

ILLOGAN PARISH COUNCIL

Minutes of the Governance Review Committee held at The Council Office,  
Tolvaddon Energy Park on Wednesday 22<sup>nd</sup> January 2014 at 7.00pm.

PRESENT: Councillors Ekinsmyth, Bentley (not a member of this committee),  
Ford, Mrs Loxton and Pavey

ALSO PRESENT: Ms S Willsher, Clerk

Cllr Ford opened the meeting and explained the safety procedures.

**GR14/01/1 TO ELECT A CHAIRMAN FOR THE REMAINDER OF THE  
2013/2014 MUNICIPAL YEAR**

It was proposed by Cllr Ford, seconded by Cllr Ekinsmyth and

**GR14/01/1.2 RESOLVED: to elect Cllr Mrs Thompson Chairman of  
the Governance Review Committee for  
the remainder of the 2013/2014  
municipal year.**

On a vote being taken the matter was approved unanimously.

It was proposed by Cllr Mrs Loxton, seconded by Cllr Pavey and

**GR14/01/1.3 RESOLVED: that Cllr Ford would chair this meeting  
until Cllr Mrs Thompson arrived.**

On a vote being taken the matter was approved unanimously.

**GR14/01/2 TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Ferrett and from Cllr Mrs  
Thompson for late arrival.

**GR14/01/3 MEMBERS TO DECLARE DISCLOSABLE PECUNIARY  
INTERESTS AND NON-REGISTERABLE INTERESTS  
(INCLUDING THE DETAILS THEREOF) IN RESPECT OF ANY  
ITEMS ON THE AGENDA AND ANY GIFTS OR HOSPITALITY  
OVER £25**

There were no interests declared.

**GR14/01/4 TO CONSIDER APPLICATIONS FROM MEMBERS FOR  
DISPENSATIONS**

There were no applications from members for dispensations.

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**GR14/01/5 PUBLIC PARTICIPATION**

There were no comments from the public.

**GR14/01/6 TO APPOINT A VICE CHAIRMAN FOR 2013/2014**

It was agreed to defer this item until the last item of business.

**GR14/01/7 TO RECEIVE AND APPROVE THE MINUTES OF THE MEETINGS OF THE GOVERNANCE REVIEW COMMITTEE HELD ON THE 31<sup>ST</sup> JULY 2013 AND THE 11<sup>TH</sup> SEPTEMBER 2013 AND THE CHAIRMAN TO SIGN THEM**

It was proposed by Cllr Ford, seconded by Cllr Pavey and

**GR14/01/7.2 RESOLVED: that the minutes of the Governance Review Committee meeting held on the 31<sup>st</sup> July 2013 are received and approved with the addition of Cllr Pavey being present and signed by the Chairman.**

On a vote being taken the matter was approved unanimously.

It was proposed by Cllr Ford, seconded by Cllr Ekinsmyth and

**GR14/01/1.2 RESOLVED: that the minutes of the Governance Review Committee meeting held on the 11<sup>th</sup> September 2013 are received and approved and signed by the Chairman.**

On a vote being taken the matter was approved unanimously.

It was agreed that the fire risk assessment would be circulated to members and included on the agenda for the Governance Review Committee meeting to be held on the 26<sup>th</sup> February 2014.

Cllr Ford formally congratulated the Clerk on the thorough nature of the draft policies to be discussed.

**GR14/01/8 TO RECEIVE THE REVISED HEALTH AND SAFETY POLICY AND MAKE RECOMMENDATIONS TO FULL COUNCIL**

Cllr Mrs Thompson entered the meeting at 7.40pm.

Members discussed first aid arrangements and first aiders, the accident book and ensuring it is taken to all meetings that are held outside of the Council Office.

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It was proposed by Cllr Ford, seconded by Cllr Mrs Loxton and

- GR14/01/8.2 RESOLVED:** to receive and recommend that the Full Council adopts the Revised Health and Safety Policy with the correction to the typographical errors; with page 4 being amended to read 'Overall and final responsibility for health and safety is that of The Council'; page 4 statement of general policy being amended to read 'To engage and consult with employees on day-to-day health and safety conditions and if necessary advise referral to occupational health' and that the following sentence is added to page 7 under Duty of Employees 'Take responsibility for health and safety at work, report or recommend issues or improvements as they arise'.

