such as for works of art or sculptures, it will be necessary to consider the degree and purpose of annexation to the land or building to determine whether it may be listed under the 1990 Act.
7. Listed buildings are graded to reflect their relative special architectural and historic interest.
 - Grade I buildings are of exceptional special interest;
 - Grade II* buildings are particularly important buildings of more than special interest;
 - Grade II buildings are of special interest, warranting every effort to preserve them.
8. Details of listed buildings in England can be found by consulting the [National Heritage List for England](#) (NHLE), hosted on behalf of the Secretary of State by Historic England.
9. Requests for a building to be added to or removed from the statutory list, for a building's list entry to be amended, or for the issue of a Certificate of Immunity from listing under the terms of section 6 of the 1990 Act (see paragraphs 24-25 below), should be directed to Historic England (details of how to do so can be found at, <https://historicengland.org.uk/>). Historic England assesses such requests before submitting its recommendation to the Secretary of State (**Note 1**).
10. Requests for a Building Preservation Notice to be served under the terms of section 3 of the 1990 Act (see paragraphs 26-27 below) should be directed to the relevant local planning authority.

11. The Secretary of State's policy is to provide as much clarity as possible about where the special interest of buildings lie when listing them or revising an existing list entry. Section 1(5A) of the 1990 Act allows the Secretary of State to state definitively in a list entry if particular parts or features of the building (including any objects or structures that are fixed to it, or in its curtilage) are not part of the listed building or of special architectural or historic interest. Unless particular parts or features have been so excepted the protection conferred by listing applies to the whole of the building, not just its exterior (**Note 2**).
12. If the Secretary of State decides not to list a building that building will not usually be reconsidered for listing for a period of five years, unless new substantial evidence or understanding regarding its claims to special architectural or historic interest, or of threats of harm to, or total loss of, its significance, comes to light in the intervening period. In exceptional cases, this discretion could be exercised differently.
13. The Secretary of State will remove a building from the list if it no longer meets the statutory criteria. This may be because of new evidence or understanding of the special architectural or historic interest of the building, or a material change of circumstances (for example, the authorised demolition of a building). Where there is suggestion that there has been deliberate neglect, damage or destruction of a building, this will only result in consideration for de-listing after a rigorous appraisal of the facts has taken place. Requests for de-listing will not generally be considered whilst the building in question is the subject of enforcement action by the local planning authority or such action is likely, or is subject to other legal proceedings. If works regarding which listed building consent has been granted have been started but not completed, requests for de-listing will be considered on a case-by-case basis.
14. Requests for the internal review of listing decisions by the Secretary of State should be sent to the Department for Digital, Culture, Media and Sport within 28 days of publication of the decision. Details of the grounds on which an internal review may be carried out are published on GOV.UK (this can be found on www.gov.uk).
15. 'Local listing' – the non-statutory identification of heritage assets (including buildings) of local interest by local planning authorities – is a separate, but complementary process.

Statutory criteria

16. The Secretary of State uses the following criteria when assessing whether a building is of special architectural or historic interest and therefore should be added to the statutory list:
 - **Architectural Interest:**
To be of special architectural interest a building must be of importance in its design, decoration or craftsmanship. Special interest may also apply to particularly significant examples of building types or techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms. Engineering and technological interest can be an important consideration for some buildings. For more recent buildings in particular, the functioning of the building (to the extent that this reflects on its original design and planned use, where known) will also be a consideration. Artistic distinction can also be a factor relevant to the architectural interest of buildings and objects and structures fixed to them.
 - **Historic Interest:**
To be able to justify special historic interest a building must illustrate important aspects of the nation's history and / or have closely substantiated historical associations with nationally important individuals, groups or events; and the building itself in its current form will afford a strong connection with the valued aspect of history.

17. When making a listing decision, the Secretary of State may also take into account:

- **Group value:**

The extent to which the exterior of the building contributes to the architectural or historic interest of any group of buildings of which it forms part, generally known as group value. The Secretary of State will take this into account particularly where buildings comprise an important architectural or historic unity or a fine example of planning (e.g. squares, terraces or model villages) or where there is a historical functional relationship between the buildings. Sometimes group value will be achieved through a co-location of diverse buildings of different types and dates.

- **Fixtures and features of a building and curtilage buildings:**

The desirability of preserving, on the grounds of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.

- **The character or appearance of conservation areas:**

In accordance with the terms of section 72 of the 1990 Act, when making listing decisions in respect of a building in a conservation area, the Secretary of State will pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

General principles

18. Age and rarity: the older a building is, and the fewer the surviving examples of its kind, the more likely it is to have special interest. The following chronology is meant as a guide to assessment; the dates are indications of likely periods of interest and are not absolute. The relevance of age and rarity will vary according to the particular type of building because for some types, dates other than those outlined below are of significance. However, the general principles used are that:

- before 1700, all buildings that retain a significant proportion of their original fabric are likely to be regarded of special interest;
- from 1700 to 1850, most buildings that retain a significant proportion of their original fabric are likely to be regarded of special interest, though some selection is necessary;
- from 1850 to 1945, because of the greatly increased number of buildings erected and the much larger numbers that have survived, progressively greater selection is necessary;
- careful selection is required for buildings from the period after 1945, another watershed for architecture.

