

AGENDA FOR THE MEETING OF TOTNES TOWN COUNCIL
MONDAY 4th JUNE 2018 AT THE GUILDHALL TOTNES

You are hereby SUMMONED to attend the Meeting of the Council, which is to be held in the Guildhall, Totnes on
Monday 4th June 2018 at 7pm for the purpose of transacting the following business:

No	Subject	Comments
1	To receive apologies.	
2	The Mayor will request confirmation that all Members have made any amendments necessary to their Declaration of Interests, if appropriate.	
3	<p><i>The Council will adjourn for the following items:</i></p> <p><u>Public Question Time:</u> A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Council or other items that affect Totnes.</p> <p><u>Reports from County and District Councillors</u></p> <p><i>The Council will convene.</i></p>	<p>a) Cllr Green b) Cllr Birch c) Cllr Hodgson</p>
4	<p>To approve and sign the Minutes of the following Meetings: <i>(Please note confidential minutes can be agreed but any discussion must be held in Part 2):</i></p> <ul style="list-style-type: none"> a. Full Council 14th May 2018 b. Place 17th May 2018 c. Operations 23rd May 2018 	Enclosures
5	<p>To consider any matters arising from the Minutes <u>and to approve any recommendations</u> from Committees <i>(Please note confidential recommendations can be agreed but any discussion must be held in Part 2):</i></p> <ul style="list-style-type: none"> a. Full Council 14th May 2018 b. Place 17th May 2018 • To RECOMMEND to Full Council that TTC responds to the SHDC Air Quality Action Plan consultation. The TTC response should reiterate: the TTC Transport Policy and Strategy 2014; and support for a cycle path with Littlehempston, and an underpass on Station Road, which are both important contributions to improving air quality for the town and the land should be protected for future development of these initiatives. 	Enclosures

	<p>c. Operations 23rd May 2018</p> <ul style="list-style-type: none"> • It was RECOMMENDED to Full Council that the Annual Return be approved. • It was RECOMMENDED to Full Council that the amended Standing Orders with the new committee format was adopted. 	
6	To receive an update on the General Data Protection Regulations.	Verbal Update Town Clerk
7	To consider the report of the Internal Auditor in relation to Accounts and Annual Return for the year ending 31 st March 2018.	Enclosure
8	To review and approve the Annual Governance Statement – if agreed, signing of the statement by the Chair and Clerk.	Enclosure
9	To review and approve the Accounting Statement – if agreed, signing of the statement by the RFO (Clerk) and then by the Chair. If agreed the accounts will be on the website 6/6/18 – 18/7/18 for public rights.	Enclosure
10	To consider a draft response to the Greater Horseshoe Consultation – deadline 13 th June 2018	Enclosure
11	To note the revised Market Square consultation timeline	Enclosure
12	To note an update from Caring Town	Enclosure
13	<p>To note the date of the next meeting: Monday 2nd July 2018 at 7pm</p> <p><i>A Paige Adams Trust meeting will be held beforehand at 6pm</i></p>	

Catherine Marlton



Town Clerk

District Councillor's Monthly Report May 2018

John Green, SHDC Councillor for Totnes

Joint Local Plan

The Interim Report from the Inspectors of the Joint Local Plan Inspectors is expected by the end of June. This will provide recommendations for modifications to the plan and it is expected that there will be 'main modifications' which will need to be the subject of a 6-week public consultation, which is expected to take place during the Summer. The Councils will collate and forward to the Inspectors any representations made during this consultation period. The Inspectors will then consider the representations before issuing a final report after which the plan can be adopted (perhaps by December 2018, or early 2019, unless further significant matters arise during the final stages of consultation and consideration by the Inspectors).

Greater Horseshoe Bat Supplementary Planning Document

The consultation on the South Hams SAC Greater Horseshoe Bat supplementary planning document has been extended to 5pm on Wednesday 13th June. I am concerned that the present plan does not include the need for a Habitats Regulations Assessment if a development proposes that there is significantly increased illumination through the recognized Pinch Point for bats along the River Dart in Totnes. This, even though the consultation document recognises that further restriction of Pinch Points could severely restrict the movement of bats, and that increased illumination is recognised as leading to restriction.

Clean Air Strategy

A reminder that the consultation on the Clean Air Strategy and Air Quality Action Plan for the A385 runs to 20th June.

Neighbourhood Plans

Ugborough Neighbourhood Plan is the second in the South Hams to be approved at a referendum. There are two more going to referendum in the South Hams in June.

SHDC roles

I have been appointed to the following roles at the recent SHDC Annual Council meeting:

- Member of SHDC's Overview and Scrutiny Panel
- Member of SHDC's Political Structures Working Group
- SHDC's representative on the South Devon AONB Partnership Committee

I have also been chosen to be the Deputy Leader of the Opposition Group at SHDC.

Cllr John Birch

> SHDC Member for Totnes

> Report to Totnes Town Council - June 2018

>

> Joint Local Plan

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> The planning document known as the JLP, which sets out development proposals for South Hams until 2034, has recently been the subject of a public examination before planning inspectors. Their interim report is due shortly and is likely to recommend modifications to the original plan that was the subject of previous public consultation.

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> SHDC councillors were told a few weeks ago that any proposed modifications to the plan and contained within the inspectors' report would be put before members for consideration and debate. At a Full Council meeting held on 17 May 2018 Conservative councillors voted to go back on that promise.

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> The Tory administration put forward a proposal that councillors be bypassed when it comes to considering and debating the inspectors' report with modifications. This move was opposed by Lib Dem and Green councillors and I put forward a recommendation that required full member involvement following receipt of the inspectors' report. The Tories voted en masse to defeat my proposal.

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> The Conservatives voted to leave the task of responding to the report to two senior Tory councillors.

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> The plan with the modifications is to be the subject to a six week public consultation but without input from District Councillors prior to such an exercise.

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> The modified plan together with the responses from the public consultation exercise will be presented to the inspectors who will then prepare their final report.

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> Other Matters

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> I will provide a verbal report on any other matters that arise since the drafting of this report

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> Cllr John Birch

> 26 May 2018



County Councillor's Monthly Report for Totnes Cllr. Jacqi Hodgson - Date of Report: 30th May 2018
 County Councillor for Totnes & Dartington
 (incl. Harberton, Harbertonford, Staverton, Landscope & part of Berry Pomeroy)

Key Issues:

PUBLIC HEALTH. The recent report to DCC Cabinet by Virginia Pearson, the Chief Officer for Communities, Public Health, Environment and Prosperity and Director of Public Health at DCC raised serious concerns. Ms Pearson's annual report focussed on public health issues for young people with particular reference to the impact of inequality and she reported on a rise in self-harming, referring to discussions back in 2013 in Devon schools in response to growing concerns about the emotional wellbeing of students. She also referred to a Dept of Education report (2014), that showed then in comparison with 2005 there was worse self-reported health and more psychological distress. The recommendations in this year's DCC Public Health annual report make clear the breadth of the problem:

1. To reduce the number of children living in poverty and poor housing
2. To improve the health of women before, during and after pregnancy, including a reduction in the proportion smoking in pregnancy, and the number of women who are obese in pregnancy
3. To increase breastfeeding rates
4. To improve communication skills in young children
5. To promote healthy eating through national and local strategies to prevent overweight and obesity
6. To improve oral health and dental hygiene in children, especially those from the more socioeconomically-deprived areas
7. To increase levels of physical activity in children and adults
8. To promote the emotional wellbeing and mental health of children and young people and to prevent deliberate self-harm
9. To ensure young people have access to quality sexual health advice, education and services
10. To ensure that personal, social and health education, and sex and relationships education, are provided to all children
11. To reduce the consumption of tobacco, alcohol and illegal drugs
12. To ensure that all children benefit from immunisation
13. To prevent accidental injury and harm
14. To improve the primary and community care of children with long-term health conditions
15. To support adults in tackling behaviours that are associated with harm to children
16. To reduce the attainment gap between young people from the highest and lowest socio-economic groups
17. To improve the health, wellbeing and life chances of the most disadvantaged children and young people, particularly children in care, and reduce the inequality gap.
18. To improve the experience of children with special needs or long term health conditions making the transition from children's services to adult services
19. To adopt a "child health in all policies", approach, the help tackle inequality, reduce disadvantage and deprivation and improve the social determinants of health
20. To improve the collection and analysis of data about young children and young people and their families, to better inform decisions on how to improve the health and wellbeing of children and young people.

Ms Pearson cited Frederick Douglass, 1817-1895 "It is easier to build strong children than to repair broken men".

I highly recommend everyone to read this report, available on line at
<http://www.devonhealthandwellbeing.org.uk/aphr/devon-annual-public-health-report-2017-18/>

Further to this the current lifetime expectancy by DCC Division was requested and is included at the end of this report. Totnes has a lifetime expectancy of 81.9 years (the Devon range is from 77.1 – 85.1 years)

REVENUE AND CAPITAL BUDGET OUTTURN FOR 2017/18: This contained a detailed breakdown of the position within specific service areas: (This allowed DCC to contribute £12M to the Budget Management Reserve)

- Adult Care and Health Services – net underspend of £7.5M
- Children's Services - -Overspend of £2.6M
- Communities, Public Health & Prosperity – underspend of £1.3M
- Corporate Services – underspend of £1.1M
- Highways, Infrastructure, Development and Waste – Underspend of £2.1M

HIGHWAYS MATTERS:

COLLAPSED WALL IN MAUDLIN RD: UPDATE. Non – the liability wrangle continues and the debris remains in the road!

ASH TREE DIEBACK was reported on at **May Cabinet meeting** Ash dieback is a serious tree disease which is likely to kill at least 95% of all native ash trees in Devon (as elsewhere) over the coming ten years. As ash trees are the second most common of all tree species found in Devon, accounting for approximately 20% of all trees present, this represents a significant threat to public safety, as well as an environmental crisis. This impact assessment relates to Devon County Council's intended approach to the management of this tree disease from both a public safety and environmental perspective. public safety and environmental perspective. The Cabinet approved **the recommendation to adopt a planned and proactive approach to dealing with the public safety and environmental issues which are likely to result from ash dieback.**

This will require modification to the current policies and procedures employed by DCC in dealing with tree safety, as set out in the DCC Tree Safety Policy and the associated framework contracts for the surveying of trees and for tree safety works. Specifically, the frequency of tree inspections will need to be varied to ensure that infection is spotted in time and can be dealt with to limit public safety issues. However, DCC will only deal with trees for which it has legal responsibility and will expect others to take appropriate action to prevent risk or problems affecting the county highway network or DCC property. It will also require some action to be taken to address the anticipated environmental consequences of this tree disease, most notably by promoting / undertaking the planting trees to replace the huge number that will be lost to ash dieback. It is proposed that resources are made available to facilitate this approach.

In the knowledge of the likely severity of ash dieback, DCC worked alongside others to establish the Devon Ash Dieback Resilience Forum, which it chairs. Its purpose is to encourage widespread awareness and understanding of ash dieback and to promote coordinated approaches to action to mitigate its effects. This has included the production of a Devon Ash Dieback Action Plan, the production of other promotional and advisory literature and the staging of meetings and events.

One of the consequences of the formation of the Devon Ash Dieback Resilience Forum is the development of shared proposals for environmental mitigation. This has included the establishment of a partnership of organisations who have develop a funding bid, which is being linked with similar proposals elsewhere in the country through coordination by the Woodland Trust, and for which a grant request will be made through the Heritage Lottery Fund. The recommendations made to Cabinet suggest the release of funding to match-fund this bid / project. If the bid is successful, the implementation of the project will provide a practical means by which DCC might discharge its adopted responsibilities for the replacement of the infected ash trees that it has to fell. But, beyond this, it should also help to support a comprehensive programme of community engagement in ash dieback initiatives and action (particularly tree planting) across Devon.

SINGLE USE PLASTICS: At DCC Full Council this month there was a report of the Cabinet Member for Public Health, Transportation and Environmental Services. This was further to a request that DCC consider phasing out all single use plastics from the council this calendar year (a motion that I seconded last October). The latest response was that DCC will remove all avoidable, single use plastic, food and beverage packaging and tableware by 2020. I responded to this welcoming the commitment but requesting that the use of the word avoidable is removed and that investment in Devon Community Recycling Network is considered as this group would be excellent allies in reducing plastic use across Devon. DCC had for no good reason withdrawn their annual contribution to admin support for the group just last year and this had led to collapse of a number of composting groups across the County. Re-establishing their funding would help with plastics recycling and composting. The Cabinet Minister said he would report back to my questions in writing.

Attendance at meetings etc. as elected public representative:

Weds May 2 nd	Staverton PC meeting.
Thurs May 3 rd	Totnes TC – St Mary's Heritage Plan meeting – outcomes of public consultation DCC – Welcome to Devon for new staff (by Councillors); panel member Berry Pomeroy PC meeting
Friday May 4 th	Meeting with Totnes Travel Coordinator re: options sustainable travel measures and 106 monies

Tues May 8 th	<p>Meeting with SHDC officers and Totnes Green Travel Coordinator -to discuss monies for Travel Plans</p> <p>Meetings with DCC Highways Officers re s106 monies for Highways works from new Developments</p> <p>Harberton Parish Council meeting</p>
Weds May 9 th	<p>Staverton Annual Parish Meeting</p> <p>Dartington PC Meeting</p>
Thurs May 10 th	<p>Bridgetown Alive!</p> <p>Meeting with Don't Bury Dartington Under Concrete re draft Greater Horseshoe Bat SpD</p>
Mon May 14 th	Totnes TC meeting
Tues May 15 th	Royal Garden Party at Buckingham Palace as a representative of DCC
Weds May 16 th	DCC Cabinet meeting: see key issues highlighted above
Thurs May 17 th	<p>Meeting with Community Housing Group on site at legal Traveller Site in Littlehempston Excellent model for other sites that could be developed in this area They suggested a Traveller's Forum for South Hams modelled on the Teignbridge one that has been successful in finding solutions and broadening understanding between all parties affected.</p> <p>Community Safety Partnership – Interesting presentation on County Lines: initiative to address the criminal exploitation of children and vulnerable adults</p>
Sun May 20 th	Staverton Neighbourhood Plan – public consultation event. Well attended
Tues May 22 nd	Meeting with CEO of Dartington Hall Trust and DBDUC rep re draft Greater Horseshoe Bat SpD
Weds May 23 rd	<p>Meeting with Totnes Cycle group rep: re presentations at forthcoming DCC meeting to take forward safer roundabout proposals presented to HATOC in November '17</p> <p>Totnes & District Traffic & Transport Forum: low attendance, meeting adjourned</p>
Thurs May 24 th	<p>DCC Full Council meeting. AGM. I remain on the same committees as last year, i.e.</p> <ul style="list-style-type: none"> • Development Management (Planning) Committee • Rail Partnership Working Group • South Hams HATOC <p>Single Use Plastics: see report highlighted above</p>
Tuesday May 29 th	Totnes Rural Area Youth Engagement (TRAYE) project meeting

For Information: Current Public Consultations:

Greater Horseshoe Bat - Draft Supplementary Document (SPD) consultation **extended to 5pm June 13th 2018.**

The new document is at this link <https://new.devon.gov.uk/planning/planning-policies/other-county-policy-and-guidance/south-hams-sac-spd-consultation> I'd recommend you compare this with the current SAC planning protection zone (as we don't want to lose any protection!) <http://www.devon.gov.uk/core-doc-y1-greater-horseshoes-bat-....>

SHDC Air Quality Management Plan – Clean Air Strategy Public Consultation (April 20th – June 20th - 5pm)
<https://www.southhams.gov.uk/article/3902/Air-Quality>

National Consultation on Gypsy & Traveller Sites: on powers for dealing with unauthorised developments and encampments. The national consultation document closes on Friday June 15th at 23.45pm; documents can be found here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697354/Consultation_-_unauthorised_encampments.pdf.

NB Please check my new website blog for my submissions to these public consultations. You are welcome to reiterate points and issues I raise in my responses: www.jacqihodgson.org

Diary Dates

Tues June 12th

2.15pm Corporate Infrastructure & Regulatory Services meeting: where presentations will be made by Totnes resident and myself regarding better roundabouts (further to last November HATOC meeting)

DCC Weds June 13th

10.30am DCC Cabinet Meeting

The latest life expectancy figures at birth for DCC Divisions.