On a vote being taken the matter was approved unanimously.

- GR14/01/9 TO RECEIVE AND APPROVE THE REVISED GENERAL RISK ASSESSMENT, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE**

It was proposed by Cllr Pavey, seconded by Cllr Mrs Loxton and

- GR14/01/9.2 RESOLVED:** to receive and approve the revised general risk assessment with the following amendments – the pages will be numbered; under the council fails to act in a lawful manner include in the measures taken column that the Council maintains a training log including certificates where appropriate and that there would be a report on training completed included in the Council's annual report; page 5 is amended to read 'Code of Conduct signed, and Register of Interest completed and maintained by each Councillor'; page 5 add that there is a link to the page of the Cornwall Council website which has members register of interest forms on the Council's website'; page 6 is

**amended to read ` Contracts not state that contractors must adhere to Health and Safety Regulations – please see the Council’s Management of Contractor Policy’; page 7 is amended to read `Internal Financial Controls to be reviewed at least annually between May and July by the Finance and Resources Committee’.**

On a vote being taken the matter was approved unanimously.

**GR14/01/10 TO RECEIVE AND APPROVE THE DRAFT MANAGEMENT OF CONTRACTORS POLICY, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE**

It was proposed by Cllr Mrs Loxton, seconded by Cllr Pavey and

**GR14/01/10.2 RESOLVED: to receive and approve the draft Management of Contractors Policy as attached at the end of these minutes.**

On a vote being taken the matter was approved unanimously.

**GR14/01/11 TO RECEIVE AND APPROVE THE DRAFT EMPLOYEE CONSULTATION POLICY, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE**

It was proposed by Cllr Ekinsmyth, seconded by Cllr Mrs Loxton and

**GR14/01/11.2 RESOLVED: to receive and approve the draft Employee Consultation Policy with the rewording as follows: `Illogan Parish Council will consult its employees on the following at least annually during the annual appraisal process or at any such time as is appropriate’.**

On a vote being taken the matter was approved unanimously.

**GR14/01/12 TO RECEIVE AND APPROVE THE DRAFT TREE SAFETY POLICY, AGREE ANY FUTURE ACTIOS AND ANY ASSOCIATED EXPENDITURE**

It was proposed by Cllr Pavey, seconded by Cllr Ford and

**GR14/01/12.2 RESOLVED: to receive and approve the draft**

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**Tree Safety Policy as attached at the end of these minutes.**

On a vote being taken the matter was approved unanimously.

**GR14/01/13 TO APPOINT A VICE CHAIRMAN FOR 2013/2014 MUNICIPAL YEAR**

It was proposed by Cllr Pavey, seconded by Cllr Ekinsmyth and

**GR14/01/13.2 RESOLVED: that Cllr Mrs M Loxton is appointed Vice Chairman for 2013/2014 municipal year.**

On a vote being taken the matter was approved unanimously.

**GR14/01/14 DATE AND TIME OF NEXT MEETING**

The next meeting would be held on Wednesday 26<sup>th</sup> February 2014, 7pm in the Council Office.

There being no further business the Chairman closed the meeting at 9.05pm.

Signed: ..... Chairman

Date: .....

Clerk: Ms Sarah Willsher  
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## **ILLOGAN PARISH COUNCIL**

### **Management of Contractors**

A contractor is anyone Illogan Parish Council asks to do work for them that is not an employee.

Illogan Parish Council and the contractor both have responsibilities under health and safety law. The Council and the contractor need to take the right precautions to reduce the risks of workplace dangers to employees and the public.

Illogan Parish Council will:

- **Identify the job**

Illogan Parish Council will clearly identify all aspects of the work they want the contractor to do in a job specification which will consider the health and safety implications of the job and the level of risk will depend on the nature and complexity of the work. The Council will provide potential contractors with this information and make sure that they know and understand the performance expected of them.

