

AGENDA FOR THE OPERATIONS COMMITTEE MONDAY 25TH JUNE 2018 AT THE GUILDHALL TOTNES

You are hereby summoned to attend the Operations Committee Meeting, which is to be held in the Guildhall, Totnes on **Monday 25th June 2018 at 4pm** for the purpose of transacting the following business:

DUD	in east				
No	Subject	Comments			
1	To receive apologies and to confirm that any absence has the approval	Cllr T Whitty, Cllr M			
	of the Council.	Adams			
2	To vote a temporary chair of the meeting in the Chair's absence				
The Committee will adjourn for the following item:					
	Public Question Time: A period of 15 minutes will be allowed for members of the public to ask				
que	questions or make comment regarding the work of the Committee or other items that affect Totnes.				
The Committee will convene to consider the following items:					
3	To discuss any matters arising from the minutes of the last meeting	Enclosure			
	(already agreed through Full Council).				
4	To consider funding options for youth nights in the Pavilions	Verbal update Town			
		Clerk			
5	To consider how to support a 'Plastic Free' campaign in Totnes	Enclosure			
6	To consider a report from St Mary's Partnership	Enclosure			
7	To receive a Neighbourhood Plan update	Cllr R Adams to			
		table a paper			
8	To consider the Totnes Market Square concept designs	Verbal update Town			
		Clerk			
9	To consider a new Data Protection Policy	Enclosure			
10	To note the date of the next meeting: Monday 9th July 2018 at 7pm				
	(Council Matters Committee)				
The	Council will be asked to RESOLVE to exclude the press and public "by reaso	n of the confidential			
nature of the business" to be discussed and in accordance with the Public Bodies (Admission to					
Meetings) Act 1960.					
11	To consider quotes received for the Totnes Guide design and printing	Enclosure			
	(commercially sensitive)				

Committee members:

Cllr T Whitty (Chair)

Cllr M Adams

Cllr R Adams

Cllr E Price

Cllr J Westacott

Cllr J Hodgson

Cllr P Paine

Future meetings agenda items:

- Update Statement of Internal Control
- To review the Risk Assessment programme
- CCTV
- Councillor Expenses
- Grants Awards Policy
- Air Pollution
- Investments
- Play Areas

Catherine Marlton
Town Clerk

Heennelland

L



MINUTES FOR THE OPERATIONS COMMITTEE WEDNESDAY 23RD MAY 2018 AT THE GUILDHALL TOTNES

Present: Councillor M Adams (Chairman), Paine (late arrival), R Adams, Price, Westacott MBE and Sweett Apologies: None

In Attendance: Catherine Marlton (Town Clerk), Cllr Hendriksen, Cllr Hodgson, Cllr Allen, Cllr Simms, 1 member of the press.

No	Subject	Comments				
1	To receive apologies and to confirm that any	Cllr Paine gave apologies for any late arrival.				
	absence has the approval of the Committee.					
	The Committee will adjourn for the following item:					
Puk	Public Question Time: A period of 15 minutes will be allowed for members of the public to ask questions					
	or make comment regarding the work of the Committee or other items that affect Totnes.					
The Committee will convene to consider the following items:						
2	To discuss any matters arising from the	None.				
	minutes of the last meeting (already agreed					
	through Full Council).					
3	To consider the budget monitor and any	The budget monitor was considered and noted.				
	virements needed.	The savings of approx. £53,000 was commended,				
		particularly in light of the investment needed in				
	2 4	existing assets over the next 5 years.				
4	To consider the Annual Return for	It was RECOMMENDED to Full Council that the				
	recommendation to Full Council.	Annual Return be approved.				
5	To consider the revised Standing Orders.	The committee adjourned to allow free discussion				
		Cllr Hodgson felt the Standing Orders should				
		remain the same and the committee structure				
		should be unchanged. She was concerned that an				
		amalgamation would make meetings lengthier and				
		not allow sufficient time for discussion.				
		Cllr Allen was supportive of a change that				
	,	facilitated the meetings being held in the evenings				
		when members of the public are more likely to				
		attend.				
		Cllr R Adams felt the proposed changes allowed for				
		more public participation and for business to be				
		dealt with more efficiently.				
	p e	Cllr Price felt the new format was worth				
		implementing and that as long as the agendas are				
		tight and all the papers circulated in advance				
		Councillors should be able to keep meetings to a more reasonable length.				
		Inore reasonable length.				