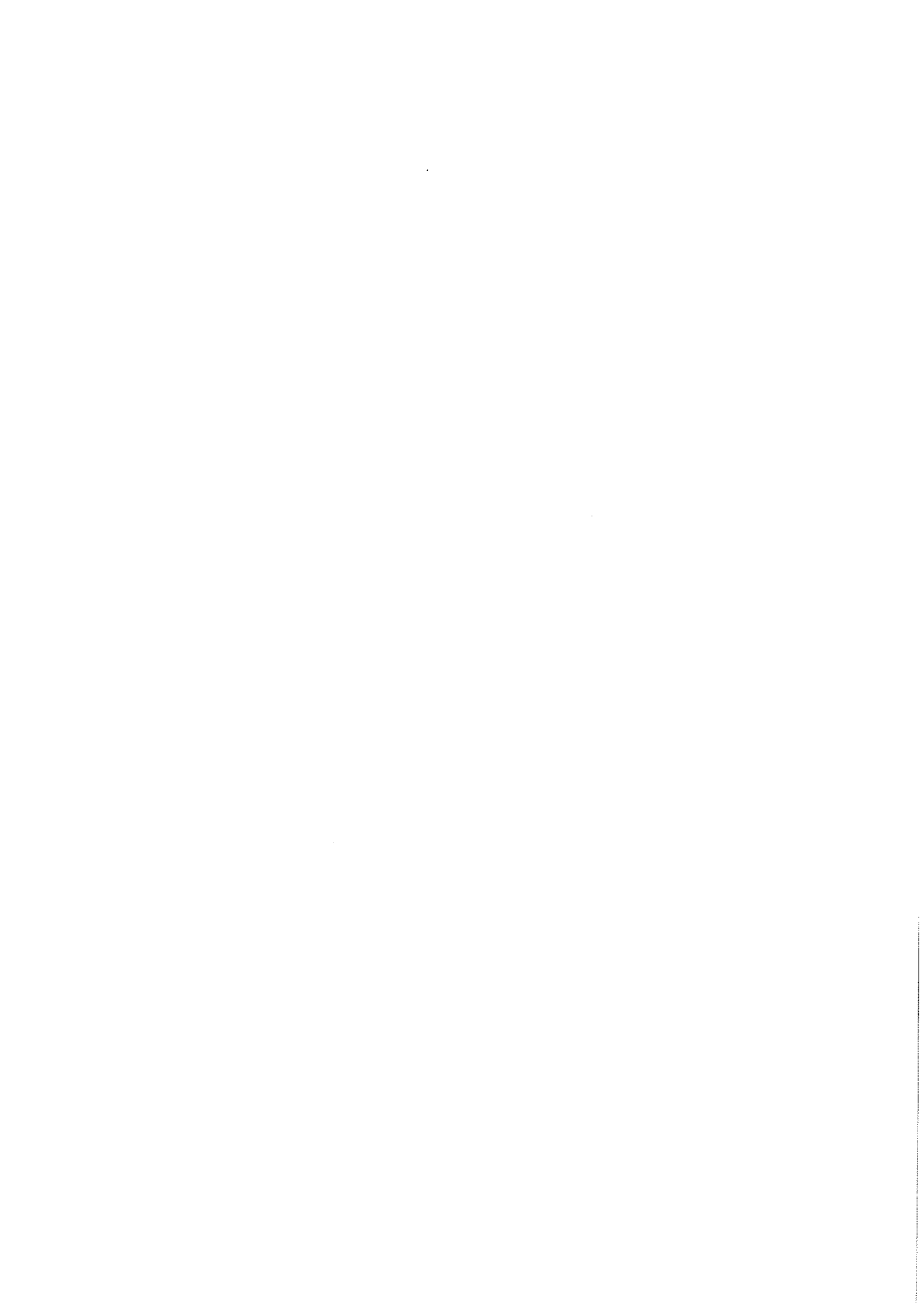
The two wards with the longest life expectancy are: Otter Valley (Cllr Claire Wright) and Wearside and Topsham (Cllr Andrew Leadbetter) at 85.1 years.

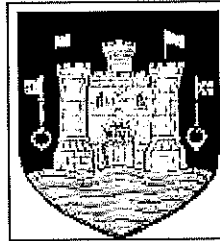
The ward with the lowest life expectancy is: Ilfracombe (Cllr Paul Crabb) at 77.1 years.

District	Electoral Division	Councillor	Life Expectancy at Birth
East Devon	Axminster	Ian Hall	82.3
	Broadclyst	Ray Bloxham	82.0
	Broadclyst	Sara Randall-Johnson	82.0
	Exmouth & Budleigh Salterton Coastal	Christine Channon	81.0
	Exmouth	Richard Scott	82.7
	Exmouth	Jeffrey Trail BEM	82.7
	Feniton & Honiton	Phillip Twiss	82.2
	Otter Valley	Claire Wright	85.1
	Seaton & Colyton	Martin Shaw	82.6
	Sidmouth	Stuart Hughes	83.3
	Whimble & Blackdown	Iain Chubb	84.4
Exeter	Alphington & Cowick	Yvonne Atkinson	80.7
	Duryard & Pennsylvania	Percy Prowse	82.0
	Exwick & St Thomas	Rob Hannaford	82.7
	Heavitree & Whipton Barton	Emma Brennan	83.0
	Pinhoe & Mincinglake	Hilary Ackland	83.2
	St David's & Haven Banks	Carol Whitton	79.0
	St Sidwells & St James	Su Aves	78.5
	Wearside & Topsham	Andrew Leadbetter	85.1
	Wonford & St Loyes	Marina Asvachin	80.8
Mid Devon	Crediton	Nick Way	83.8
	Creedy, Taw & Mid Exe	Margaret Squires	83.4
	Cullompton & Bradninch	John Berry	81.6

	Tiverton East	Colin Slade	83.7
	Tiverton West	Polly Colthorpe	81.8
	Willand & Uffculme	Ray Radford	84.4
North Devon	Barnstaple North	Brian Greenslade	80.5
	Barnstaple South	John Mathews	80.6
	Braunton Rural	Caroline Chugg	81.6
	Chulmleigh & Landkey	Richard Edgell	83.6
	Combe Martin Rural	Andrea Davis	83.0
	Fremington Rural	Frank Biederman	83.2
	Ilfracombe	Paul Crabb	77.1
	South Molton	Jeremy Yabsley	81.6
South Hams	Bickleigh & Wembury	John Hart	82.8
	Dartmouth & Marldon	Jonathan Hawkins	83.6
	Ivybridge	Roger Croad	82.4
	Kingsbridge	Julian Brazil	83.4
	Salcombe	Rufus Gilbert	83.7
	South Brent & Yealmpton	Richard Hosking	83.8
	Totnes & Dartington	Jacqi Hodgson	81.9
Teignbridge	Ashburton & Buckfastleigh	Stuart Barker	82.3
	Bovey Rural	George Gribble	84.6
	Chudleigh & Teign Valley	Jerry Brook	82.9
	Dawlish	John Clatworthy	80.7
	Exminster & Haldon	Alan Connett	84.0
	Ipplepen & The Kerswells	Alistair Dewhurst	84.6
	Kingsteignton & Teign Estuary	Ron Peart	82.8
	Newton Abbot North	Jackie Hook	80.8
	Newton Abbot South	Gordon Hook	80.9
	Teignmouth	Sylvia Russell	81.7
Torridge	Bideford East	Linda Hellyer	81.8
	Bideford West & Hartland	Tony Inch	80.9
	Holsworthy Rural	Barry Parsons	81.3
	Northam	Andrew Eastman	80.6
	Torrington Rural	Andrew Saywell	82.5
West Devon	Hatherleigh & Chagford	James McInnes	82.4
	Okehampton Rural	Kevin Ball	81.2
	Tavistock	Debo Sellis	83.0
	Yelverton Rural	Philip Sanders	82.2

Dr Virginia Pearson
Chief Officer for Communities, Public Health, Environment and Prosperity
Director of Public Health
Public Health Devon
Devon County Council





DRAFT MINUTES FOR THE MEETING OF TOTNES TOWN COUNCIL
MONDAY 14th MAY 2018 AT THE GUILDHALL TOTNES

Present: Councillors R Adams (Chair), Paine, Piper, Hodgson, M Adams, Whitty, Sermon, Vint, Parker, Price, Allen, Sweett and Webberley.

Apologies: Councillors Simms, Hendriksen and Westacott.

In Attendance: Catherine Marlton (Town Clerk), Christina Bewley (minutes), Peter Bethel (Town Sergeant), District Councillor Birch, District Councillor Green, Soundart Radio, 1 member of the Press and 5 members of the public.

No	Subject	Comments
1	To receive apologies.	Apologies were given by Councillors Hendriksen, Simms and Westacott. It was RESOLVED to accept the apologies.
2	The Mayor will request confirmation that all Members have made any amendments necessary to their Declaration of Interests, if appropriate.	Cllr Hodgson declared that she has purchased land at Littlehempston.
3	<p><i>The Council will adjourn for the following items:</i></p> <p><u>Public Question Time:</u> A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Council or other items that affect Totnes.</p> <p><u>Reports from County and District Councillors</u></p>	<p>A member of the public raised concerns about the felling of trees by SHDC on Coronation Rd. He is concerned that a lot of trees in the town have been felled over the last few years. He has sent a copy of the complaint he has lodged with SHDC to all Town Councillors and asked for the Council's support with his complaint.</p> <p>A member of the public spoke about the loss of open green spaces around the town due to the building of new homes. She would like to see specific areas ring-fenced for protection against development to preserve them for future generations.</p> <p>A member of the public requested that the public are involved in the preparation of the Community Engagement Policy being established by the Council. He suggested it could be an item on the agenda of the forthcoming Town Meeting. The Clerk advised that the Mayor designate would decide the agenda for that meeting but it would be considered for inclusion.</p> <p>A member of the public raised concerns over the seagull problem in the town. She was advised that this is an agenda item and would therefore be discussed later.</p> <p>District Cllr Green provided a written report. He suggested that s106 money could be used to make</p>

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improvements in the Air Quality Action Plan for the A385. He advised that Berry Pomeroy Parish Council are considering taking on Parkfield Close play park. He was asked to put forward to SHDC that play equipment is installed on the green space by Maudlin Road, and that outdoor skiers are installed at various open spaces around the town. He advised that the Nursery carpark is to be re-surfaced next year and electric car charging points would be installed at the same time.

District Cllr Birch provided a written report. He reminded Councillors of the play area site visits. Cllr Whitty reminded the District Cllr that the Town Council Open Spaces Plan includes an assessment of the play areas in the town. The proposed open space on the Baltic Wharf development was discussed. There has been little progress with the open space due to disagreement on funds. S106 money should have funded the open space but this has not happened and the District Cllrs will be raising the matter with SHDC Officers.

District Cllr Vint provided a written report.

County Cllr Hodgson provided a written report. She confirmed that there is an ongoing debate about who is responsible for the collapsed wall on Maudlin Rd. SHDC are to carry out a survey of some walls in the town. C.Cllr Hodgson advised that her budget for road repairs has been trebled and therefore encouraged the reporting of problems like potholes. There has been reports of poorly repaired potholes by contractors and a SHDC is looking into this. She advised that changes are being made to accepted s106 agreements by SHDC Officers which is not acceptable and that the Town Council should track s106 agreements to monitor them. The question was raised over whether monitoring s106 agreements should be a standing item on the Planning committee agenda but C.Cllr Hodgson advised that it would be a good idea to have a monitoring document to refer to. She provided information on the bat consultation and asked that Councillors fill out the response form. With regard to the clean air strategy, latest expert advice is to allow roadside undergrowth to grow.

The Council will convene.

4 To approve and sign the Minutes of the following Meetings:
(Please note confidential minutes can be agreed but any discussion must be held in Part 2):

It was **RESOLVED** to approve and sign the Minutes of the following meetings :

	<ul style="list-style-type: none"> a. Full Council 9th April 2018 b. Place 5th April 2018 c. People 19th April 2018 d. Place 26th April 2018 e. Operations 23rd April 2018 f. Personnel 30th April 2018 – CONFIDENTIAL 	<ul style="list-style-type: none"> a. Full Council 9th April 2018 b. Place 5th April 2018 c. People 19th April 2018 d. Place 26th April 2018 e. Operations 23rd April 2018 f. Personnel 30th April 2018 – CONFIDENTIAL
5	<p>To consider any matters arising from the Minutes and to approve any recommendations from Committees (Please note confidential recommendations can be agreed but any discussion must be held in Part 2):</p> <ul style="list-style-type: none"> a. Full Council 9th April 2018 b. Place 5th April 2018 <ul style="list-style-type: none"> • The RECOMMENDATION to Full Council is that the 4 hour tariff is increased from £3 to £3.50 in all Totnes car parks (with the exception of Longmarsh), which will keep all other tariffs unchanged for the coming year. [Note: this recommendation will be circulated outside of Full Council to all Councillors for comment in order to meet the 23rd April deadline.] c. People 19th April 2018 <ul style="list-style-type: none"> • To RECOMMEND to Full Council the following response: <ul style="list-style-type: none"> - <i>What do you believe will be the biggest impact of the closure of Totnes branch on the local community?</i> No banking facility in the High Street (there are two provisions in Fore Street). This will impact on businesses and market traders in High Street. Additional pressure on the Post Office which is already busy. - <i>What do you believe will be the biggest impact of the closure of Totnes branch on customers of the branch?</i> Impact on the elderly and those who do not have computer access for, or confidence in, online banking. Impact on businesses and traders in the town. - <i>What alternative ways to bank do you believe need to be provided to help customers and the community adapt to this change?</i> Advice to customers about the changes and use of the Post office or 	<p>The following matters arose:</p> <ul style="list-style-type: none"> a. <u>Full Council 9th April 2018</u> <p>None.</p> <ul style="list-style-type: none"> b. <u>Place 5th April 2018</u> <p>Item 2 – It was RESOLVED to accept the recommendation.</p> <ul style="list-style-type: none"> c. <u>People 19th April 2018</u> <p>Item 3 – It was RESOLVED to accept the recommendation subject to an adjustment to the wording in the first sentence to say ‘To RECOMMEND to Full Council the following reply in response to Barclays Bank consultation:’</p> <p>Item 4 – It was RESOLVED to accept the recommendation.</p> <p>Item 5 – It was RESOLVED to accept the recommendation subject to a correction to the wording to say ‘Daisy and Rainbow Childcare’.</p> <p>The following nominations were agreed: Bridgetown Alive – Cllr M Adams Network or Wellbeing – Cllr B Piper Caring Town – Cllr R Vint Daisy and Rainbow Childcare – Cllr M Parker (with Cllr J Westacott already in place)</p> <p>Item 6 – The wording of the recommendation was amended to ‘To RECOMMEND to Full Council that the Community Engagement Policy is reviewed by a</p>

online banking. Advice to customers on how to switch banks to those that have a physical presence in Totnes. Provision of a mobile banking facility to help those who need branch access.

- To **RECOMMEND** to Full Council: that Totnes Town Council is supportive of the initiative; and that PCSO Powell is made aware of the Paige Adams grant application timescale should the Police wish to apply (as well as suggesting she investigate grant funding from National Lottery 'Awards for All' and various bank community funding sources).
- To **RECOMMEND** to Full Council that the following organisations are included for Councillor representation on outside bodies (if the organisations request council representation): Network of Wellbeing; Caring Town; Bridgetown Alive; Daisy Childcare; and Rainbow Childcare.
- To **RECOMMEND** to Full Council that the Community Engagement Policy: is reviewed by a Working Group of Councillors who attended the Frome training; and is incorporated into revised Standing Orders over the next year, with a view to being fully implemented by the newly elected council in 2019.
- To **RECOMMEND** to Full Council that the Rainbow Flag is flown over the Civic Hall from 27th August until 2nd September in support of Totnes Pride week. [Note: Full Council has already agreed to fly the Red Ensign on 3rd September on the Civic Hall.]
- To **RECOMMEND** to Full Council that: the Clerk sends a letter to Redhouse Events asking them to engage with: the Town Council early about their plans for the Christmas Markets; and the community – both with the public and businesses; the proposed quarterly meeting is held

gathering of Councillors and members of the public; and is incorporated into revised Standing Orders over the next year, with a view to being fully implemented by the newly elected council in 2019.' It was **RESOLVED** to accept the revised recommendation.

Item 7 - It was **RESOLVED** to accept the recommendation.

Item 10 - It was **RESOLVED** to accept the recommendation.

before the next People Committee so that key points can be reviewed by the Committee and Full Council informed of plans; and
Link Councillors for Business, Arts and Fair Trade attend the next quarterly meeting and the Safety Advisory Group with SHDC and offer to host the meeting in the Guildhall.

d. Place 26th April 2018

- To **RECOMMEND** to Full Council that a working group of Councillors and the Town Ranger is set up to review the Emergency Planning procedures for Totnes before drafting a plan with EA assistance; and to seek volunteers to assist with tidal flood gate closure, and act as snow and ice wardens for sectors of the town.

e. Operations 23rd April 2018

- It was **RECOMMENDED** to Full Council that the amended Standing Orders with the new committee format be adopted.
- It was **RECOMMENDED** to Full Council that the Ear Marked Reserves remain the same as the 2017 levels.
- It was **RECOMMENDED** to Full Council that expenditure on an ecology and open spaces report up to £6,000 be authorised, subject to the usual need for quotes detailed in Financial Regulations.

d. Place 26th April 2018

Item 2 - It was **RESOLVED** to accept the recommendation. Cllrs Piper and Hodgson put themselves forward for this group.

Item 7 – It was **AGREED** that Cllr Hodgson will reply to the consultation on behalf of the Town Council.

e. Operations 23rd April 2018

Item 4 – Cllr Whitty raised his concerns that the revised Standing Orders abolish the current Committee structure and introduce a new structure which has not been discussed. Cllr Hodgson was concerned at the length of meetings if a two committee structure were adopted. The Clerk explained that the new Committee structure was recommended at the recent training provided by Frome Town Council which a number of Councillors attended, and that there would need to be more control over the agendas with training provided to Chairs.