- **Select a suitable contractor**

Illogan Parish Council will satisfy themselves that the contractor they choose can do the job safely and without risks to health. The Clerk will enquire on the Council's behalf about the competency of the contractor, their combination on skills and knowledge. The degree of competence required will depend on the work and complexity of the job.

All potential contractors will complete the attached Contractor Competency Form.

- **Assess the risks of the work**

Both the Council and the Contractor will think about the planned work:

- What can harm people?
- Who might be harmed and how?
- How will the risks be controlled?

A risk assessment must be done and both the Council and the contractor will be party to it. The contractor must assess the risks for the contracted work. The Clerk (on behalf of the Council) and the contractor will get together to consider any risks from each other's work that could affect the health and safety of the workforce or anyone else. The Clerk (on behalf of the Council) and the contractor will agree the risk assessment for the contracted work and the preventative and proactive steps that will apply when the work is in progress. If subcontractors are involved they will be part of the discussion and agreement. All measures needed to control the risk will be agreed between the Clerk and contractor before any work starts.

- **Provide information, instruction and training**

The Council, contractor and subcontractors will provide their employees with information, instruction and training on matters which may affect their health and safety. The Clerk, contractors and subcontractors will agree what information will be passed between them and appropriate ways to communicate with each other throughout the process. The Clerk (on behalf of the Council) will make sure that the contractors, subcontractors and their employees have information on:

- Health and safety risks they may face;
- Measures in place to deal with those risks;
- The Council's emergency procedures.

- **Cooperate and coordinate with the contractor**

The Clerk (on behalf of the Council) will work together with the contractors and subcontractors to coordinate all activities, to make sure that the work can be done safely and without risks to health. The Clerk will regularly meet with the contractor throughout the length of the contract. The level of cooperation

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and coordination needed will be agreed before work starts and will depend upon:

- The job to be done;
- The number of contractors and/or subcontractors involved;
- The risks involved.

- **Consult the workforce**

Illogan Parish Council will regularly consult its employees on health and safety matters to help the Council to make better decisions on the actual risks and the measures to control them, employees will be consulted on:

- How the contractors work will affect the Council employees' health and safety;
- Information and training;
- Making sure they know how to raise any concerns they may have about the contractors and their work.

- **Manage and supervise the work**

The Clerk (on behalf of the Council) will make regular checks on contractors, the work being completed, whether the contractors are working in a safe way and complying with the control measures put in place.

The Clerk will agree with the contractor how the work will be done and the precautions that will be taken including:

- What equipment should or should not be worked on/used;
- Personal protective equipment to be used and who will provide it;
- Working procedures, including any permits-to-work
- The number of people needed to do the job;
- Reporting of accidents and safekeeping of records and plans;
- Regular site visits, monitoring and safety inspection records will be completed as appropriate.

The Council, contractors and subcontractors will monitor their health and safety performance by checking that risk assessments are up to date and that the control measures are working.

If things go wrong, e.g. near misses, accidents, ill health, the Clerk (on behalf of the Council) will investigate what went wrong and what can be done to prevent it happening again. The Clerk will discuss the findings of any



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investigation with the contractors, subcontractors and the workforce. The Clerk will inform the Chairman and Vice Chairman and any other appropriate persons promptly and will report to the Full Council as soon as practicable.

- **Review**

The Clerk and the contractor will review the process and consider ways to improve performance in the future. A full report will be given to the Governance Review Committee and Full Council.