Cllr Sweett felt that more time should be spent reviewing the Standing Orders and considering what times suits Councillors to meet.

Cllr Westacott felt that a calendar of meetings should be set over the course of the year and not be changed to accommodate individual Councillors. She was concerned that the amalgamation of People and Planning would result in very long meetings and suggested whether Operations and Personnel should be the first trial.

Cllr M Adams felt that the new proposed structure was worth trying and said that they could always change it later in the year.

Cllr Simms was happier with the idea of People Committee items being dealt with on a monthly basis and felt that may reduce the time spent on each agenda.

The Town Clerk explained that she had spoken to other committee clerks, researched how other Councils operate and had spoken to Frome and Buckfastleigh Town Councils about their committee structure. She felt confident that the new proposed structure was workable and worth trialling for the remainder of 2018/19 to see if this is a more effective way of working. This would allow opportunity to see what works and what doesn't, in time to feedback to the new Council starting in 2019. She stressed that Standing Orders can be reviewed earlier and amended should the new committee structure become unworkable.

The committee reconvened

It was **RECOMMENDED** to Full Council that the amended Standing Orders with the new committee format was adopted.

It was felt important that Councillors had time to consider which committees they would like to be considered for in the new proposed structure. It was therefore proposed that the following timeline be used:

	To according the CLIDC properties of the trace of an	 Monday 4th June Full Council – consider recommendation from Full Council on Standing Orders Tuesday 5th June – Monday 25th June – Councillors put themselves forward for committees Monday 2nd July - Full Council undertakes elections to the new committees and agrees annual calendar of dates. Tuesday 3rd July – new committee structure and Standing Orders starts January/February 2019 – review of Standing Orders starts through committee. 		
6	To consider the SHDC proposal of the transfer of play area assets (at Collapark, Smithfields and Westonfields) to Totnes Town Council.	It was AGREED that the Town Clerk would liaise with SHDC and put together costings and proposals for a future Operations Committee to consider.		
7	To consider taking on the maintenance of the Borough Park Flower Bed at the Station Road entrance.	It was AGREED that further information was needed as to the location of any flower bed and the maintenance of the existing rockery herb garden. The Town Clerk will investigate and report back.		
8	To note the date of the next meeting: Monday 25 th June , time TBC.	It was AGREED that the Town Clerk would set a time based on the most committee members being able to attend. Future dates would be set after the decision taken on Standing Orders at the June Full Council.		
The	The Council will be asked to RESOLVE to exclude the press and public "by reason of the confidential nature of the business" to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960.			
9	To consider and agree the bank and petty cash reconciliations (confidential as contains personal information of payees)	These were noted and AGREED.		

Catherine Marlton

Town Clerk



ITEM 5 - PLASTIC FREE TOTNES?

Correspondence and information received on this issue:

CLLR JO SWEETT:

I'm going with the teenagers suggestion of getting the community fountains and taps switched on with proper fountain buttons.

One in market square, tap is in corner near TI point, one is in wall of top "market" car park, street side, fountain in Dartmouth square, Rugby club tap?, another by Pavillion added??

This will cut down single use plastic bottles and discourage fizzy/ sugary drinks. Milk delivery. Can this be more encouraged, widely advertised and cheaper? More products delivered in glass bottles?

Water fountain needs to be included in market square plans, it comes up at every consultation, I hope it isn't overlooked.