The issue was discussed and it was **AGREED** to defer the recommendation until the matter had been fully discussed. The next Operations Committee meeting will be move to an evening timeslot and to facilitate a discussion by all councillors who wish to attend.

Item 9 - It was **RESOLVED** to accept the recommendation.

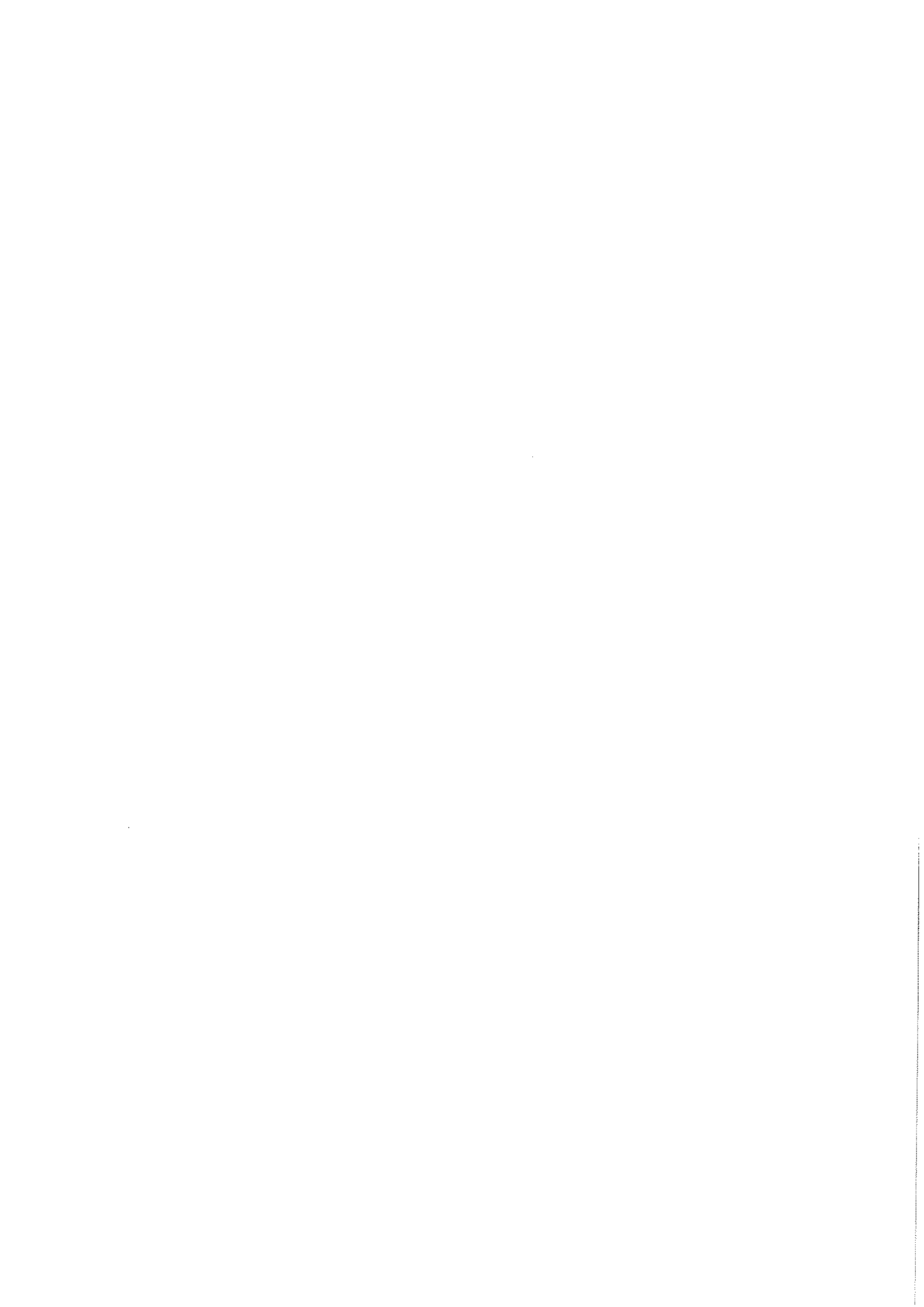
Item 11 – Cllr Parker expressed her objection to the recommendation and proposed that it be withdrawn. A discussion over the need for an ecology and open spaces report was held. Some Councillors felt such a report already existed having been commissioned for the Open Spaces Plan. Other Councillors did not feel the existing report covered the detail needed. It was suggested that the SHDC

	<i>f. Personnel 30th April 2018 – CONFIDENTIAL</i>	<p>Ecologist should be contacted to assess whether she could provide a report as a cheaper option and Cllr Allen agreed to contact her.</p> <p>It was AGREED to carry forward the recommendation to the June Full Council meeting.</p> <p><i>f. Personnel 30th April 2018 – CONFIDENTIAL</i></p> <p>None.</p>
6	To consider the Minutes of the Neighbourhood Plan Task and Finish Group.	Noted.
7	To consider the latest 'Visit Totnes' Marketing Report.	Noted.
8	To note the draft Traffic and Transport Forum Minutes from March 18.	Noted.
9	To consider the matter of Seagull nuisance on the town.	<p>It was felt that the seagull problem was partly due to problems with waste collection.</p> <p>The following possible remedies were suggested:</p> <ol style="list-style-type: none"> 1. bin stickers 2. having separate public food waste bins 3. leafletting local businesses 4. having extra bins on market day that close. <p>It was agreed that SHDC need to keep the streets cleaner and bins emptied, particularly on market days.</p> <p>It was AGREED that a letter would be sent to SHDC requesting that they take their responsibilities for waste collection and street cleaning more seriously, and asking for more public bins on market days which are emptied promptly. SHDC will also be asked to provide bin stickers.</p>
10	To consider the Annual Town Meeting format and agenda – 31 st May at 6pm in the Civic Hall.	<p>Cllrs R Adams, M Adams, Allen, Sermon and Whitty gave their apologies for the meeting.</p> <p>The Mayor designate will considered including a Community Engagement Policy consultation, resident parking and the Market Square Improvement consultation results to the agenda.</p>
11	To discuss the issues around residents and off street parking and invite views.	The Mayor designate will consider including this issue on the Annual Town Meeting agenda.
12	To consider the drugs problem around St John's church and how to respond as a community.	Cllr Parker provided a written explanation of the issue and asked Councillors to consider the proposed action to write to Sarah Wollaston MP asking for a meeting.

		The proposal was AGREED and it was suggested that the Town Clerk ask Caring Town for an update on their activities before the letter goes out.
13	<p>To note the date of the next meeting: Monday 4th June 2018 at 7pm</p> <p>Future dates for noting: Mayoral Choosing 24th May 2018 Annual Town Meeting 6pm 31st May 2018</p>	<p>Noted.</p> <p>The following was agreed for the Mayoral Choosing ceremony</p> <ul style="list-style-type: none"> - Cllr R Adams will propose the appointment of the new Mayor and Cllr Sermon will second the proposal. - Cllr M Adams will propose the appointment of the new Deputy Mayor and Cllr Sweett will second the proposal. - Cllr Webberley will propose the Committee memberships for approval.
<p><i>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.</i></p>		
14	<p>To approve and sign the Minutes of the following Meetings (staffing implications and commercial sensitivity).</p> <p>ONLY REQUIRED IF NOT AGREED IN OPEN SESSION. <i>a. Personnel 30th April 2018 – CONFIDENTIAL</i></p>	<p>Cllr Allen left the meeting.</p> <p>Not required.</p>
15	To receive an update on Code of Conduct matters.	The Clerk provided details on two breaches of the Councillors Code of Conduct which have occurred. It was AGREED that both issues would be forwarded to the Monitoring Officer at SHDC for their consideration.

Ended 9.45pm

Catherine Marlton
Town Clerk



**MINUTES OF THE PLANNING AND PLACE COMMITTEE
THURSDAY 17TH MAY 2018 AT THE GUILDHALL TOTNES**

Present: Councillors R Vint (Chair), G Allen, J Hodgson and P Paine.

In Attendance: James Kershaw (SHDC Senior Specialist), Cllr John Green (SHDC), Public and Sara Halliday (Administrator).

Apologies: Councillor R Hendriksen.

Not Present: Councillors K Sermon and A Simms.

No	Subject	Comments
1	To receive apologies and to confirm that any absence has the approval of the Council.	It was RESOLVED to accept the apologies.
	<i>The Committee will adjourn for the following items:</i>	
	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.	A member of the public had two questions relating to item 2, the SHDC Air Quality Strategy consultation: what is the point of green travel vouchers if the impact on improving air quality is low; and how would a regional cycling strategy work? They congratulated SHDC on the decision to fund electric vehicle charging points at Follaton House.
	<i>The Committee will convene to consider the following items:</i>	
2	To discuss with South Hams District Council (SHDC) the proposals in the draft Air Quality Strategy (consultation until 20th June 2018).	<p>James Kershaw explained the Clean Air Strategy consultation process which contains options to try and improve the Air Quality Management Area in Totnes along the A365. The options will need to be agreed with Devon County Council, to produce a realistic, measurable and deliverable Air Quality Action Plan.</p> <p>Cllrs raised concerns about: the level of through traffic in Totnes (about 70%) and the impact of developments in Paignton and Brixham on air quality; green travel plans needing a joined-up approach; and the monitoring of air quality along the A385 in Totnes.</p> <p>It was AGREED that SHDC would review the TTC Transport Policy and Strategy 2014 to see what elements could be included as options in the Air Quality Action Plan.</p> <p>To RECOMMEND to Full Council that TTC responds to the SHDC Air Quality Action Plan consultation. The TTC response should reiterate: the TTC Transport Policy and Strategy 2014; and support for a cycle path with Littlehempston, and an underpass on Station Road, which are both important contributions to improving air quality for the town and the land should be protected for future development of these initiatives.</p>

3	<p>To approve the minutes of the meeting of 26th April 2018 and update on any matters arising.</p>	<p>The minutes have been agreed by Full Council. Matters arising:</p> <p>Item 2 – Recommendation agreed by Full Council. Cllrs Hodgson and Piper expressed interest at Full Council in being involved. An email will be sent to all Councillors asking for their interest in participating and a date set for the first meeting.</p> <p>Item 5.5 – Conditional approval has been given, with one of the conditions being that the building is only to be used as ancillary to the main dwelling, and that the unit is unsuitable for separate occupation.</p> <p>Item 7 – The following groups have been emailed encouraging them to respond directly to the SHDC consultation: Devon Wildlife Trust; Bat Conservation Trust; Devon Bat Research and Conservation Group; and Devon Greater Horseshoe Bat Project.</p>
4	<p>To note or make recommendations on the following tree works orders:</p> <p>Works to Trees in a Conservation Area:</p> <p>4.1) 1342/18/TCA T1: Bay – reduce to approx 4 metres above parking ground level, reduce lateral spread towards building and over café seating area by approx 2 metres. Little Priory Court, Fore Street, Totnes, TQ9 5NJ.</p> <p>4.2) 1273/18/TCA T1: Cherry – Fell, very close to stone wall, roots pressuring wall structure, possibly self-seeded, tree not maintained. Half Moon House, Leechwell Street, Totnes, TQ9 5SU.</p>	<p>Applications available on the SHDC website – www.southhams.gov.uk</p> <p>No objection.</p> <p>Objection. Cllrs agreed with TTC tree warden advice that the tree should be retained if possible and that cherry tree roots are unlikely to cause damage to the wall.</p>
5	<p>To make recommendations on the following planning applications:</p> <p>5.1) 0386/18/OPA – READVERTISEMENT (Revised Plans Received) Outline planning application with all matters reserved for new dwelling in front garden at 4 Argyle Terrace. 4 Argyle Terrace, Totnes, TQ9 5JJ.</p> <p>5.2) 1412/18/HHO - Householder application for a single storey side extension with roof terrace over and raised decked area. 2 Home Reach Avenue, Totnes, TQ9 5FS.</p> <p>5.3) 1266/18/LBC – Listed Building Consent for refurbishment of first floor sash windows, and replacement of double-glazed lounge window. 29 Bridgetown, Totnes, TQ9 5AD.</p>	<p>Applications available on the SHDC website – www.southhams.gov.uk</p> <p>Cllr Hodgson declared an interest as she lives in a nearby property and is unable to comment. Cllrs Allen and Vint declared a personal interest as they know the applicant. Cllrs raised concerns about the number of properties being built on this strip of land next to the railway line.</p> <p>Objection. The proposed extension and roof terrace is un-neighbourly and will significantly overlook the neighbouring properties in Lansdowne Park.</p> <p>No objection.</p>

<p align="center"><u>NOTE: Cllrs JH and RV observe and do not vote on any applications which would potentially be discussed at a Development Management Committee meeting at SHDC.</u></p>		
6	To consider the minutes of the Totnes Neighbourhood Plan Task and Finish Group meeting held on 23rd April 2018.	Noted. It was AGREED to request the following from the Totnes Neighbourhood Plan Task and Finish Group: - a copy of the minutes of the meeting held on 19 th March 2018 with Harberton Neighbourhood Plan; and - a revised timeline/project plan for the Totnes Neighbourhood Plan.
7	To note the invitation to the next Devon Community Resilience Forum on 14th June at Cruwys Morchard, Tiverton and the Spring 2018 newsletter.	Noted.
8	To note the Devon Local Flood Risk Management Strategy Update April 2018 newsletter.	Noted.
9	To note the following event request received by SHDC: 9.1) Artisan Market, 1000-16000hrs on Saturday 26th May, the Rotherfold, Totnes. 9.2) Longbow Canoe Festival, 1200-1700hrs on Saturday 10th June, Longmarsh greenspace and car parks, Totnes. 9.3) Family Fun Dog Show, 1230-1700hrs on Saturday 7th July, Longmarsh greenspace, Totnes.	Noted. Noted. Cllr Paine suggested that TTC should engage with the Totnes Boating Association ahead of the 2019 event to increase the river space for competition alongside Vire Island to encourage local attendance and spectators. Noted.
10	To note the proposed date of the next meeting – 7th June 2018 at 5pm in the Guildhall.	Noted.

CHAIR



**DRAFT 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 absence has the approval of the Committee.	Cllr Paine gave apologies for any late arrival.
<i>The Committee will adjourn for the following item:</i>		
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.		
<i>The Committee will convene to consider the following items:</i>		
2	To discuss any matters arising from the minutes of the last meeting (already agreed through Full Council).	None.
3	To consider the budget monitor and any virements needed.	The budget monitor was considered and noted. The savings of approx. £53,000 was commended, particularly in light of the investment needed in existing assets over the next 5 years.
4	To consider the Annual Return for recommendation to Full Council.	It was RECOMMENDED to Full Council that the Annual Return be approved.
5	To consider the revised Standing Orders.	<p><i>The committee adjourned to allow free discussion</i></p> <p>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.</p> <p>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.</p> <p>Cllr R Adams felt the proposed changes allowed for more public participation and for business to be dealt with more efficiently.</p> <p>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.</p>

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.

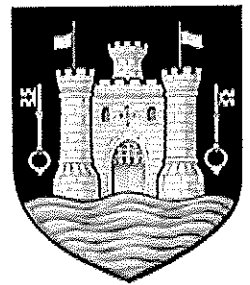
It was felt important that Councillors had time to consider which committees they would like to be considered for in the new proposed structure. It was therefore proposed that the following timeline be used:

		<ul style="list-style-type: none"> 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 25th 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.
<p><i>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.</i></p>		
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



STANDING ORDERS

TOTNES TOWN COUNCIL

Adopted ???

Last updated May 2018

DRAFT

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Text in bold is required by statute

1. Meetings

- a) Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
- b) The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- c) Councillors are expected to attend meetings.
- d) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- e) Members of the public may make representations, raise questions, give evidence at a meeting and the first item on the agenda shall allow for this.
- f) The period of time designated for public participation at a meeting shall not exceed 15 minutes or at the discretion of the Chair. Meetings can be suspended by resolution to involve the public at any time.
- g) Detailed questions from the public may be answered at a later date at the discretion of the Chair.
- h) A record of public comments shall be included in the minutes.
- i) **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted for non-confidential items.**
- j) The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- k) Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by the Chair of the Council may in their absence be done by the Deputy Chair.
- l) The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Deputy Chair, if present, shall preside. If both the Chair and the Deputy Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- m) All questions at a meeting shall be decided by a majority of the Councillors present and by voting thereon.
- n) The Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.
- o) Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave their vote for or against that question.
- p) The minutes of a meeting shall record the names of the Councillors present or if late time of arrival or leaving prior to the end.
- q) The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting (Appendix A).

- r) An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at the meeting shall be recorded in the minutes.
- s) A Councillor with voting rights who has a disclosable pecuniary interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.
- t) No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.
- u) If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Public forum may continue at the discretion of the Chair.