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### Contractor Competency Form

<b>Company Name:</b>	
<b>Address:</b>	
<b>Name and Position of person completing this form:</b>	
<b>Please provide details of the experience you have in the type of work specified in the job specification</b>	

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<b>What arrangements will you have for managing the work? For example who will be responsible, how will the work be supervised, what checks do you make on equipment materials etc?</b>	
<b>Will you be using subcontractors and if so how will you check they are competent?</b>	
<b>What is your recent health and safety performance? For example how many accidents and cases of ill health have you had and has the HSE taken any action against you?</b>	

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<b>Do you have a written health and safety policy? If yes, please provide a copy.</b>	Yes/No
<b>Can you provide existing risk assessments done for similar jobs?</b>	Yes/No
<b>What qualifications, skills and experience do you and your workers have in this type of work?</b>	
<b>What health and safety information and training do you provide for your workers?</b>	
<b>How do you consult your workforce on health and safety?</b>	

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<b>Will you produce a safety method statement for the job?</b>	Yes/No

**Signed:** .....

**Date:** .....

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**Safety Inspection Record**

<b>Name:</b>				
<b>Location:</b>				
<b>Date:</b>				
<b>Time:</b>				
<b>Operation:</b>				
<b>Staff on Site and Responsibilities:</b>				
	<b>Checked and being correctly implemented Y/N</b>	<b>Comments</b>	<b>Action Required</b>	<b>Completed</b>

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<b>Risk Assessment correctly used</b>				
<b>Method Statement</b>				
<b>Site organisation</b>				
<b>PPE – available, used correctly etc</b>				
<b>Site set up/layout suitable and controlled</b>				

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<b>Correct cordoning, signing, lighting and guarding etc</b>				
<b>General organisation – tidiness</b>				
<b>Emergency procedure and first aid provision</b>				
<b>Effective communication</b>				
<b>Other site issues e.g. water, sharps</b>				



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<b>Tools and equipment</b>				
<b>Vehicles</b>				
<b>Other Observations</b>				

**Signed:** .....

**Date:** .....

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## **ILLOGAN PARISH COUNCIL**

### **Tree Safety Policy**

The main area of trees that are the responsibility of Illogan Parish Council is Manningham Wood. This policy will cover Manningham Wood and all other areas that contain trees that the Council is responsible for.

Manningham Wood is adjacent to Robartes Terrace and otherwise is surrounded by residential dwelling.

Manningham Wood is leased by Illogan Parish Council from two landowners. As lessees it is Illogan Parish Council's responsibility to reasonably protect members of the public, contractors and staff that enter the wood.

There is public access to Manningham Wood all of the time. There are designated paths through the wood. The paths are highly used by parents and children on their way to and from Illogan School and also by dog walkers and leisure walkers. Illogan Parish Council's contractor is in the wood two to three times a week completing various tasks including litter picking, maintenance and health and safety inspections. Other contractors enter the wood to empty the bins, maintain the benches and complete tree works when required. There are benches, information signs that form part of a nature trail and carvings located around the wood.

Illogan Parish Council will manage the risks from trees in a balanced way to maximise the benefits from trees whilst taking reasonable precautions to protect the safety of its members, employees, contractors and members of the public. It will achieve this by adopting procedures for the inspection, management and maintenance of trees proportionate to the risks identified. Resources will be identified to manage the risks in a prioritised way whilst seeking to maintain or enhance the overall asset value.

## **Zoning by level of Risk**

The highest risk areas are adjacent to public paths; adjacent to the highway, adjacent to neighbouring properties and structures; near seating and information boards.

The lowest risk areas are in the middle of the woodland that is not accessed by people and where falling trees or parts of trees will not interfere with the high risk areas.

## **Inspection Regime**

There will be two types of inspections:

1. Detailed inspections and
2. Formal inspections supported by detailed inspections.

All inspections will be completed by a competent person with the appropriate level of training.

### **Detailed Inspections**

The Council will commission a full tree survey by a suitably qualified person every three years. A light touch tree survey will be completed by a suitably qualified person in between the full tree surveys.

The person completing the full and light touch tree surveys will be trained to a minimum of Level 3 arboricultural qualification with at least two years practical experience of tree management and surveying.

Inspections will be undertaken on a cyclical basis starting; winter of 2013, autumn 2014, summer 2015, spring 2016, winter 2017 etc

The details of the inspections and the significant defects identified will be recorded along with recommendations for further action.

### **Formal Inspections**

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Monthly tree inspections will be completed by the Clerk of the Council or a competent person; all findings will be recorded.