DEVON COMMUNITY RECYCLING NETWORK:

I appeared at the April Town Council meeting to say few words about a local plastic reduction project which has been developing over the last 6-9 months, starting with introduction of Refill Devon in September (refillable water bottle scheme rolled out by TTT volunteers). https://www.transitiontowntotnes.org/groups/waste-resources/refill-totnes/

I voluntarily lead the TTT 'Waste Into Resources' Group with nearly 70 Totnesians who have attended meetings, we meet again tomorrow evening to further working groups on a film night and public engagement events planned for this month and next.

I also coordinate Devon Community Recycling Network with links to many Plastic pollution community campaigns across south Devon. That includes work with SHDC councillors and south Devon AONB over the last 6 weeks or more to produce a leaflet for people in the area, to cover Totnes around River Dart area. I met with Sarah Wollaston last week and she gave her full support to the 'Plastic Free Totnes' campaign.

Did you see the article about 'Plastic Free Totnes' in May in the Totnes Times, reported on by Steve Peacock who attended the April council meeting and interviewed me afterwards?

I look forward to contributing significantly to the debate as I am very well abreast of the possible approaches and campaign objectives towards changing behaviour and discouraging avoidance to single use plastics. Totnes is of course very well placed for this and Town Council involvement and support would be marvellous. We need as many people on board as possible and support of local councils is the first objective we need to achieve status as a 'Plastic Free Coastline Town' (specifically 'single use plastics') having signed up as a group to the 'SAS' campaign which has been enormously popular and progressive across the UK with numerous Devon

Towns involved, see the following link: https://www.sas.org.uk/plastic-free-communities/

TRANSITION TOWN:

Refill Totnes

Volunteers from Transition Town Totnes have been signing up businesses for a new scheme to offer passers-by the chance to refill reusable water bottles with tap water for free, as part of a wider initiative. Refill Devon builds on the success of Refill around the UK, which now boasts over ten schemes with a network of more than 1,000 Refill Stations. Participating cafes, bars, restaurants, hotels and other public venues and businesses display a round, blue sticker in their window and can be located via the Refill app, inviting passers-by to "Refill Here." Mangetout, Earth.Food.Love, the Waterside and Totnes Leisure Centre had already signed themselves up; the volunteers were able to welcome on board Drift, The Wild Fig, Delphini's, The Terrace Café, Rumour, Anne of Cleves, the Seven Stars and the Bay Horse as well as listing the public water fountain in the Mansion Square. In the UK, 35.8 million plastic bottles are used every day with only around half of those being collected for recycling, a needless waste of raw materials and energy. To make matters worse, millions of tonnes of plastic accumulate in our oceans every year causing pollution and environmental damage, whilst slowly breaking down and entering the food chain. Marine wildlife often mistake small pieces of plastic for food and, according to research by the Ellen MacArthur Foundation, by 2050 the ocean will contain more plastic by weight than fish.

The initiative aims to stem the tide of single-use plastic bottles and promote healthy hydration by making refilling your water bottle as easy, convenient and cheap as possible, with the aim of refill points on every high street, and is supported by Recycle Devon. Lots of businesses already offer this simple service but research shows that people often feel embarrassed to ask. By letting people know they can look out for the Refill sticker or search on the Refill app, we're encouraging more people to take one small step away from relying on single-use plastic bottles. It's a really simple concept with a really big potential result.

From now on, as you leave the house in the morning, remember your reusable bottle along with keys, wallet etc. You need never go thirsty again! Check out the website if you would like to sign up your business or find out where you can refill.



THE ST. MARY'S PARTNERSHIP

Totnes with Bridgetown Parochial Church Council + Totnes Trust + Totnes Town Council

THE ST MARY'S PROJECTS A proposal for funding and managing the projects

The Projects

The St Mary's Church Project is managed by the Totnes with Bridgetown Parochial Church Council (PCC). The PCC is embarking on a major project to restore and renovate St Mary's Church in order that it is removed from the Heritage at Risk Register and to make it more accessible to the community through modern facilities and more flexible spaces, both for worship and other uses.