2. Ordinary Council meetings

- a) In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.
- b) In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
- c) If no other time is fixed, the annual meeting of the Council shall take place at 6.00pm.
- d) In addition to the annual Town Council meeting of the Council, at least three other ordinary meetings shall be held on such dates and times as the Council directs.
- e) The election of the Chair and Deputy Chair of the Council shall be the first business completed at the annual meeting of the Council.
- f) The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.
- g) The Deputy Chair of the Council, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- h) In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.
- i) In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a successor Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.
- j) Following the election of the Chair of the Council and Deputy Chair of the Council at the annual meeting of the Council, the order of business shall be as follows:
 - i. In an election year, delivery by Councillors of their declarations of acceptance of office forms and to grant permission for absent Councillors to sign their declarations in the presence of the Clerk outside of the Annual Meeting.
 - ii. In a non-election year, delivery by the Chair of their acceptance of office form.
 - iii. Confirmation of the accuracy of the minutes of the last annual town Council meeting;

- iv. Review delegation arrangements to committees and sub-committees and make appointments where appropriate;
- v. Review terms of reference for committees;
- vi. Appointment of members to existing committees;
- vii. Approve the Council's Standing Orders;
- viii. Set the dates, times and place of ordinary meetings of the Council and any committees and sub-committees agreed for the year ahead.

3. Extraordinary meetings of the Council

- a) The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- b) If the Chair of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.

4. Committees, sub-committees and working groups

- a) The Council may appoint standing committees and sub-committees at any meeting.
- b) Terms of reference, membership and Chair of any committee or sub-committee shall be approved by Council and form part of the Standing Orders
- c) The Council will determine whether the public may participate at a meeting of the committee or sub-committee.
- d) The Council may dissolve a committee or sub-committee at any meeting.
- e) The members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.
- f) Subject to Standing Order 4 (e) above, the Council, any committee or sub-committee may appoint working parties and/or open public forum groups comprised solely of Councillors, or of both Councillors and non-Councillors or entirely of non-Councillors.

5. Motions

- a) No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least three clear working days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- b) If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting, or the Councillors that have convened the meeting, to consider whether the motion shall be included or rejected.
- c) Subject to Standing Order above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- f) The following motions may be moved at a meeting without written notice to the Proper Officer;

- i. to appoint a person to preside at a meeting;
- ii. to approve the absences of Councillors;
- iii. to approve the accuracy of the minutes of the previous meeting;
- iv. to dispose of any business remaining from the last meeting;
- v. to alter the order of business on the agenda;
- vi. to proceed to the next business on the agenda;
- vii. to close or adjourn debate;
- viii. to move to a vote;
- ix. to defer consideration of a motion;
- x. to require a written report;
- xi. to extend the time limits for speaking;
- xii. to exclude the press and public for all or part of a meeting;
- xiii. to silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend any Standing Order except those which are mandatory by law;**
- xvi. to appoint representatives to outside bodies and to make arrangements for those representatives to report back;
- xvii. to adjourn the meeting;
- xviii. to close a meeting.

6. Rules of debate at meetings

- a) A motion shall not be considered unless it has been proposed and seconded.
- b) Motions must be clear and concise.
- c) The Chair shall decide the order in which amendments are considered and dealt with.
- d) Only one amendment shall be moved at a time.
- e) The mover of a motion or the mover of an amendment shall have the right of reply.
- f) During the debate of a motion, a Councillor may interrupt only on a point of order or if the Chair asks for an explanation. The Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the Standing Order which they consider has been breached or identify any irregularity.
- g) A point of order shall be decided by the Chair and their decision shall be final.
- h) The Chair shall be satisfied that a motion has been sufficiently debated before it is put to a vote.
- i) When a motion is under debate no other motion shall be moved except:
 - i. To amend the motion;
 - ii. To proceed to the next business;
 - iii. To adjourn the debate;
 - iv. To put the motion to a vote;
 - v. To ask a person to be silent or for them to leave the meeting;
 - vi. To exclude the public and press;

- vii. To adjourn the meeting;
- viii. To suspend any Standing Order, except those which are mandatory.

7. Code of Conduct

a) All Councillors and non-Councillors with voting rights shall observe the code of conduct adopted by the Council on November 6th 2017 (Appendix A).

EXPLANATION OF PECUNIARY INTEREST TAKEN FROM CODE OF CONDUCT

Disclosable Pecuniary Interests

7. The interests you **must** register are:

7.1 Those **disclosable pecuniary interests** defined by the Regulations, namely:

(a) **Employment** - any employment, office, trade, profession or vocation carried on for profit or gain by you or a relevant person;

(b) **Sponsorship** - any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a Member, or towards your expenses, including any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992;

(c) **Contracts** - any contract which is made between you or, so far as you are aware, a relevant person (as defined at Paragraph 2 above) (or a body in which the relevant person has a beneficial interest) and the Council:

(1) under which goods or services are to be provided or works are to be executed; and

(2) which has not been fully discharged

(d) **Land** - any beneficial interest in land held by you, or so far as you are aware, a relevant person, which is within the area of the Council;

(e) **Licence** - any licence (alone or jointly with others) to occupy land held by you, or so far as you are aware, a relevant person in the area of the Council which will last for a month or longer

(f) **Corporate Tenancies** - any tenancy where (to your knowledge):

(1) the landlord is the Council; and

(2) the tenant is a body in which you or, so far as you are aware, a relevant person has a beneficial interest.

(g) **Securities** - any beneficial interest that you or, so far as you are aware, a relevant person has in securities of a body where:

(1) that body (to your knowledge) has a place of business or land in the area of the Council and

(2) either:

(a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

- b) Unless they have been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c) Unless they have been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- d) **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e) A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f) A dispensation request shall confirm:
- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- h) A dispensation may be granted in accordance with Standing Order 7(e) above if having regard to all relevant circumstances the following applies:
- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business; or
 - ii. granting the dispensation is in the interests of persons living in the Council's area; or
 - iii. it is otherwise appropriate to grant a dispensation.

8. Disorderly Conduct

- a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b) If, in the opinion of the Chair, there has been a breach of Standing Order 8 (a) above, the Chair shall express that opinion and thereafter any Councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forth with and without discussion.
- c) If a resolution made in accordance with Standing Order 8(b) is disobeyed, the Chair may take such further steps as may reasonably be necessary to enforce it and/or they may adjourn the meeting.

9. Minutes

- a) Minutes, including any amendment to correct their accuracy shall be confirmed by resolution at the subsequent Council meeting.
- b) A motion to correct an inaccuracy can be moved and agreed amendments shall be made to the final minutes.

10. Voting on appointments

- a) Where two or more persons have been nominated for a position by the Council and none of those persons has an absolute majority of votes in their favour, the person having the least number of votes shall be struck off the list and a fresh vote taken.
- b) This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote.

11. Previous resolutions

- a) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 Councillors to be given to the Proper Officer.
- b) When a motion moved pursuant to Standing Order 11(a) above has been disposed of, no similar motion may be moved within a further six months.

12. Handling confidential or sensitive information

- a) Councillors and staff should not disclose confidential information.

13. Proper Officer

- a) The Council shall appoint a Proper Officer who shall be the Town Clerk and a Deputy Town Clerk who will undertake the work of the Proper Officer when the Proper Officer is absent.
- b) The Proper Officer shall:
 - i. give public notice of the time, date, venue and agenda at least three working clear days before a meeting of the Council or a meeting of a committee or subcommittee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);
 - ii. send to Councillors the date, time, venue and agenda of the meetings of the Council at least three clear days before the meeting electronically;
 - iii. convene a meeting of Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;
 - iv. attend Council meetings;
 - v. make the minutes of meetings available for inspection by the public;
 - vi. receive and retain copies of byelaws made by other local authorities;
 - vii. receive and retain declarations of acceptance of office forms from Councillors;
 - viii. process all requests made under the Freedom of Information Act 2000 and General Data Protection Regulation – 25th May 2018;
 - ix. receive and send general correspondence and notices on behalf of the Council except where there

is a resolution to the contrary;

x. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;

xi. arrange for legal deeds to be executed;

xii. arrange authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;

xiv. have overall managerial responsibility for the organisation, including staff;

xv. implement the decisions of the Council via delegated authority;

xvi. provide objective, professional advice on all matters.

14. Financial Matters

The Council shall appoint the Proper Officer to be the Responsible Financial Officer. The Deputy Town Clerk shall undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

a) The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

i. the keeping of accounting records and systems of internal controls;

ii. the assessment and management of financial risks faced by the Council;

iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually; and

iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments.

b) Financial regulations shall be reviewed regularly and at least every 2 years for fitness of purpose (Appendix B).

15. Financial controls and procurement

a) Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order 15(b) below.

b) Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

i. a specification for the goods, materials, services or the execution of works shall be drawn up;

ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;

iii. the invitation to tender shall be advertised on the Town Council website and Facebook page and must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

c) The Council or committees are not bound to accept the lowest value tender.

16. Accounts and accounting statements

- a) "Proper practices" in Standing Orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).
- b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. The Council Matters Committee with a statement summarising the Council's receipts and payments for the last year to date for information; and
 - ii. to the Full Council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e) The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each Councillor before the end of the following month of May.
- f) The annual return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

17. Annual budget and precept

- a) At least one community participatory budget event will take place prior to the annual budget setting by the Council.
- b) **The Council shall approve a budget for the coming financial year before the end of January** and instruct the Responsible Financial Officer to submit the precept demand to the District Council.

18. Execution and sealing of legal deeds

- a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b) Subject to standing order 18(a) above, any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

19. Allegations of Breaches of the Code of Conduct

- a) On receipt of an alleged breach of the code of conduct by a Councillor, the Proper Officer shall report this to the Council.
- b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council and they shall nominate another staff member to assume the duties of the Proper Officer set out in the remainder of this Standing Order.
- c) The Council may:
- i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint as required by law;

ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.

d) Upon notification by the District Council that a Councillor has breached the Council's code of conduct, the Council shall consider what, if any, action to take. Such action excludes disqualification or suspension from office.

20. Handling staff matters

a) A matter personal to a member of staff that is being considered by a meeting of Council OR the Council Matters Committee is subject to Standing Order 12 above.

b) Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Chair of the Council or, if they are not available, the Deputy Chair committee of absence occasioned by illness or other reason and that person shall report such absence to the Council Matters committee.

c) The Chair of the Council Matters Committee and a Councillor of the Proper Officers preference shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Proper Officer. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Council Matters Committee.

d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee shall contact the Chair of the Council or in their absence, the Deputy Chair of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council Matters Committee.

e) Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Proper Officer relates to the Chair or Deputy Chair of the Town Council, this shall be communicated to another member of the Council Matters Committee which shall be reported back and progressed by resolution of the Council Matters committee OR the Town Council.

f) Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.

g) The Council shall keep all written records relating to employees secure.

h) Only persons with line management responsibilities shall have access to staff records referred to in Standing Orders 19(f) and (g) above if so justified.

i) Access and means of access to records of employment referred to in Standing Orders 20(f) and (g) above shall be provided only to the Clerk and the Chair of the Council.

21. Requests for information

a) Councillors and staff must comply with the new General Data Protection Regulations (GDPR) effective from 25th May 2018. The Deputy Town Clerk is the appointed Data Protection Officer for the Town Council.

b) Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000, the Data Protection Act 1998 to be superseded by the GDPR.

c) Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Council. The Town Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000. An admin fee may be applicable for these requests depending on the complexity, at the discretion of the Town Clerk.

22. Relations with the press/media

a) Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media (Appendix C).

23. Communicating with District and County Councillors

- a) An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward Councillor(s) of the District and County Council representing the area of the Council.
- b) Unless the Council determines otherwise, copies of relevant letters for information will be sent to the District and County Council ward Councillor(s) representing the area of the Council.

24. Restrictions on Councillor activities

- a) Unless authorised by a resolution, no Councillor shall:
- i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

25. Standing Orders generally

- a) All or part of a Standing Order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b) A motion to add to or vary or revoke one or more of the Council's Standing Orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 3 Councillors to be given to the Proper Officer in accordance with Standing Order 9 above.
- c) The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor as soon as possible after they have delivered their acceptance of office form.
- d) The decision of the Chair of a meeting as to the application of Standing Orders at the meeting shall be final.

26. Committee Terms of Reference

26.1 Council Matters Committee

1. Authority

The Council Matters Committee is a Principal Committee of the Town Council and its membership is appointed by the Town Council annually. The Committee's remit is defined and agreed by the Full Council. These powers will be exercised in accordance with any policy adopted or directions given by the Town Council and subject to the Council's Standing Orders, Standing Orders on Contracts and Financial and Administrative Regulations and Personnel Policies. Meetings of the Council Matters Committee will be held monthly.

2. Membership

The Committee will consist of no fewer than 8 elected Town Councillors and a maximum of 10, and its membership and the Chair will be elected by the Full Council annually. Both the Chair and Committee

members will be re-elected each year in March/April. A Deputy Chair can be elected by the committee to fulfil the role of the Chair in their absence (if both are absent then any elected member can take the chair by agreement of the committee).

The *quorum* will be a minimum of 5 elected committee members.

3. Responsibilities

The Council Matters Committee will act as the Scrutiny Committee of the Council, monitoring the operational, civic, administrative, staffing and financial responsibilities as well as the assets of the Council. The day to day management of Council matters rests with the Town Clerk. The Council Matters Committee will be responsible for initiating, developing and monitoring any policies required for the Town Council to carry out its functions.

The Committee will be responsible for all staff appointments; annual appraisal; training and development; the setting of staff salaries, hours of work and all matters relating to their individual contracts; sickness and staff welfare issues; and grievance and disciplinary matters.

The Committee must ensure that matters relating to the personal matters of staff are not published and that all staff records are held securely.

4. Operating Principles

The Council Matters Committee will meet monthly to accept reports, raise issues and act as a conduit to the Full Council on all of its responsibilities.

The Committee will be able to recommend the creation of subcommittees which need to be constituted to aid the work of the Committee. Membership of the subcommittee would come from the membership of the Council Matters Committee. However, it is envisaged that most work will be done by the Committee itself, as it is from the Committee that recommendations to Full Council need to emerge.

The Committee may, of course, ask individual members to undertake any work which needs to be undertaken in relation to the workings of the committee e.g. developing a proposal, implementing tasks, working with the Clerk etc.

The Council Matters Committee may also recommend establishing Working Groups to undertake specific tasks within the responsibilities of the Committee (or across committee responsibilities) as defined within Standing Orders. Working groups are constituted with fixed terms of reference, and are time limited to the Council year they are constituted in. If they are to continue they will need to be reconstituted. Working groups may include Councillors not on the Council Matters Committee and members of the public, and their membership will be agreed at Full Council. They may be a task and finish group, or have a broader remit e.g. cemetery.

All committees, subcommittees and working groups are subject to the Town Council Standing Orders. The quorum for subcommittees and working groups would be 50% of the membership and in no case less than 3.

Prior to the commencement of the Committee meeting members of the public will have the opportunity to speak to the Committee, as defined within Standing Orders. With the agreement of the Committee, the Chair may suspend Standing Orders, if appropriate, to enable any interested parties to speak on a particular issue during the meeting.

5. Delegated Powers

The Council Matters Committee may approve the income and expenditure of the Council on behalf of the Council, within the remit of existing agreed Town Council financial regulations. On all other aspects of its activity, the Committee does not have delegated authority, and will be expected to make recommendations to Full Council for consideration.

The Council Matters Committee has delegated powers to act on behalf of the Council in all matters relating to staff appraisals, staff appointments, staff grievances, the setting of staff salary scales and staff training.

6. Records of Proceedings

Written minutes will be taken to record the Committee's deliberations and decisions. They will be received at the next Full Council meeting, formally adopted and any matters arising would be brought up at the next Council Matters Committee meeting.

The minutes of any subcommittee will be included into the Council Matters Committee minutes to inform Council of the workings of that subcommittee. Working groups are not required to publish minutes, but are expected to prepare a report for consideration by the Council Matters Committee on completion of their work, and may choose to prepare interim reports if they wish.

Minutes of committees and Full Council will be agreed and signed at the following Full Council meeting.

7. Administrative Support

The Town Clerk will be or will nominate an officer to be responsible for the support and administrative duties of that Committee.

26.2 Town Matters Committee

1. Authority

The Town Matters Committee is a Principal Committee of the Town Council and its membership is appointed by the Town Council annually. The Committee's remit is defined and agreed by the Full Council. These powers will be exercised in accordance with any policy adopted or directions given by the Town Council and subject to the Council's Standing Orders, Standing Orders on Contracts and Financial and Administrative Regulations and Personnel Policies.

Meetings of the Town Matters Committee will be held every month and will be held 2 weeks after Full Council.

2. Membership

The Committee will consist of no fewer than 8 elected Town Councillors, and a maximum of 10 and its membership and the Chair will be elected by the Full Council annually. Both the Chair and Committee members will be re-elected each year in March/April. A Deputy Chair can be elected by the Committee to fulfil the role of the Chair in their absence (if both are absent then any elected member can take the chair by agreement of the committee).

The *quorum* will be a minimum of 5 elected committee members.

3. Remit

The Town Matters Committee will consider on behalf of the Town Council any matters, including the physical nature of the town, and anything concerning the quality of life of people who live, work in or visit the town.