19. Buildings less than 30 years old: such buildings are not normally considered to be of special architectural or historic interest because they have yet to stand the test of time. It may nevertheless be appropriate to list some modern buildings despite their relatively recent construction – for example, if they demonstrate outstanding quality (generally interpreted as being equivalent to Grade I or II*). The Secretary of State calculates the age of a building from the point at which the ground was first broken.

20. Aesthetic merits: the appearance of a building (both its intrinsic architectural merit or any group value) is often a key consideration in listing, but the special interest will not always be reflected in obvious external visual quality. Buildings that are important for reasons of technological or material innovation, engineering or as illustrating particular aspects of social or economic history, may have little external visual quality but can still be of special interest.

21. Selectivity: where a building qualifies for listing primarily on the strength of its special architectural interest, the fact that there are other buildings of similar or identical quality elsewhere is not likely to be a major consideration. However, a building may be listed primarily because it represents a

particular historical type to ensure that examples of such a type are preserved. Listing in these circumstances is largely a comparative exercise and needs to be selective where a substantial number of buildings of a similar type and quality survive. In such cases, the Secretary of State's policy is generally to list only the most representative or most significant examples of the type.

- 22. National interest:** the emphasis in this document is to establish consistency in selection to ensure that not only are all buildings of strong intrinsic national architectural or historic interest included on the statutory list, but also the most significant or distinctive regional buildings that together make a major contribution to the national historic stock. For instance, the best examples of vernacular buildings will normally be listed because they illustrate the importance of distinctive local and regional building traditions. Similarly, for example, some buildings will be listed because they represent a nationally significant but localised industry, such as shoemaking in Northamptonshire or cotton production in Lancashire.
- 23. State of repair:** the general state of repair and upkeep of a building will not usually be a relevant consideration when deciding whether it meets the test of special architectural or historic interest. The Secretary of State will list a building that has been assessed as meeting the statutory criteria, irrespective of its state of repair. Loss of original fabric will however be a relevant consideration when considering special interest.

Certificates of Immunity from listing

- 24.** Upon application the Secretary of State may choose to issue a Certificate of Immunity (COI) from listing under the terms of section 6 of the 1990 Act. A COI precludes the Secretary of State from listing a building, and a local planning authority from serving a building preservation notice in relation to it, for a period of five years from the date of issue. COIs provide the owners / developers of a building with certainty over its possible listing. Upon application for a COI, the building is considered for listing: this may result in the Secretary of State choosing to list the building, to issue the COI, or – in exceptional circumstances – to do neither.
- 25.** The Secretary of State's policy is not to accept applications for a subsequent COI for a building if the current one remains valid for two years or longer, and then, only if there is clear justification for doing so. Whilst renewal is common, it cannot be assumed that a second COI will be issued as a fresh assessment will be completed and circumstances may have changed since the issue of the original, particularly if new evidence or understanding regarding the building's claims to special architectural or historic interest comes to light in the intervening period.

Building Preservation Notices

- 26.** Local planning authorities have the power under section 3 of the 1990 Act to serve a Building Preservation Notice (BPN) on the owner and occupier of a building that is not listed, but which they consider to be: (a) of special architectural or historic interest; and (b) in danger of demolition or of alteration in such a way as to affect its character as a building of such interest. Local planning authorities choosing to serve a BPN must, at the same time, submit an application to the Secretary of State through Historic England for the building to be added to the statutory list.
- 27.** Once a BPN has been served on the owner and occupier of the building to which it relates, it remains in force for six months, but will cease to be in force before that point if the Secretary of State lists the building or informs the local planning authority in writing that he does not intend to do so. Whilst the BPN is in force, the building is treated as if it were a listed building.

Notes

Note 1:

Historic England publishes a range of Listing Selection Guides (<https://www.historicengland.org.uk>). These provide detailed information relating to different building types and indicate features that are considered significant when assessing the special architectural or historic interest of particular building types from different periods, regions, or styles. It is recognised that some buildings are unique or will fall into more than one building type. These Selection Guides are updated and revised as needed to reflect our growing understanding of the significance of particular types of building. Their content does not form part of the Secretary of State's policy or guidance on listing.

Note 2:

Historic England has published a note to help in understanding how to judge whether a building is within the curtilage of a listed building, <https://www.historicengland.org.uk>.

We can also provide documents to meet the specific requirements for people with disabilities. Please email enquiries@culture.gsi.gov.uk

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