The St Mary's Heritage Area Project (HAP) is managed by Totnes Trust, a local charity dedicated to preserving historic buildings and enhancing public open spaces in the town. The project aims to realise the unique potential of the historic St Mary's Precinct by improving access and amenity; creating a coherent experience of three sets of amazing buildings in the precinct (Elizabethan merchants' houses and Guildhall, and mediaeval church); providing historic information and interpretations for the public.

Totnes Town Council also has interests in the precinct because of its responsibility for churchyard maintenance, and its interest in improving access to the Guildhall.

The interests of the three bodies were so closely related that a St Mary's Partnership arrangement was established to move forward together. A significant response to this was the creation of an umbrella strategy for the precinct: The St Mary's Heritage for Life Plan. This aligns the objectives of the main projects, contextualises the sub-projects for consents and funding purposes, and enables sensible prioritisation and coordinated programming. The Plan is also intended as a model for how the town might work on other parts of its heritage.

The funding challenge

The future challenge for the Partnership will be to raise the funds needed to carry out and complete the projects.

The estimated costs of the projects are as follows:

• The St Mary's Church Project £3.6 million

The St Mary's Heritage Area Project £750,000

The scale and complexity of the projects have grown dramatically compared to original thoughts, and the costs and timescale have expanded accordingly. This is a long-term proposition on a grand scale, which now needs more than the individual organisational inputs, and more 'status' than they can muster. John Birch, the PCC project leader and Louis Victory, the Totnes Trust project leader, have been thinking this through, and concluded that a powerful way forward would be to make the Partnership (Trust, PCC and Town Council) a more formal organisation, an independent charitable trust better able to promote the project and fundraise from public and private organisations and individuals, locally, nationally and internationally.

The new trust

Upon the approval of both the PCC and Totnes Trust (in consultation with the Totnes Town Council) it is proposed that the two organisations take the necessary steps to set up the proposed new trust based on the following criteria:

- To be a registered incorporated charity with powers to employ consultants, especially fundraisers and to contract for works where appropriate and agreed
- To possibly be named the "The St Mary's Heritage Trust (Totnes)
- The founding trustees to include representatives from the three Partnership organisations
- Other trustees to be recruited with high profiles and/or special skills to raise the project management and especially the fundraising capacity of the trust
- A person or professional body be sought to set up the trust
- A trust manager/secretary be sought to work to the Chair and board
- The main aim of the trust is shall be to manage the development of the projects, and in particular to raise funds for them
- Donated funds to be allocated to a specific part or area of the Projects if requested by the donor.

John Birch Louis Victory

May 2018



TOTNES TOWN COUNCIL

INFORMATION & DATA PROTECTION POLICY

Introduction

In order to conduct its business, services and duties, the Council processes a wide range of data, relating to its own operations and some of which it handles on behalf of partners. In broad terms, this data can be classified as:

- Data shared in the public arena about the services it offers, its mode of operations and other information it is required to make available to the public.
- Confidential information and data not yet in the public arena such as ideas or policies that are being worked up.
- Confidential information about other organisations because of commercial sensitivity.
- Personal data concerning its current, past and potential employees, Councillors, and volunteers.
- Personal data concerning individuals who contact it for information, to access its services or facilities or to make a complaint.

The Council will adopt procedures and manage responsibly, all data which it handles and will respect the confidentiality of both its own data and that belonging to partner organisations it works with and members of the public. In some cases, it will have contractual obligations towards confidential data, but in addition will have specific legal responsibilities for personal and sensitive information under data protection legislation.

The Council will seek to ensure information considerations are central to the ethos of the organisation.

The Council will periodically review and revise this Policy in the light of experience, comments from data subjects and guidance from the Information Commissioners Office.