This will include:

- The welfare of the elderly and vulnerable.
- Enrichment for children and young people
- Provision of social, leisure, sporting and recreational facilities.
- Provision of adult education, cultural and library services.
- Employment Strategy.
- Tourism Development.
- Crime and anti-social behaviour.
- Lead responsibility for the development of the Community Plan, with appropriate input to the Neighbourhood Plan (please note any financial matters in relation to the Neighbourhood Plan needs to be considered by the Council Matters Committee).
- Planning applications, tree orders etc
- Traffic and Transport.
- Public Realm and Open Space (where these areas concern assets and services specifically provided by the Town Council e.g. the cemetery or the Town Council controlled allotments, the Council Matters committee will deal with the issue).
- Housing.

n.b. Where these areas overlap with services provided by the Town Council e.g. Totnes Information Point or the Civic Hall, the Council Matters Committee will deal with the issue.

4. Operating Principles

The Town Matters Committee will meet every month to consider any significant issues in relation to its remit e.g. planning. The Town Matters Committee will consider all but only matters referred to it by the Full Council by letter evidence. The Town Matters Committee may consider any matter referred to it by a member of the public. The Committee will work in partnership with relevant organisations in the town and where necessary will seek to provide leadership or coordination for the activities of individuals or organisations involved in quality of life issues. In issues in conjunction with outside groups and with a Council mandate it can act in an advocacy capacity to support specific issues.

The Committee may, of course, ask individual members to undertake any work which needs to be undertaken in relation to the workings of the Committee e.g. developing a proposal, implementing tasks, working with the Clerk etc.

The Town Matters Committee will also be able to recommend the creation of Working Groups to undertake specific tasks within the responsibility of the Committee (or across Committee responsibilities) as defined within Standing Orders. Working groups are constituted with fixed terms of reference and are time limited to the Council year they are constituted in. If they are to continue they will need to be reconstituted. Working groups may include Councillors not on the Committee and members of the public, and their membership will be agreed at Full Council.

All committees, subcommittees and working groups are subject to the Town Council Standing Orders. The quorum for subcommittees and working groups would be 50% of the membership and in no case less than 3.

Prior to the commencement of the Committee meeting members of the public will have the opportunity to speak to the Committee, as defined within Standing Orders. With the agreement of the Committee, the Chair may, during the Committee meeting suspend Standing Orders, if appropriate, to enable any interested parties to speak on a particular issue during the meeting.

5. Delegated Powers

The Town Matters Committee has full delegated powers to make a Council decision regarding representations to South Hams District Council or other appropriate bodies on all planning applications in the town re Standing Orders, unless the Committee decides, following Council guidelines, that the application should be passed to Full Council due to its size, controversial nature or potential effect on local people.

The Committee may also comment on behalf of the Town Council on licenses or street naming if requested to do so.

On all other aspects of its activity, the Committee does not have delegated authority, and will be expected to make recommendations to Full Council for consideration.

6. Records of Proceedings

Written minutes will be taken to record the Committee's deliberations and decisions, will be received at the next Full Council meeting, formally adopted and any matters arising would be brought up at the next Town Matters Committee meeting.

The minutes of any subcommittee will be included into the Town Matters Committee minutes to inform Full Council of the workings of that subcommittee. Working groups are not required to publish minutes, but are expected to prepare a report for consideration by the Town Matters Committee on completion of their work, and may choose to prepare interim reports if they wish.

7. Administrative Support

The Senior Administrator (Committees) be responsible for the support and administrative duties of that Committee.

27. Terms of Reference for Link Councillors

1. Link Councillors

The Town Council seeks to appoint Link Councillors annually. It is open to any Councillor to put themselves forward to be elected to a link Councillor role or to propose new areas of interest. The areas currently proposed are:

- Business and Employment
- Cultural Links
- Elderly and Vulnerable People
- Young People/Youth
- Heritage
- Arts
- Open Space
- Traffic and Transport
- Environment and Sustainability
- Open Space, Sports Provision and Leisure

2. Aims

The Town Council created these roles in order to provide nominated Councillors who can:

- a) develop particular knowledge about each key area;
- b) liaise with groups in the town with relevant interests to be aware of current issues and activity;
- c) take up particular cases for individuals with an issue in their remit;
- d) develop relationships with relevant service providers;
- e) take information and views from the Town Council back to the groups;
- f) take matters for consideration back to Full Council via a motion or report.

28. Terms of Reference for Advisory Bodies (Forums)

There is currently one group operating as advisory bodies to the Town Council. This is:

- The Traffic and Transport Forum

Each forum has developed its own Terms of Reference which indicate why it exists and how it wishes to operate. These Terms of Reference do not wish to cut across those stated aims, and are written solely to clarify the nature of the relationship with the Town Council, to whom each acts as an advisory body only.

1. The Town Council will nominate at least one Councillor to act as a link point with each forum.
2. The Council will seek the views of its advisory bodies on all matter of relevance to them.
3. Where an issue needs further consideration, the Town Council could request consideration of the issue by the forum. Or the Council could set up a working group, asking the forum if they would nominate members to join with the Council on the working group to consider the relevant issues.
4. It must be noted that ultimately responsibility lies with Councillors, and they may not always choose to take the advice of the forum.
5. The Town Council values the forum members. It will encourage people from across the town to join the Forum, as the recognised place for members of the community to air their detailed concerns and become involved on matters of relevance to the forum. In return it expects the Forums to:
 - Regularly promote their meetings and seek to encourage individuals and community groups to join them, in order to make them as representative as possible.
 - achieve transparency and openness by holding open meetings, publicising the agenda and reporting on their activity.
 - recognise the right of any individual or organisation to operate unilaterally, respecting everyone's opinions.

29 Terms of Reference for the Mayor and Deputy Mayor

The Mayor should provide a visible and strong presence in the town representing the Town and the Council. The Mayor should act within their role as a way for the Town Council to engage with the community as agreed by the Council and set out within Town Council policies and procedures. They act as an independent advocate for both Totnes and the Council on all occasions both within and outside of the Town.

The Mayor's role in all Civic events is to act as the senior public face of the Town/Council, representing its continuity and heritage and using the dress and regalia of the Town Mayor when appropriate. They are expected to attend events.

In undertaking the role of community leader the Mayor should help to develop partnerships with all sectors of the community for the benefit of Totnes. In achieving this they will reflect policies and recommendations of the Council in an independent manner, to further the interests of Totnes.

As Chair of the Council the Mayor fulfils both the statutory responsibilities of the Chair of the Council and the specific responsibilities of the role as directed by the Council within its Standing Orders. Their principal role is to preside at meetings of the Town Council:

- a) To determine that the meeting is properly constituted and that a quorum is present;
- b) To inform themselves as to the business and objects of the meeting;
- c) To preserve order in the conduct of those present;
- d) To confine discussion within the scope of the meeting and reasonable limits to time;
- e) To decide whether proposed motions and amendments are in order;
- f) To formulate for discussion and decision questions which have been moved for the consideration of the meeting;
- g) To decide points of order and other incidental questions which require decision at the time;
- h) To ascertain the sense of the meeting by:
 - putting relevant questions to the meeting and taking the vote thereon (and if so minded giving a casting vote);
 - declaring the result; and
 - causing a ballot to be taken if duly demanded.
- i) To approve the draft of the minutes or other record of proceedings (with the consent of the meeting);
- k) To adjourn the meeting when circumstances justify or require that course; and
- l) To declare the meeting closed when its business has been completed.

Additionally, together with the Committee Chairs, all Councillors and the Town Clerk, the Mayor through the Council committee meetings who report to Full Council, will oversee the effective management of all the resources of the Town Council, to deliver services to achieve the greatest benefit for the residents and businesses, including support for health and wellbeing, infrastructure, heritage and the economy of the town.

In undertaking the role of the Mayor they will receive support in their Civic role and in communications by the Mayor's PA. In their statutory and non-civic role, the Mayor will be supported by the Clerk.

The policy in relation to Mayoral expenditure is attached as Appendix D.

30 Town Council Planning Cycle

In election years:

- During March/April, each committee should review its own performance over the past year, and what is seen as priorities for the coming year.
- In May, the election takes place, and post holders and committee members are elected at a Council meeting prior to the AGM.
- In June, the new Council may hold an awareness day for all Councillors to goal set for the 4 years.
- In July, the Full Council confirms its priorities both for its four year term and for its first year.

In normal years

- The Mayor and Committee Chairs will be provisionally elected in April and confirmed in May at the AGM.
- During March/April, each Committee should review its own performance over the past year, and what they see as priorities for the coming year. The current Chair would lead this discussion in conjunction with the incoming Chair.

APPENDIX A

MEMBERS CODE OF CONDUCT

TOTNES TOWN COUNCIL
ADOPTED: 6TH NOVEMBER 2017
REVIEW DATE: MARCH 2019

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PART 1 - GENERAL PROVISIONS

Public Duty and Private Interests: An introduction

1 This Code applies to you as a Member or a Co-opted Member of Totnes Town Council ('the Council').

1.2.1 When acting in your capacity as a Member or Co-opted Member of the Council, you should have regard to the Principles of Public Life namely:

- Selflessness
- Honesty/Integrity
- Objectivity
- Accountability
- Openness,
- Personal judgment,
- Respect for others
- Duty to uphold the law,
- Stewardship and
- Leadership.

1.3 When acting in your capacity as a Member or Co-opted Member of the Council:

(a) you must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, a member of your family or close associate;

(b) you must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties;

(c) when carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit;

(d) you are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office;

(e) you must be as open as possible about your decisions and actions and the decisions and actions of the Council and should be prepared to give reasons for those decisions and actions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council or contained in its Constitution/Standing Orders,

(f) you must declare any private interests, whether disclosable or personal, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out at Part 2 of this Code;

(g) you must, when using or authorising the use by others of the resources of the Council, ensure that such resources are not used improperly for political purposes (including party political purposes) and that any use is in accordance with the Council's reasonable requirements;

(h) you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986 or any similar Communications Protocol or Code produced by the Council;

(i) you must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

(j) you must undertake training to support you in your role as a Councillor.

1.4 Whilst you may be strongly influenced by the views of others, it is your responsibility alone to decide what view to take on any question which Members have to decide.

1.5 Do nothing as a Member which you could not justify to the public.

1.6 The reputation of the Council depends on your conduct and what the public believes about your conduct.

1.7 It is not enough to avoid actual impropriety, you should at all times avoid any occasion for suspicion or appearance of improper conduct.

1.8 It is your responsibility to comply with the provisions of this Code.

Definitions

2. In this Code:

"interest or interests" have the meanings set out in Part 2 of this Code

"meeting" means any meeting of:

- the Council;
- any of the Council's Committees, Sub-Committees or Joint Committees,
- one or more Members, formal or informal relating to the discharge of the Council's functions where a formal record is made by a Council Officer.

"member" includes a co-opted member

"Relevant person" means:

- you or
- your spouse or civil partner, or

- a person with whom you are living as husband and wife or as civil partners

and you are aware that that other person has an interest

“relevant period” means a period of 12 months ending with the date on which you notified the Monitoring Office of an interest

“the Regulations” means ‘The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI2012/1464)’ or any statutory amendment of them

Scope

3. You must comply with this Code whenever you are acting in your official capacity, when:
 - (a) you are engaged on the business of the Council; or
 - (b) you behave so as to give a reasonable person the impression that you are acting as a representative of the Council.

General obligations

4. You must:
 - (a) treat others with courtesy and respect,
 - (b) when reaching decisions on any matter, do so on the merits of the circumstances and in the public interest and have reasonable regard to any relevant advice provided to you by an officer of the Council.
5. You **must not**:
 - (a) attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;
 - (b) do anything which may cause the Council to breach a statutory duty or any of the equality enactments (as defined in section 149 of the Equality Act 2010);
 - (c) bully any person (bullying may be characterised as any single act or pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse or misuse of power or authority which attempts to undermine or coerce or has the effect of undermining or coercing an individual or group of individuals by gradually eroding their confidence or capability which may cause them to suffer stress or fear);
 - (d) intimidate or attempt to intimidate any person who is or is likely to be:
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings,in relation to an allegation that any Member has failed to comply with the Council’s Code of Conduct;

(e) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council;

(f) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:

- (i) you have the consent of a person authorised to give it;
- (ii) you are required by law to do so;
- (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
- (iv) the disclosure is:

- (a) in the public interest; and
- (b) made in good faith and
- (c) in compliance with the reasonable requirements of the Council;

(g) prevent another person from gaining access to information to which that person is entitled by law;

(h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.

PART 2 - INTERESTS

Registration of Interests

6. You **must**, within 28 days of:

- (a) this Code being adopted by, or applied to, the Council; or
- (b) your taking office as a Member or Co-opted Member of the Council, whichever is the later, and annually thereafter, provide written notification to the South Hams District Council's Monitoring Officer of:

(i) any disclosable pecuniary interest as defined by Regulations, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with such as a husband or wife; and

(ii) any other personal interest laid down by the Council, as set out at paragraph 7 below; which will be recorded in the Council's Register of Members' Interests and made available for public inspection including on the Council's website at: www.southhams.gov.uk

6.1 Within 28 days of becoming aware of any new interest or change to any interest already registered, you must register details of that new interest or change by providing written notification to the South Hams District Council's Monitoring Officer.

6.2 Whether or not an interest within paragraphs 7.1 and 7.2 below has been entered onto the Council's register, you must disclose any interest to any meeting at which you are present in any matter being considered, in line with paragraph 8 below, where the matter is not a 'sensitive interest'.

- 6.3 Following any disclosure of an interest not on the Council's register or the subject of pending notification, you must notify the South Hams District Council's Monitoring Officer of the interest within 28 days beginning with the date of disclosure.
- 6.4 In relation to **disclosable pecuniary interests** in this Part of the Code the expressions in the left hand column below have the meanings attributed to them in the right hand column:

"body in which the relevant person has a beneficial interest"	means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director or in the securities of which the relevant person has a beneficial interest
"director"	includes a member of the committee of management of an industrial and provident society
"land"	excludes an easement, servitude, interest, or right over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income
"relevant authority"	means the authority of which you are a member
"relevant person"	means you, your spouse or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living with as if you are civil partners
"securities"	means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

Disclosable Pecuniary Interests

7. The interests you **must** register are:

7.1 Those **disclosable pecuniary interests** defined by the Regulations, namely:

(a) **Employment** - any employment, office, trade, profession or vocation carried on for profit or gain by you or a relevant person;

(b) **Sponsorship** - any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a Member, or towards your expenses, including any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992;

(c) **Contracts** - any contract which is made between you or, so far as you are aware, a relevant person (as defined at Paragraph 2 above) (or a body in which the relevant person has a beneficial interest) and the Council:

- (1) under which goods or services are to be provided or works are to be executed; and
- (2) which has not been fully discharged

(d) **Land** - any beneficial interest in land held by you, or so far as you are aware, a relevant person, which is within the area of the Council;

(e) **Licence** - any licence (alone or jointly with others) to occupy land held by you, or so far as you are aware, a relevant person in the area of the Council which will last for a month or longer

(f) **Corporate Tenancies** -any tenancy where (to your knowledge):

- (1) the landlord is the Council; and
- (2) the tenant is a body in which you or, so far as you are aware, a relevant person has a beneficial interest.

(g) **Securities** - any beneficial interest that you or, so far as you are aware, a relevant person has in securities of a body where:

(1) that body (to your knowledge) has a place of business or land in the area of the Council and

(2) either:

(a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Personal or other interests

7.2 **Those other personal interests** - you have a non-pecuniary interest where a decision in relation to a matter being determined or to be determined:

(a) might reasonably be regarded as affecting the financial position or well being of you; a member of your family or any person with whom you have a close association; or any body or group which you are a member of more than it might affect the majority of council tax payers, rate payers or inhabitants in the parish; and

(b) the interest is such that a reasonable person with knowledge of all the relevant facts would consider your interest so significant that it is likely to prejudice your judgement of the public interest.

(c) any other area which, in your view, might create a conflict of interest in carrying out your duties as a Councillor, including but not confined to the receipt of gifts or hospitality to a value greater than £50.

7.3 Where the South Hams District Council's Monitoring Officer agrees that any information relating to your interests is "**sensitive information**" namely information whose availability for inspection by the public is likely to create a serious risk that any person may be subjected to violence or intimidation, you need not include that

information when registering that interest, or, as the case may be, any change to that interest.

- 7.4 You must, within 28 days of becoming aware of any change of circumstances which means that information excluded is no longer sensitive information, notify the South Hams District Council's Monitoring Officer asking that the information be included in the Council's Register of Members' Interests.

Declaration of Interests and participation in meetings

8. Unless a dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a disclosable pecuniary interest as defined by the Regulations and you must also observe any restrictions the Council may place on your involvement in matters where you have any interest as defined by the Council and shown at Paragraph 7 above.

- 8.1 If you are present at a meeting and you are aware that you have a non-pecuniary interest or a disclosable pecuniary interest in any matter being considered or to be considered at the meeting you must disclose the existence and nature of that interest to the meeting if that interest is not already entered in the register. Unless you have the benefit of a current and relevant dispensation in relation to that matter you must withdraw from the meeting for a disclosable pecuniary interest, in relation to a non-disclosable pecuniary/personal interest you must apply the test set out in paragraph 7.2 above and thereby establish whether, having declared the interest, to:

- (i) continue to participate in the meeting;
- (ii) not participate, or participate further, in any discussions on the matter at the meeting;
- (iii) not participate in any vote, or further vote, taken on the matter at the meeting;
- (iv) not seek to influence improperly any decision about that business;
- (v) withdraw from the room or chamber where a meeting considering the business is being held at the commencement of the consideration of that business in which you have the interest, or (if later) the time at which the interest becomes apparent to you.