The Clerk or a competent person will also inspect the trees after strong winds, heavy rainfall, and storms and in response to any concerns reported by members of the public, councillors, contractors or other officers of the Council.

The Clerk of the Council and the competent person will be trained to a minimum of Level 1 in tree inspections.

If there are any defects or concerns the Clerk will get a suitably qualified arborologist to assess the tree and provide a written report as to its condition and any remedial works required. The monthly inspection will provide one of the following three outcomes:

1. The tree(s) has no observed significant defects and therefore requires no further action.
2. The tree(s) requires a more detailed inspection, or the inspector needs further advice or clarification from a suitably qualified arborologist. The tree will be prioritised as being low, medium or high risk.
3. The work is an emergency. In emergency situations the Clerk will instruct a suitably qualified contractor to complete the work required and make the tree(s) safe. The area around the tree(s) will be cordoned off to ensure public safety.

### **Remedial Works**

The Clerk has delegated powers to instruct a contractor to complete remedial works to trees that are dangerous or high risk.

The Clerk will obtain three quotes for all other tree works required and will present them to the Planning and Environment Committee who will consider the quotes and appoint a contractor to complete the works.

### **Managing Risk**

Illogan Parish Council recognises its duty under the Health and Safety At Work Act 1974 and otherwise under the law to protect employees and members of the

public, so far as is reasonably practicable, from danger arising from trees on its premises for which Illogan Parish Council has a duty of care.

Trees form a dynamic biological resource subject to the vagaries of pests and diseases, extremes of weather and the influence of human activities. Furthermore, as trees grow and mature they may develop dead wood, cavities or other potential defects such as is a natural part of the aging process.

Where a tree's condition has some weakness that renders it significantly likely to fail, it becomes a 'hazard'. Where there is both a hazard and a target (i.e. people or property) that may be damaged by failure of a tree or part of a tree, then there is a quantifiable risk that requires assessment and management.

Risk assessment of trees is implemented through regular inspections, undertaken by competent people as part of a prioritised survey programme, linked to timely actioning of appropriate remedial tree work.

## **Records**

Records, including maps, provide the basis for safety management reviews and, in the extremely rare event of an accident, can support evidence of reasonable tree management. It is not necessary to record every tree inspected. However, records of trees presenting a serious risk and requiring treatment are useful, as is a record of how they have been treated.

Illogan Parish Council will keep records of when inspections are carried out, who has completed the inspection, the recommendations for work to trees and any actions taken and when tree work has been carried out.

## **Trees within falling distance of the road (Robartes Terrace)**

During the monthly tree inspections the person completing the inspection will walk along the pavement to inspect the trees adjacent to the road.

The Clerk or competent person will also inspect the trees after strong winds, heavy rainfall, and storms and in response to any concerns reported by members of the public, councillors, contractors or other officers of the Council.

## **Methods of Reporting and How the Council will deal with reports**

Concerns regarding Manningham Wood or any other trees can be telephoned, emailed or reported to the Clerk in the Council Office by members of the public, councillors, contractors or other staff. Once the Clerk receives a report regarding trees they will be responsible for arranging a site visit and inspection of the tree(s) in question by a competent person and a record of the findings will be kept by the Clerk. If there are any defects or concerns the Clerk will get a suitably qualified arborologist to assess the tree and provide a written report as to its condition and any remedial works required. The inspection will provide one of the following three outcomes:

1. The tree(s) has no observed significant defects and therefore requires no further action.
2. The tree(s) requires a more detailed inspection, or the inspector needs further advice or clarification from a suitably qualified arborologist. The tree will be prioritised as being low, medium or high risk.
3. The work is an emergency. In emergency situations the Clerk will instruct a suitably qualified contractor to complete the work required and make the tree(s) safe.

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**Tree Inspection Form**

<b>Name:</b>	
<b>Date:</b>	
<b>Time:</b>	
<b>Location:</b>	
<b>Area inspected:</b>	
<b>Type of inspection (i.e. planned or reactive)</b>	
<b>Findings (please state if significant defects are found):</b>	
<b>Actions required:</b>	

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<b>Date actions completed and by who:</b>	