The Council will be as transparent as possible about its operations and will work closely with public, community and voluntary organisations. Therefore, in the case of information which is not personal or confidential, it will be prepared to make it available to partners and community. Details of information which is routinely available is contained in the Council's Publication Scheme which is based on the statutory model publication scheme for local councils.

Protecting Confidential or Sensitive Information

The Council recognises it must at times, keep and process sensitive and personal information about both employees and the public, it has therefore adopted this policy not only to meet its legal obligations but to ensure high standards.

The General Data Protection Regulation (GDPR) which became law on 25th May 2018, like the Data Protection Act 1998 before it, seeks to strike a balance between the rights of individuals and the sometimes, competing interests of those such as the Council with legitimate reasons for using personal information.

The Policy is based on the premise that Personal Data must be:

Processed fairly, lawfully and in a transparent manner in relation to the data subject.

 Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.

 Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

Accurate and, where necessary, kept up to date.

 Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

 Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Data Protection Terminology

Data subject - means the person whose personal data is being processed. That may be an employee, prospective employee, associate or prospective associate of the Council or someone transacting with it in some way, or an employee, Member or volunteer with one of our clients, or persons transacting or contracting with one of our clients when we process data for them.

Personal data - means any information relating to a natural person or data subject that can be used directly or indirectly to identify the person. It can be anything from a name, a photo, and an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

Sensitive personal data - includes information about racial or ethnic origin, political opinions, and religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it is used to uniquely identify an individual.

Data controller - means a person who (either alone or jointly or in common with other persons) (e.g. Town Council, employer, council) determines the purposes for which and the manner in which any personal data is to be processed.

Data processor - in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing information or data - means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:

· organising, adapting or altering it

· retrieving, consulting or using the information or data

- disclosing the information or data by transmission, dissemination or otherwise making it available
- aligning, combining, blocking, erasing or destroying the information or data, regardless of the Technology used.

The Council processes personal data in order to:

- fulfil its duties as an employer by complying with the terms of contracts of employment, safeguarding the employee and maintaining information required by law.
- pursue the legitimate interests of its business and its duties as a public body, by fulfilling contractual terms with other organisations, and maintaining information required by law.
- monitor its activities including the equality and diversity of its activities
- fulfil its duties in operating the business premises including security
- assist regulatory and law enforcement agencies
- process information including the recording and updating details about its

Councillors, employees, partners and volunteers.

- process information including the recording and updating details about individuals who contact it for information, or to access a service, or make a complaint.
- undertake surveys, censuses and questionnaires to fulfil the objectives and purposes of the Council.
- undertake research, audit and quality improvement work to fulfil its objects and purposes.
- carry out Council administration.

Where appropriate and governed by necessary safeguards we will carry out the above processing jointly with other appropriate bodies from time to time.

The Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:

- The individual has consented to the processing
- Processing is necessary for the performance of a contract or agreement with the individual
- Processing is required under a legal obligation
- Processing is necessary to protect the vital interests of the individual
- Processing is necessary to carry out public functions
- Processing is necessary in order to pursue the legitimate interests of the data controller or third parties.

Particular attention is paid to the processing of any **sensitive personal information** and the Town Council will ensure that at least one of the following conditions is met:

- Explicit consent of the individual
- Required by law to process the data for employment purposes
- A requirement in order to protect the vital interests of the individual or another person

Who is responsible for protecting a person's personal data?

The Town Council as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation. The Council has delegated this responsibility day to day to the Town Clerk.

- Email: clerk@totnestowncouncil.gov.uk
- Phone: 01803 862147
- Correspondence: Town Clerk, The Guildhall Offices, 5 Ramparts Walk, Totnes, Devon, TQ9 5QH

Diversity Monitoring

The Council monitors the diversity of its employees in order to ensure that there is no inappropriate or unlawful discrimination in the way it conducts its activities. It undertakes similar data handling in respect of prospective employees. This data will always be treated as confidential. It will only be accessed by authorised individuals within the Council and will not be disclosed to any other bodies or individuals. Diversity information will never be used as selection criteria and will not be made available to others involved in the recruitment process. Anonymised data derived from diversity monitoring will be used for monitoring purposes and may be published and passed to other bodies.