Request for dispensation

9. Parish and Town Councils are now responsible for determining requests for a dispensation by a parish councillor under Section 33 of Localism Act 2011. This is because they are a "relevant authority" under section 27(6) (d) of the Act.

Process for making requests

- 9.1 Any Councillor who wishes to apply for a dispensation must fully complete a Dispensation Request form (attached as Appendix A) and submit it to the Town Clerk as soon as possible before the meeting which the dispensation is required, with a minimum of 10 clear days.

- 9.2 At Full Council on 6th November 2017 when this Code of Conduct was adopted, Totnes Town Council **RESOLVED** that the Council delegates the power to grant dispensations to the Clerk, unless the Clerk makes the decision to refer the decision back to Full Council. The power rests with the relevant authority under section 33(1) of the Localism Act 2011 and the basis is set out under section 33(2).

Terms of Dispensations

- 9.3 Dispensations may be granted:
- (a) for one meeting; or
 - (b) for a period not exceeding 4 years.

Disclosure of Decision

- 9.4 Any Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates. A copy of the dispensation will be kept with the Register of Councillors' Interests.

PART 3 - MEMBER/OFFICER RELATIONS

PREAMBLE - Mutual trust and respect between Councillors and Officers is essential to ensure good governance and the effective running of a council. To help ensure that relationships do not go awry this written protocol, incorporated in the Code of Conduct, covers:

- *The respective roles and responsibilities of the Councillors and the Clerk, and all other staff employees;*
- *Relationships between Councillors and Officers;*
- *Where/Who the Clerk should go to if they have concerns;*
- *Who is responsible for making decisions.*

Background

Totnes Town Council has adopted the following Protocol as part of the Code of Conduct for Members.

- i) This protocol is intended to assist Councillors and the Clerk, in approaching some of the sensitive circumstances which arise in a challenging working environment.
- ii) The reputation and integrity of the Council is significantly influenced by the effectiveness of Councillors, the Clerk and other staff working together to support each other's roles.
- iii) The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy. Close personal familiarity should be avoided.

10. Roles of Councillors and Employees

10.1 The respective roles of Councillors and employees can be summarised as follows: Councillors and Officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct:

- Councillors are responsible to the electorate and serve only so long as their term of office lasts.
- Officers are responsible to the Council. Their job is to give advice to Councillors and to the Council, and to carry out the Council's work under the direction and control of the Council and relevant committees.

11 Councillors

11.1 Councillors have four main areas of responsibility:

- To determine Council policy and provide community leadership;
- To monitor and review Council performance in delivering services;
- To represent the Council externally; and
- To act as advocates for their constituents.

11.2 All Councillors have the same rights and obligations in their relationship with the Clerk and other employees, regardless of their status or political party, and should be treated equally.

11.3 Councillors shall not involve themselves in the day to day running of the Council. This is the Clerk's responsibility, and the Clerk will be acting on instructions from the Council or its Committees, within an agreed job description.

12 Chair and Vice-Chair of Committees

Committee Chair and Vice-Chair have additional responsibilities. These responsibilities mean that their relationships with employees may be different and more complex than those of other Councillors. However, they must still respect the impartiality of Officers and must not ask them to undertake work of a party political nature, or to do anything which would prejudice their impartiality.

13 Meetings

13.1 Attendance

Councillors are required to attend punctually for all meetings of any Committees or Working Groups they are appointed to.

Apologies should be given to the Town Clerk or the Committee Clerk no later than 2 hours before the start of the meeting.

Authorised or non-authorised absence from meetings, or late arrival, on three consecutive occasions for any Committee or Working Group will result in the Member

being removed from the Committee/Working Group and a replacement being appointed at the next Full Council meeting.

13.2 Alcohol and Drugs

Councillors are not allowed to attend any meetings whilst under the influence of alcohol or drugs.

The Mayor or Town Clerk are entitled to ask any Member to leave the meeting if it is suspected that they are under the influence of alcohol or drugs.

13.3 Food and Drink

Councillors are not permitted to consume food or drink during any meetings being held in the Guildhall Chambers other than the drinking water provided.

13.4 Use of Electronic Devices

All mobile phones must be switched to silent during meetings.

Answering calls or messages on mobile phones should only be done in an emergency situation and the Member should leave the meeting to respond to the call/message.

The use of any recording devices should be declared at the start of any meetings.

Mobile phones and any recording devices must be switched off during the confidential Part II of any meetings.

14 **Officers**

The role of Officers is to give advice and information to Councillors and to implement the policies determined by the Council.

In giving such advice to Councillors, and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations. An Officer may report the views of individual Councillors on an issue, but the recommendation should be the Officer's own. If a Councillor wishes to express a contrary view they should not pressurise the officer to make a recommendation contrary to the officer's professional view, nor victimise an officer for discharging his/her responsibilities.

15 **Expectations**

15.1 All Councillors can expect:

- a commitment from Officers to the Council as a whole, and not to any individual Councillor, group of Councillors or political group;
- a working partnership;
- Officers to understand and support respective roles, workloads and pressures;

- A timely response from Officers to enquiries and complaints;
- Officer's professional advice, not influenced by political views or personal preferences;
- regular, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from Officers;
- training and development opportunities to help them carry out their role effectively;
- not to have personal issues raised with them by Officers outside the Council's agreed procedures;
- that Officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly;
- that Officers will at all times comply with the relevant code of conduct.

15.2 Officers can expect from Councillors:

- a working partnership;
- an understanding of, and support for, respective roles, workloads and pressures;
- leadership and direction;
- respect, courtesy, integrity and appropriate confidentiality;
- not to be bullied or to be put under undue pressure;
- that Councillors will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- that Councillors will at all times comply with the Council's adopted Code of Conduct.

15.3 Some General Principles:

- Close personal relationships between Councillors and Officers can confuse their separate roles and get in the way of the proper conduct of Council business, not least by creating a perception in others that a particular Councillor or Officer is getting preferential treatment.

- Special relationships with particular individuals or party political groups should be avoided as it can create suspicion that an employee favours that Councillor or political group above others.

16 Political Groups

- 16.1 The operation of political groups is becoming more of a feature within town/parish councils, but Totnes Town Council endorses NALC policy that party politics should have no place in town/parish councils. Town/parish Councillors are there to serve their community as members of the community, and should not be distracted by party political issues. Party politics within a town council can pose particular difficulties in terms of the impartiality of the Clerk and other employees, and the relationship between Councillors and the staff generally.
- 16.2 Party political groups have no power to require the Clerk or any other employee to attend group meetings or to prepare written reports for them and employees can legitimately refuse to do so. The Clerk and other Officers are responsible to the Council as a whole and should not take action under instructions from any individual Councillor, even if they have been styled as 'Leader' of the Council.

17 When things go wrong

- 17.1 From time to time the relationship between Councillors and the Clerk (or other employees) may break down or become strained. Whilst it is always preferable to resolve matters informally, through conciliation by an appropriate third party, it is important that the Council follows a formal grievance protocol or procedure.
- 17.2 The law requires all employers to have disciplinary and grievance procedures. Adopting a grievance procedure enables individual employees to raise concerns, problems or complaints about their employment in an open and fair way when things go wrong.
- 17.3 If a Councillor is dissatisfied with the conduct, behaviour or performance of the Clerk or another employee, the matter should be raised with the Clerk in the first instance (unless the matter relates to the Clerk when it shall be raised with the Mayor). If the matter cannot be resolved informally, it may be necessary to invoke the Council's disciplinary procedure.

18 Gifts and Hospitality

- 18.1 The Standards Board Guidance on the Code of Conduct requires Members to register any gifts or hospitality worth £25 or over that are received in connection with any official duties, and the source of the gift or hospitality. Members must complete the registration within 28 days of receiving it.

As with other registered interests, a member has a personal interest in any matter under consideration at a meeting if it is likely to affect a person giving a member a gift or hospitality. Members must declare the existence and nature of the gift or hospitality as an interest at the meeting. Members will also need to consider whether the interest is prejudicial.

The receipt of gifts or hospitality can be misinterpreted. Guidance is provided in Appendix B to help Members to consider the implications of receiving gifts and hospitality and to make an appropriate judgement.

DRAFT

TOTNES TOWN COUNCIL

DISPENSATION REQUEST

<p>Name of Councillor</p>	
<p>Nature and description of interest for which dispensation sought:</p>	
<p>Period for which dispensation is sought.</p> <p>Note:</p> <ul style="list-style-type: none"> • This may be for a maximum period of 4 years. • Where a dispensation is sought for a particular meeting, please specify date of meeting. 	
<p>Grounds on which the dispensation is sought:</p> <ul style="list-style-type: none"> • Please refer to grounds set out in the attached guidance. • Please provide supporting reasons as to why you consider the dispensation request should be granted. • Please state whether you are seeking a dispensation to speak and to vote or to speak only on the particular matter. 	

Guidance on Dispensation Requests

A dispensation can be granted on the following grounds to enable a member to speak and/or vote where they would otherwise have a disclosable pecuniary interest:

1. That so many members of the Council have disclosable pecuniary interests in a matter that it would impede the transaction of the business (i.e. it would otherwise be inquorate).
2. That without the dispensation, the representation of different political groups on the Council would be so upset as to alter the outcome of any vote on the matter.
3. That the Council considers that the dispensation is in the interests of persons living in the Council's area.
4. That without a dispensation no member of the Cabinet would be able to participate on the matter
5. That the Council considers that it is otherwise appropriate to grant a dispensation.

A dispensation request must be made to the Town Clerk in writing.

It is advisable to submit a dispensation request well in advance of the date of the meeting for which the dispensation is sought and in any event, other than in exceptional circumstances, the dispensation request should be submitted not less than 10 clear days prior to the date of the meeting to which the dispensation request relates.

The following **Criteria** will be considered in determining whether to grant dispensation requests:

1. Whether the nature of the member's interest is such that to allow them to participate would not damage public confidence in the conduct of the Council's business
2. Whether the interest is common to the member and a significant proportion of the general public; *if this is the case a dispensation is more likely to be granted.*
3. Is the participation of the member in the business that the interest relates to justified by a member's particular role or expertise?
4. Whether the interest is trivial or remote; *if this is the case a dispensation is more likely to be granted.*

GUIDANCE ON GIFTS AND HOSPITALITY

General Caution

Treat with extreme caution any offer or gift, favour or hospitality that is made to you personally which may possibly be perceived to be in connection with your position as a Town Councillor.

Your personal reputation and that of the Town Council can be seriously jeopardised by the inappropriate acceptance by you of gifts or hospitality.

The acceptance of gifts and hospitality is not always unlawful or inappropriate. The decision for you, in every case, is whether or not it is appropriate to accept any gift or hospitality that might be offered to you having regard to how it might be perceived.

No hard and fast rules can be laid down to cover every circumstance as to what is appropriate or inappropriate. The following general principles will enable you to make your own decision.

Criminal Law

It is a criminal offence corruptly to solicit or receive any gift, reward or advantage as an inducement to doing, or forbearing to do anything, in respect of any transaction involving the Town Council.

The onus would be on you to disprove corruption in relation to a gift from a person holding or seeking to obtain a contract from the Town Council.

Limits of Guidance

The Code of Conduct does not apply to:

- Gifts given to the Town Council that you accept formally on your Council's behalf and are retained by the Council and not by you personally.

Meaning of Gifts and Hospitality

The expressions 'gifts' and 'hospitality' have wide meanings and no conclusive definition is possible.

Gifts and hospitality include:

- The free gift of any goods or services;
- The opportunity to acquire any goods or services at a discount or at terms not available to the general public;
- The opportunity to obtain goods or services not available to the general public;
- The offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event;
- The use of a free car.

Common gifts include pens, diaries, calendars and other business stationery, articles of clothing, books, flowers and bouquets. When making purchases you should be cautious if additional services, privileges or advantages are offered which might be related to your position as a Member of the Town Council.

Appropriate Gifts and Hospitality

There are some circumstances where you may accept gifts and hospitality as being in the normal course of your duties as a Member:

- Civic hospitality provided by another public authority;
- Normal and modest refreshment in connection with any meeting in the course of your work as a Town Council Member (e.g. tea, coffee and other normal beverages and biscuits);
- Tickets for sporting, cultural and entertainment events which are sponsored or promoted by the Town Council or bodies to which you have been appointed by the Town Council, and the tickets are offered in relation to that sponsorship or promotion;
- Small low value gifts (below £25.00 such as pens, calendars, diaries, flowers and other mementos and tokens);
- Drinks or other modest refreshment received in the normal course of socialising arising consequentially from Town Council business (e.g. inclusion in a round of drinks after a meeting);
- Modest meals provided as a matter of courtesy in the office or meeting place of a person with whom the Town Council has a business connection;
- Souvenirs and gifts from other public bodies intended as personal gifts (e.g. arising from twin-town and other civic events).

Principles to Apply in Relation to Gifts and Hospitality

In deciding whether it is appropriate to accept any gift or hospitality you must apply the following principles:

- Do not accept a gift or hospitality as an inducement or reward for anything you do as a Town Council Member. If you have any suspicion that the motive behind the gift or hospitality is an inducement or reward you must decline it.
- "Reward" includes remuneration, reimbursement and fee.
- Do not accept a gift or hospitality of significant value or whose value is excessive in the circumstances.
- Do not accept a gift or hospitality if acceptance might be open to misinterpretation. Such circumstances will include gifts and hospitality:

- From parties involved with the Town Council in a competitive tendering or other procurement process.
- From applicants for planning permission and other applications for licences, consents and approvals in which the Town Council has an involvement.
- From applicants for grants, including voluntary bodies and other organisations applying for public funding from the Town Council.
- From parties in legal proceedings with the Town Council.

- Do not accept a gift or hospitality if you believe it will put you under any obligation to the provider as a consequence.
- Do not solicit any gift or hospitality and avoid giving any perception of so doing.

Gifts Received and Donated to a Chair's Appeal

It may be customary for some Members on receiving gifts of value not to retain these personally but to pass them to the Chair for use in relation to a charity appeal. Members may continue to do this, but should indicate this intention to the provider and make this clear on the registration form.

Reporting of Inappropriate Gifts and Hospitality offered

It is a criminal offence for a person corruptly to give or offer any gift, reward or advantage as an inducement or reward to you for doing or forbearing to do anything as a member of the Town Council.

You must immediately report to the Monitoring Officer any circumstances where an inappropriate gift or hospitality has been offered to you.

You may thereafter be required to assist the Police in providing evidence.

APPENDIX B

FINANCIAL REGULATIONS

TOTNES TOWN COUNCIL

MAY 2017

REVIEW DATE: MARCH 2019

These Financial Regulations are produced in accordance with Governance and Accountability for Local Councils and were adopted by the Council at its meeting on 3RD July 2017.

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GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. Financial regulations are one of the Council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the Council's Standing Orders and any individual financial regulations relating to contracts.
- 1.2. The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.
- 1.3. The Council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the Council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the Council. The Clerk has been appointed as RFO for this Council and these regulations will apply accordingly.
- 1.9. The RFO;
 - acts under the policy direction of the Council;
 - administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices;

- determines on behalf of the Council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the Council up to date in accordance with proper practices;
 - assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the Council.
- 1.10. The accounting records determined by the Clerk/RFO shall be sufficient to show and explain the Council's transactions and to enable the Clerk/RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the Council from time to time comply with the Accounts and Audit Regulations.
- 1.11. The accounting records determined by the Clerk/RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the Council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the Council; and
 - wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the Clerk/RFO shall include:
- procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the Council for approval to be written off except with the approval of the Clerk/RFO and that the approvals are shown in the accounting records; and

- measures to ensure that risk is properly managed.

1.13. The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (Council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors,

shall be a matter for the full Council only.

1.14. In addition the Council must:

- determine and keep under regular review the bank mandate for all Council bank accounts; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

1.16. All accounting procedures and financial records of the Council shall be determined by the Clerk/RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

1.17. Every month the Clerk/RFO shall verify bank reconciliations (for all accounts) produced by the Deputy Clerk. The Clerk/RFO shall sign the reconciliations as evidence of verification.

- 1.18. The Clerk/RFO shall complete the annual statement of accounts, annual report, and any related documents of the Council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.
- 1.19. The Council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the Council shall make available such documents and records as appear to the Council to be necessary for the purpose of the audit and shall, as directed by the Council, supply the Clerk/RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary for that purpose.
- 1.20. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the Council in accordance with proper practices.
- 1.21. The internal auditor shall:
- be competent and independent of the financial operations of the Council;
 - report to Council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the Council.
- 1.22. Internal or external auditors may not under any circumstances:
- perform any operational duties for the Council;
 - initiate or approve accounting transactions; or
 - direct the activities of any Council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 1.23. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 1.24. The Clerk/RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of

account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

- 1.25. The Clerk/RFO shall, without undue delay, bring to the attention of all Councillors any correspondence or report from internal or external auditors.

ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 1.26. The Clerk/RFO shall formulate and submit proposals for the following financial year to the Council not later than the end of December each year. This will include the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered first by the Operations Committee and then approved by the Full Council.
- 1.27. The Council shall consider the annual budget proposals in relation to the Council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 1.28. The Council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The Clerk/RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 1.29. The approved annual budget shall form the basis of financial control for the ensuing year.

BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 1.30. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
- the Council for all items over £10,000;
 - the Operations Committee for items over £5,000; or
 - the Clerk/RFO for any items below £5,000.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk/RFO, and where necessary also by the appropriate Chair.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 1.31. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the Council. During the budget year and with the approval of Council having considered fully the implications for public services, unspent and available

amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

- 1.32. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 1.33. The salary budgets are to be reviewed at least annually as part of the budget setting process. The Clerk/RFO will inform the Council of any changes impacting on the budget requirements for the coming year in good time.
- 1.34. In cases of extreme risk to the delivery of Council services, the Clerk/RFO may authorise revenue expenditure on behalf of the Council which in the Clerk/RFO's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1000. The Clerk/RFO shall report such action to the Chair as soon as possible and to the Council as soon as practicable thereafter.
- 1.35. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 1.36. All capital works shall be administered in accordance with the Council's Standing Orders and financial regulations relating to contracts.
- 1.37. The Clerk/RFO shall regularly provide the Operations Committee with a budget monitor comparing actual expenditure against that planned as shown in the budget. These statements are to be prepared for each Operations Committee meeting, at least at the end of each financial quarter, and shall include explanations where required.
- 1.38. Changes in earmarked reserves shall be considered by the Operations Committee and approved by Full Council as part of the budgetary control process.

BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 1.39. The Council's banking arrangements, including the bank mandate, shall be made by the Clerk/RFO and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 1.40. A schedule of the payments required shall be prepared by the Clerk/RFO and, together with the relevant invoices, be presented to and signed by two Councillors who are bank signatories.

- 1.41. All invoices for payment shall be examined, verified and certified by the Clerk/RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the Council.
- 1.42. The Clerk/RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading.
- 1.43. The Clerk/RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
 - a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before two members are able to sign the invoice, where the Clerk/RFO certify that there is no dispute or other reason to delay payment, provided that two members sign the invoice retrospectively;
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that two members sign the invoice retrospectively; or
 - c) fund transfers within the Council's banking arrangements up to the sum of £2,500.
- 1.44. A record of regular payments made shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 1.45. In respect of grants The Operations Committee shall approve expenditure within any limits set by Council and in accordance with any policy statement approved by Council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the Council.
- 1.46. Members are subject to the Code of Conduct that has been adopted by the Council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 1.47. The Council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 1.48. The Council will make safe and efficient arrangements for the making of its payments.

- 1.49. Following authorisation under Financial Regulation 5 above, the Council, a duly delegated committee or, if so delegated, the Clerk/RFO shall give instruction that a payment shall be made.
- 1.50. All payments shall be effected by bank payment or debit card.
- 1.51. Cheques for payment drawn on the bank account shall be signed by two members of Council. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 1.52. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 1.53. If thought appropriate by the Council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members. The approval of the use of a variable direct debit shall be renewed by resolution of the Council at least every two years.
- 1.54. If thought appropriate by the Council, payment for certain items may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to Council as made.
- 1.55. If thought appropriate by the Council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to Council as made. If thought appropriate by the Council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 1.56. No employee or Councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised in writing by the Council or a duly delegated committee.
- 1.57. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 1.58. The Council, and any members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 1.59. Where internet banking arrangements are made with any bank, the Clerk/RFO shall be appointed as the Service Administrator. The bank mandate approved

by the Council shall identify a number of Councillors who will be authorised to approve transactions on those accounts.

- 1.60. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for Council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 1.61. Changes to account details for suppliers, which are used for internet banking, may only be changed on written hard copy notification by the supplier, and shall be verified by a confirmation phone call or e-mail to the supplier.
- 1.62. Any Debit Card issued for use will be in the name of the Clerk/RFO. The card will be securely stored by the Deputy Clerk. Use of the card shall be restricted to online or telephone purchases and cash withdrawals solely for the purpose of topping up the petty cash balance. Proper VAT invoices must be obtained for all online or telephone purchases. The card can only be used by the Clerk/RFO or Deputy Clerk. Invoices form all card purchases must be signed retrospectively by two members
- 1.63. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Council Operations Committee. Transactions and purchases made will be reported to the Operations Committee and authority for topping-up shall be at the discretion of the Operations Committee.
- 1.64. Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the Clerk/RFO and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 1.65. The Clerk/RFO may provide petty cash to officers for the purpose of defraying operational and other expenses.
 - a) The Deputy Clerk shall manage the petty cash. Vouchers/receipts for payments made from petty cash shall be kept to substantiate the payment. Petty cash payments will not exceed £25.
 - b) Vouchers/receipts for payments made must be initialled/signed by the Clerk/RFO as authorisation for reimbursement and forwarded to the Deputy Clerk for reimbursement.
 - c) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - d) Cash to maintain the petty cash float shall be drawn from the bank using the debit card. The Clerk/RFO will hold the PIN number and the Deputy Clerk will hold the card. Cash will be collected by both the Clerk/RFO and the Deputy Clerk who will both sign a cash withdrawal form.

PAYMENT OF SALARIES

- 1.66. As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by Council, or duly delegated committee.
- 1.67. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts.
- 1.68. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Council.
- 1.69. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (Wages file). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any Councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 1.70. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 1.71. An effective system of personal performance management should be maintained for the senior officers.
- 1.72. Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.
- 1.73. Before employing interim staff the Council must consider a full business case.

LOANS AND INVESTMENTS

- 1.74. All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by Full Council.
- 1.75. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full Council. In each case a report in writing shall be provided to Council in respect of value for money for the proposed transaction.
- 1.76. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 1.77. The Council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the Council at least annually.
- 1.78. All investments of money under the control of the Council shall be in the name of the Council.
- 1.79. All investment certificates and other documents relating thereto shall be retained in the custody of the Clerk/RFO.
- 1.80. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

INCOME

- 1.81. The collection of all sums due to the Council shall be the responsibility of and under the supervision of the Clerk/RFO.
- 1.82. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the Clerk/RFO and the Clerk/RFO shall be responsible for the collection of all accounts due to the Council.
- 1.83. The Council will review all fees and charges at least biennially, following a report of the Clerk/RFO.
- 1.84. Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.

- 1.85. All sums received on behalf of the Council shall be banked intact as directed by the Clerk/RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the Clerk/RFO considers necessary.
- 1.86. The origin of each receipt shall be entered on the paying-in slip.
- 1.87. Personal cheques shall not be cashed out of money held on behalf of the Council.
- 1.88. The Clerk/RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 1.89. Where any significant sums of cash are regularly received by the Council, the Clerk/RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 1.90. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the Council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any Council meeting (see also Regulation 16 below).

ORDERS FOR WORK, GOODS AND SERVICES

- 1.91. All members and officers are responsible for obtaining value for money at all times. An officer contracting services shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below.
- 1.92. A member may not make any contract on behalf of the Council.
- 1.93. The Clerk/RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the Clerk/RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

CONTRACTS

- 1.94. Procedures as to contracts are laid down as follows:
 - a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that

this regulation need not apply to contracts which relate to items (i) to (vi) below:

- i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk/RFO shall act after consultation with the Chair and Vice Chair of Council); and
 - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the Council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the Council shall comply with the relevant requirements of the Regulations¹.
 - c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)².
 - d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
 - e. Such invitation to tender shall state the general nature of the intended contract and the Clerk/RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk/RFO in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and

¹ The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

² Thresholds currently applicable are:

- a. For public supply and public service contracts 209,000 Euros (£164,176)
- b. For public works contracts 5,225,000 Euros (£4,104,394)

remain sealed until the prescribed date for opening tenders for that contract.

- f. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk/RFO in the presence of at least one member of Council.
- g. Any invitation to tender issued under this regulation shall be subject to current Standing Orders, and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk/RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £5,000 and above £1,000 the Clerk/RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.1 above shall apply.
 - i. The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
 - j. Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)

- 1.95. Payments on account of the contract sum shall be made within the time specified in the contract by the Clerk/RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 1.96. Where contracts provide for payment by instalments the Clerk/RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the Council.
- 1.97. Any variation to a contract or addition to or omission from a contract must be approved by the Council and Clerk/RFO to the contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

ASSETS, PROPERTIES AND ESTATES

- 1.98. The Clerk/RFO shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council. The Clerk/RFO shall ensure a record is maintained of all properties held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 1.99. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 1.100. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law. In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 1.101. No real property (interests in land) shall be purchased or acquired without the authority of the Full Council. In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 1.102. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the Full Council. In each case a report in writing shall be provided to Council with a full business case.
- 1.103. The Clerk/RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

INSURANCE

- 1.104. The Clerk/RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 1.105. The Clerk/RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 1.106. The Clerk/RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Council at the next available meeting.

- 1.107. All appropriate employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the Council, or duly delegated committee.

CHARITIES

- 1.108. Where the Council is sole managing trustee of a charitable body the Clerk/RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk/RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

RISK MANAGEMENT

- 1.109. The Council is responsible for putting in place arrangements for the management of risk. The Clerk/RFO shall prepare, for approval by the Council, risk management policy statements in respect of all activities of the Council. Risk policy statements and consequential risk management arrangements shall be reviewed by the Council at least annually.
- 1.110. When considering any new activity, the Clerk/RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the Council.

SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 1.111. It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The Clerk/RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these Financial Regulations.
- 1.112. The Council may, by resolution of the Council duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of Council.

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COMMUNICATIONS & MEDIA PROTOCOL

TOTNES TOWN COUNCIL

January 2015

Reviewed July 2017

This protocol acts as a reference tool for any employee or Councillor who engages with the media or communicates with members of the public. It also includes guidance on personal use of social media where it could be deemed to have a negative impact on the Council's reputation.

This protocol applies to all Town Council employees and Councillors.

INTRODUCTION

Totnes Town Council receives enquiries from the media, constituents and wider members of the public every year.

The purpose of this protocol is to clarify the roles and responsibilities of the Clerk, Mayor, all employees and all Councillors and to provide guidance on how to handle media interest.

The aim of the protocol is to ensure that the Council is seen to communicate in a professional and objective manner. In all cases, the Council's outside communications should be:

- Open and honest
- Proactive
- Responsive and timely

LEGAL ISSUES

There are circumstances under which employers can be held legally responsible for content published by their employees. This may include action taken as part of their role for the organisation and material published on official organisation channels or somewhere that has been previously sanctioned by the Town Council. It is therefore important to make all employees aware of the potential legal issues with regards to communication.

It is important that employees are aware that communicating information about the Council cannot be isolated from their working life. For example any information published online can be accessed around the world within seconds and will be publicly available for all to see.

Employees and Councillors should take the following into consideration when using social media:

- Be aware of the Council guidelines for using social media, whether this is for personal use or as a part of their working role (See "SOCIAL MEDIA").

- Be familiar with the legal areas outlined below before writing or speaking about colleagues or sharing information about the Council.
- Ensure that verbal or written information does not disclose privileged or confidential information.

Libel and defamation

Defamation is the act of making a statement about a person or company that is considered to harm reputation, for example, by lowering others' estimation of the person or company, or by causing them to lose their rank or professional standing. If the defamatory statement is written down (in print or online) it is known as libel. If it is spoken, it is known as slander. There are exceptions to this - posting a defamatory statement online or recording it on a podcast would both be examples of libel.

Other points to note

An organisation may be held responsible for something an employee has written or said if it is on behalf of the company or on a company-sanctioned space. Action can also be taken against anyone repeating libelous information from another source, so careful checks are needed before quoting statements from websites. This can also apply to linking to defamatory information.

You should consider whether a statement can be proved before writing or using it – in law, the onus is on the person making the statement to establish its truth.

PUBLICITY

The media plays a huge role in informing residents about what the Council does and how it spends their money (at all tiers of Government). It is therefore vital that the Council communicates effectively with the media and wherever possible will take a positive approach to meeting media requests for information and interviews. This approach will help achieve the following objectives:

- Ensure that the Council is recognised as one which is open, accountable, accessible and which listens
- Share and celebrate the Council's successes
- Give information about policies and services and about the democratic process so that people feel more informed about the Council's work
- Handle negative issues clearly and decisively

Publicity in Election Periods

The rules governing publicity change when an election has been announced. In the period between the notice of an election and the election itself all proactive publicity about candidates or other politicians is halted. This applies to local, national or European elections.

During this period Council publicity should not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual Councillors or groups of Councillors. This is to make sure that no individual or political party gains an unfair advantage by appearing in corporate publicity.

In these circumstances, where a quote is required, the relevant officer may be quoted, in accordance with the guidelines in this protocol.

Young People and Publicity

Guidelines should be followed if commissioning photographs of children (i.e. under 18 years of age) or if planning photography of children at events and using visual media for publicity purposes. Please refer to Chapter 18 of Council Constitution – The Child and Vulnerable Adults Protection Policy for further information on this subject.

THE MEDIA

The local press generally only covers stories relevant to people living and working in Totnes and the immediate surrounding areas. They include newspapers such as the Totnes Times (paid for) and the Totnes News (free). Other local media include radio stations such as Totnes FM, Soundart Radio, BBC Devon, Heart and Palm FM, all of which have specific target audiences.

Regional media includes newspapers like the Herald Express and Western Morning News.

It is rare that Totnes Town Council would be involved in media communications at a national, international or specialist level however the protocol remains pertinent in these cases.

Identifying Newsworthy Items and Handling Media Enquiries

It is the responsibility of everyone working within the Council to identify worthy news items and this should be done as early as possible. These might include Mayoral engagements, the Christmas Markets or promoting successes of the Council. Ideas for news items should be sent to the Clerk.

The Clerk will co-ordinate all media enquiries into the office. In certain circumstances it may be appropriate for the lead officer, Councillor or the Mayor to respond to the enquiry, in line with this protocol.

Council officers who are directly approached by a member of the media should not attempt to answer questions themselves without gleaning the full facts and should confer with the Clerk before responding. However simple, factual queries will be dealt with appropriately by the office.

Councillors who are directly approached by a member of the media may respond in accordance with the guidance contained in this protocol.

The Council should not pass comment on leaks, anonymous allegations or allegations about individual staff and Councillors. The Council is open and accountable and should always explain if there is a reason why it cannot answer a specific enquiry.

News or Press Releases

News / press releases are one of the key techniques for publicising Council activities, decisions and achievements.

There are two types of press releases – Official Council Press Releases and Councillor Press Releases.

Official Council Press Releases: An official Council release is made on behalf of the Council as a whole; it will be written by an officer and authorised by the Clerk. It is non-party political and will normally include a quote from the relevant Councillor(s). This is usually the Mayor or Committee Chair.

Official Council press releases will follow a corporate style appropriate for the media being targeted and a central record will be maintained. All releases will accurately reflect the corporate view of the Council, contain relevant facts and include an approved quotation from the appropriate Councillor. Matters of style, presentation, punctuation, grammar etc are the responsibility of the author.

Releases will not promote the views of specific political groups, publicise the activities of individual Councillors, identify a political party or persuade the general public to hold a particular view.

All official Council news/press releases will be placed on the Council's website within one working day of issue.

It should be borne in mind that a news or press release is not always the best way to publicise an activity or event and alternative ways of advertising it should be considered e.g. posters, mailings, websites, social networking etc.

Councillor Press Releases: Councillor press releases are personal and are written and issued by the Councillor responsible. This release may or may not be political and should not include the name of any officer, use the Council crest or the Council telephone number as a point of contact. It would be beneficial for copies of intended releases, especially those of a factual nature, to be provided to the Clerk. Councillors seeking advice can contact the Clerk or Deputy Clerk for advice.

Interviews

Any officer contacted by a journalist requesting an interview should refer the journalist to the Clerk, the Mayor or the appropriate Committee Chair. The person put forward for interview will depend on the situation and the information required by the journalist.

Officers should never give their opinion on specific Council policy but must keep to the corporate line and key messages. Their role is to provide expertise and factual knowledge only, in support of the Council's approved and agreed policies.

Media Activity Ahead of Meetings

The media pick up many stories from agendas and reports ahead of meetings. All Council and Committee agendas are automatically published on the Totnes Town Council website.

Members of the media are welcome to attend and regularly do attend Council and Committee meetings. During meetings Members should be mindful that any comments and messages are put across in a manner which gives the journalist an accurate picture, rather than relying on the journalist's interpretation of what can be a complex issue or report.

Non-Council Related Media Activity

Officers and Members of the Council who have contact with the media in a personal capacity or as members of non-Council related organisations must not refer to their Council posts and must make it clear to the journalist concerned that they are speaking in a personal capacity or on behalf of the non-Council related organisation.

Managing Negative Issues

From time to time the Council has to respond to negative issues. It is important that these situations are managed carefully so as to limit the potential for negative publicity.

Members and Officers must alert the Clerk as soon as a potentially negative issue which may attract media interest comes to light. They should not wait until contact is made by the media.

Members and Officers must be prepared to work together to prepare holding statements, other information and carry out research even if no media have contacted the Council about an issue.

Correcting Inaccurate Reporting

Should the media (a newspaper or broadcaster) publish/broadcast something inaccurate about the Council, a quick decision needs to be taken on any action necessary to correct it.