The Council gives guidance on personnel data to employees, councillors, partners and volunteers through a Privacy Notice to enable individuals on whom personal information is held are kept are aware of their rights and have easy access to that information on request.

Appropriate technical and organisational measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data. Personal data shall not be transferred to a country or territory outside the European Economic Areas unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Information provided to us

The information provided (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible for us to contact, respond to or conduct the transaction requested by the individual. By transacting with the Council individuals are deemed to be giving consent for their personal data provided to be used and transferred in accordance with this Policy, however where appropriate specific written consent will be sought. It is the responsibility of those individuals to ensure that the Town Council is able to keep their personal data accurate and up-to-date. The personal information will be not shared or provided to any other third party other than for law enforcement or regulatory purposes or otherwise be used for any purpose other than that for which it was provided.

The Councils Right to Process Information

General Data Protection Regulations (and Data Protection Act) Article 6 (1) (a) (b) and (e)

Processing is with consent of the data subject, or

Processing is necessary for compliance with a legal obligation.

Processing is necessary for the legitimate interests of the Council.

Information Security

The Town Council cares to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies.

We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted.

Children

In general the Council will not hold or process data relating to a Child. In exceptional circumstances if it does it will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

Rights of a Data Subject

Access to Information: an individual has the right to request access to the information we have on them. They can do this by contacting the Town Clerk.

Information Correction: If they believe that the information we have about them is incorrect, they may contact us so that we can update it and keep their data accurate. Please contact the Town Clerk.

Information Deletion: If the individual wishes the Town Council to delete the information about them, they can do so by contacting the Town Clerk.

Right to Object: If an individual believes their data is not being processed for the purpose it has been collected for, they may object by contacting the Town Clerk.

The Town Council does not use automated decision making or profiling of individual personal data.

Complaints: If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Town Clerk, or the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113.

The Council will always give guidance on personnel data to employees through the Employee handbook.

The Council will ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

Making Information Available

The Publication Scheme is a means by which the Council can make a significant amount of information available routinely, without waiting for someone to specifically request it. The Scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.

In accordance with the provisions of the Freedom of Information Act 2000, this Scheme specifies the classes of information which the Council publishes or intends to publish.

All formal meetings of Council and its Committees are subject to statutory notice being given on notice boards and the Website. All formal meetings are open to the public and press and reports to those meetings and relevant background papers are available for the public to see. The Council welcomes public participation and has a public question session on each Council meeting. Details can be seen in the Council's Standing Orders, which are available on its Website or at its Offices.

Occasionally, Council or committees may need to consider matters in private. Examples of this are matters involving personal details of staff, or a particular member of the public, or where details of commercial/contractual sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public and reasons for the decision are stated. Minutes from all formal meetings, including the confidential parts are public documents.

The Openness of Local Government Bodies Regulations 2014 requires written records to be made of certain decisions taken by officers under delegated powers. These are not routine operational and administrative decisions such as giving instructions to the workforce or paying an invoice approved by Council, but would include urgent action taken after consultation with the Chairman, such as responding to a planning application in advance of Council. In other words, decisions which would have been made by Council or committee had the delegation not been in place.

The 2014 Regulations also amend the Public Bodies (Admission to Meetings) Act 1960 to allow the public or press to film, photograph or make an audio recording of council and committee meetings normally open to the public. The Council will where possible facilitate such recording unless it is being disruptive. It will also take steps to ensure that children, the vulnerable and members of the public who object to being filmed are protected without undermining the broader purpose of the meeting.

The Council will endeavour to make special arrangements on request for persons who do not have English as their first language or those with hearing or sight difficulties.

Data Transparency

The Council acts, as appropriate and required, in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency (September 2011).