The issue should be discussed with the Clerk to decide what action is appropriate. This could be a letter or news release, a conversation with the journalist concerned, a personal letter to the editor or legal advice. Also to decide who the most appropriate person is to take the necessary agreed action i.e. the Mayor, Committee Chair or Lead Officer.

It should be noted that in the case of minor inaccuracies which have little or no impact on the message being conveyed, it can sometimes be counterproductive to complain. Each case must be judged individually.

Occasionally the Council will get something wrong. In these cases damage limitation is the key – this can usually be achieved by holding hands up, apologising, and stating how we are going to learn from the error or put it right.

SOCIAL MEDIA

What is social media?

'Social media' is the term commonly given to websites, online tools and other Information Communication Technologies (ICT) which allow users to interact with each other in some

way – by sharing information, opinions, knowledge and interests. As the name implies, social media involves the building of communities or networks, encouraging participation and engagement. This protocol will also apply to any new or emerging technologies or systems which may develop in the future.

Current examples include, podcasts, message boards, social networking, such as Facebook, Twitter, bebo and MySpace, and content sharing websites such as Flickr and YouTube.

The aims of this protocol are:

- To ensure that social media used to communicate with the public, partners or other stakeholders by all Town Council staff in the performance of their duties is aligned to the view of the Town Council.
- To ensure that all Town Council social media sites are easily identifiable as originating from the Town Council and correctly apply the Council's logo and brand guidelines.
- To protect the reputation of the Town Council while embracing the possibilities of this channel.
- To ensure that any Council communication through social media meets legal requirements and is consistent with other communication activities.
- To prevent the unauthorised use of Town Council branding on employees' or Councillors personal social media sites.

Applying this protocol: Council-run channels

- Town Council staff considering the use of, or wishing to use, social media as a channel for a project or campaign must first discuss and agree this with the Town Clerk and Mayor.
- Social media channels already featuring the Council's logo or branding must comply with brand guidelines.
- The unauthorised use of the Town Council logo or branding on social media channels may result in action under the disciplinary procedure.
- Individual employees must not post any items on sites unless this has been reviewed by a colleague or Councillor before publication to avoid unintentional errors being posted.

Applying this protocol: personal use of social media channels

If you already make reference to your employment/involvement in the Council on a personal internet site as defined above, or you intend to create such a site, you should inform the Town Clerk who will advise you of the appropriateness of doing this in line with the advice below:

- Do not engage in activities on the internet that might bring the Council into disrepute.

- Do not use the Council logo on personal web pages.
- Do not reveal information which is confidential to the Council - consult the Town Clerk if you are unsure.
- Do not include contact details or photographs of service users or staff without their permission.
- Under no circumstance should offensive comments be made about the Council, Councillors, or colleagues on the Internet. This may amount to cyber-bullying or defamation and could be deemed a disciplinary offence.

Social media campaigns

Employees or Councillors who are considering social media campaigns should firstly consult the Town Clerk for guidance. Coordinating efforts and using a corporate account can ensure that the project has a clear purpose, fits into the existing Town Council views and is suitable for the target audience they wish to reach.

Social Media Tips and Advice

Social Media or Social Networking is both a broadcast medium and a receiving medium.

From the business point of view:

- It can be used as a receiving medium to gather opinions about the Council which have appeared on the social media networks. As such it is an invaluable tool to add to our understanding of what people think about us. As such this is a benign and useful tool.
- It is possible to broadcast using the same social media networks to engage with and talk to those who are interested enough to have a view. As such it is a useful and powerful tool.

From a personal point of view:

- Individuals employed by the council are entitled to use whatever system they like outside of their working time and working persona, to engage in the social aspects of the media – both broadcasting and receiving.
- However great care should be taken to ensure the private/work line is not crossed.
- It is good practice to follow the stricture of never mentioning work, your opinions of your colleagues or processes and projects on your own private Social Media Networks. This aspect is covered in '*LEGAL ISSUES*'.

FREEDOM OF INFORMATION AND DATA PROTECTION

Council Members are reminded that they must not misuse Council resources for political or other inappropriate purposes. Should the Council receive a request for information under the Freedom of Information Act 2000 on a topic on which there is correspondence (email or written), normally that correspondence would have to be disclosed, unless it was exempt.

The fact that the disclosure of the correspondence may prove embarrassing would not, in itself, prevent disclosure.

In addition, care should be taken when processing personal data. The Data Protection Act 1998 prevents the use of personal information other than for the purposes for which it was supplied. Members should bear this in mind when using any personal data which may be supplied to them by their constituents.

Refer to the Information Policy, Chapter 14 of the Council Constitution for further information and guidelines in this respect.

INTERNET ACCEPTABLE USE POLICY

Internet use covers all websites (including the Totnes Town Council website), networking sites such as Facebook, Twitter, Bebo etc, forums and blogs which may be used by both Officers and Councillors.

If the above are used in an official capacity or on Council related business, the guidance in this protocol must be adhered to and they must be used in a responsible and appropriate manner.

Under the consideration of Acceptable Use, when acting in the capacity of Totnes Town Council, websites should not:

- contain content that may result in actions for libel, defamation or other claims for damages
- be used to process personal data other than for the purpose stated at the time of capture
- promote any political party or used for campaigning
- promote personal financial interests or commercial ventures
- be used for personal campaigns
- be used in an abusive, hateful or disrespectful manner
- If social media is used in an unofficial capacity, Members and Officers should restrain from making remarks that could be construed as bringing the Council into disrepute. Please see "SOCIAL MEDIA".

APPENDIX 1 – ADMINISTRATION OF TWITTER AND FACEBOOK

Totnes Town Council encourages open and two-way conversation with our constituents, partner agencies, members of the many communities in which it participates and the general public.

Such dialogue is crucial in its effort to engage with citizens and to support its values of openness, fairness, flexibility and teamwork.

The Council expects employees and Councillors to exercise personal responsibility whenever you participate in social media. This includes not breaching the trust of those with whom you are engaging.

General operating guidelines:

1. Do not publish any information which is not already in the public arena.
2. Be accurate, fair, thorough and transparent.
3. Ask a colleague or Councillors to check wording for accuracy.
4. Be mindful that what you publish may be public for a long time.
5. Respect copyright laws.
6. Do not publish or report on conversations that are meant to be private or internal to Totnes Town Council without permission. Do not cite or reference customers, partners or suppliers without their approval. When you do make a reference, link back to the source where possible.
7. Respect your audience. Do not publish anything that would not be acceptable in the workplace. You should also show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory, such as politics and religion.
8. Remember that you are an ambassador for the Council and be cordial at all times.
9. Do not correct other contributors' spelling or grammar.
10. If a contributor makes a comment that is defamatory or likely to cause extreme offense, edit or remove it where possible. If this is not possible, report it to the operator of the website. Contact the user to explain why you took this action, and if appropriate ask them to post the comment again without the offensive content.
11. All feedback to the Council through social networking sites should be fed back to the Town Clerk, and as appropriate, Full Council. Feedback that requires a response must be acknowledged promptly. Where action is required, bear in mind that excessive delay will have a negative impact on the Council's reputation.
12. Passwords for Town Council social media sites must not be shared with any unauthorised persons and these must be changed when a member of staff leaves office.

Authorisation:

Types of tweets and posts authorised employees can send out as part of their daily responsibilities from the official Totnes Town Council twitter account:

- Informing the community about upcoming public meetings such as Full Council.
- Sending out last minute/next month availability for the Civic Hall.
- Sending out updates on improvements/changes such as the availability calendars on the website.

- Posting photos after successful events or before to promote tourist attractions such as the market.
- Giving out relevant advice in situations such as adverse weather
- Sending updates on the progress of long term traffic disruptions (such as the gas works in January)
- Sending out notices of unavoidable office closures for the Guildhall and TIC
- Promoting events in the area such as the Christmas Market.
- Posting photos of improvements around the town, such as cleaned up bus shelters, repainted public areas and the Christmas lights.

Examples:

- *Drive carefully tomorrow morning as heavy rain is predicted for rush hour. For updates follow@metofficeSWEng*
- *Please bring flooding photos/video to Totnes flood drop in sessions at the Civic Hall on 10th January from 7pm till 10pm*
- *The roadworks are progressing well. Please remember we are open for business! Further details can be found on www.totnestowncouncil.gov.uk
Special offer - last minute availability in the Civic Hall on Saturday 20th February, 10% discount on list price. Please contact us for info.*
- *Great progress being made in removal of graffiti in the town – see the team hard at work here (linktobeadded)*
- *Totnes Traders are hard at work planning the Christmas Markets. If you are interested in having a stall please contact*
- *Richard Branson will be opening the new ??? on Saturday at 3pm. Please contact (linktobeadded) for further information.*

Types of tweets or posts that require permission of the Town Clerk and Mayor (or 2 Councillors as a minimum) in order to be sent from the official Totnes Town Council twitter account:

- Responding to complaints or negative reports or entering into debate.
- Supporting other local organizations and businesses to support a cause.
- Responding to contentious queries and current media stories regarding the local area or the Town Council.

Examples:

- *The Boundary Commission is asking how many Councillors should represent SHDC in future. Click here to give your views.....*
- *Further to the article in the Totnes Times on Monday the mayor announces ????. Press release in full at www.totnestowncouncil.gov.uk*
- *Totnes Town Council supports the call for a review of Council Tax benefit funding. Click here for further information.*

APPENDIX D

CIVIC AND MAYORAL ALLOWANCE BUDGET PROTOCOL

TOTNES TOWN COUNCIL

ADOPTED: 9TH MAY 2017

REVIEW DATE: MARCH 2019

This protocol applies to all Town Council Councillors.

All Civic and Mayoral spending will be limited to the agreed budgets over the course of the financial year, therefore pre planning of proposed events and larger commitments is essential. All major civic events should take place within the Council's financial year ending 31st March.

During the period from 1st April to 18th May a maximum spend of an amount equivalent to 1 ½ months of the allocated Civic Budget and Mayoral Allowance Budget for the financial year is allowed and must be agreed in advance with the Town Clerk.

Any surplus at the end of the financial year will not be carried forward.

The budgets must not be in deficit at the financial year end.

Expenditure which is allowed:

- A. The Mayoral Allowance budget is to defray reasonable costs in order that the office holder is not out of pocket for fulfilling the role of Mayor. The Mayor can claim an amount equivalent to the annual Councillor Allowance as a lump sum at the end of the financial year from this budget.
- B. Funding for all the formal and informal Civic events and costs associated with the role of the Mayor during the Mayoral year.

These may include:

- ❖ Mayor Choosing and reception
- ❖ The Civic Service

- ❖ Remembrance Sunday (in conjunction with the British Legion)
- ❖ The Civic Event (Community fundraising event)
- ❖ Events where the Mayor is usually accompanied by the Town Sergeant, such as Totnes Carnival, the annual Orange Race, the opening of the Elizabethan Market.

PLEASE NOTE - Civic Funerals (as and when required) and refreshments at a wake for Honorary Citizens will be funded from the general reserve up to a value of £1,000.

- C. Civic events supported by the Council involving, but not necessarily arranged by, the Mayor, or agreed Councillors. This expenditure must be agreed in advance by the Mayor.

These may include

- ❖ hosting the Mayor of Vire, to include up to £25 for an award.
- ❖ receptions for Civic visitors
- ❖ hosting small award ceremonies, to include up to £25 for an award.
- ❖ hosting meetings of community groups
- ❖ activities related to the Town Council but not necessarily organised by the Mayor.

- D. The costs of any events held or attended by the Mayor or Deputy Mayor or Councillors deputising in their place in the course of his/her duties in the Mayoral Year.

These may include

- ❖ Christmas reception
- ❖ specific refreshments etc. when organising events at the Guildhall during the year.
- ❖ the incidental costs of attending community and charitable events e.g. purchase of tickets for both the event and raffles
- ❖ charity functions, and to cover any costs when attending functions e.g. the purchase of raffle tickets, collections, etc.

- E. Supporting the Mayor in raising money toward his/her chosen charity.

These may include

- ❖ providing facilities paid for by the Civic Budget in raising funds for the chosen charity e.g. reception in the Guildhall, hire of the Civic Hall, etc.

PLEASE NOTE: All use of the Civic Hall must be paid for in full from the Civic Budget to the Paige Adams account. No free use can be granted by the Mayor.

Expenditure which is not allowed :

The Civic budget must not be used to pay for

- ❖ gifts of monies or goods (including flowers) other than to charities. NOTE: Any requests for contributions to groups and charities outside of fundraising must be considered by Paige Adams through the grants process.
NOTE: The policy will allow an exception for the purchase of flowers for incoming and outgoing Mayors and their consorts plus retiring Councillors to the value of £25 per bouquet
- ❖ parking fines
- ❖ social events internal to the Council unless agreed by the Mayor or Deputy Mayor.
- ❖ items normally covered by the Mayoral and Councillor Allowance e.g. costs associated with the use of home as office, personal telephone bills, etc.
- ❖ printing fliers/leaflets/posters etc. other than for civic events covered in B. above.

Reporting and monitoring procedures:

The Mayor is asked to account for his/her spending and to submit these expenses, along with the Mayor's monthly engagements, as a quarterly agenda item to Operations Committee meetings:

- All amounts submitted for reimbursement from the Town Council will be signed off and paid according to the Town Council financial regulations.
- Amounts of £500 and over need to be agreed by The Operations Committee in advance of agreement. Details of the proposed expenditure will need to be submitted, to ensure contributions and events are in line with Civic function and the Town Council priorities. If agreed it can then be submitted for reimbursement/payment to the Town Council Finance Officer.

Once 85% spend of the budget is reached the Operations Committee must be informed and any future spend must be agreed in advance with the Town Clerk.

Any outstanding civic expenses need to be submitted by the outgoing mayor by the end of June, when the preceding mayor's budget will be closed.

Totnes Town Council

Internal Audit Report: 2017-18

Prepared by Nigel Archer

*For and on behalf of
Auditing Solutions Ltd*

Background and Scope

The Accounts and Audit Arrangements, introduced from 1st April 2001, require all Town and Parish Councils to implement an independent internal audit examination of their Accounts and accounting processes annually. The Council complied with the requirements in terms of independence from the Council decision making process appointing a local contractor to provide this service but due to ill health this arrangement came to an end and we, at Auditing Solutions Ltd, were subsequently appointed with effect from 2015-16.

Internal Audit Approach

In completing our review for 2017-18, we have continued to have regard to the materiality of transactions and their susceptibility to potential misrecording or misrepresentation in the year-end Statement of Accounts: this report sets out those areas examined during the course of our recent visit to the Council for the year, which took place on 14th and 15th May 2018.

Our reports and file of work undertaken for the year can be made available, on request, to the Council's external auditors should they require further assistance in gaining the required level of assurance on the adequacy of those Council's systems examined and detailed in this final report.

Overall Conclusion

We are again pleased to report that, on the basis of the work undertaken this year, we are able to conclude that the Clerk and her Deputy continue to operate effective financial control systems, with our testing and examination of the controls in place identifying no significant issues at present.

Consequently, we have duly signed off the Internal Audit Report at Page 3 of the revised Annual Governance and Accountability Return (AGAR in short), assigning positive assurances in all relevant categories.

This report has been prepared for the sole use of Totnes Town Council. To the fullest extent permitted by law, no responsibility or liability is accepted by Auditing Solutions Ltd to any third party who purports to use or rely on, for any reason whatsoever, this report, its content or conclusions.

Detailed Report

Maintenance of Accounting Records & Bank Reconciliations

Our objective here is to ensure that the accounting records are being maintained accurately and currently and that no anomalous entries appear in cashbooks or financial ledgers. To meet that objective, we have: -

- Previously noted that the Council's banking arrangements were provided by HSBC and, at this current visit we note the merger of the now closed Information Centre account with the Council's principal current account;
- Agreed the opening trial balance detail for 2017-18 with the closing balances in the 2016-17 Statement of Accounts and Annual Return;
- Ensured that the cost centre and income & expenditure ledger coding structure remains appropriate for purpose;
- Checked detail in the cashbooks, examining three sample months' transactions (April & September 2017 and March 2018) and agreeing to the relevant bank statements for the accounts in place at the time; and
- Checked and agreed detail on the bank reconciliations for both accounts as at 30th April & 30th September 2017 and 31st March 2018 with no long standing, unrepresented items or any other anomalous entries arising.

Conclusions

No issues have been identified to warrant formal recommendation in this area.

Review of Corporate Governance

Our objective is to ensure that the Council has a robust series of corporate governance documentation in place; that Council and Committee meetings are conducted in accordance with the adopted Standing Orders and that, as far as we are able to ascertain, no actions of a potentially unlawful nature have been or are being considered for implementation. We have:

- Reviewed the minutes of the Full Council and its Standing Committees for the financial year to end March 2018 to identify whether or not any issues exist that may have an adverse effect on the Council's future financial stability, either in the short, medium or longer term;
- Noted that the Council had re-affirmed its extant Standing Orders and Financial Regulations in May 2017 and no further comment is considered necessary; and
- We note that the Precept for 2018-19 was formally approved at, and properly recorded in the minutes of, the Full Council meeting in January 2018.

Conclusions

No issues have been identified to warrant formal recommendation in this area.

Review of Expenditure

Our aim here is to ensure that: -

- Council resources are released in accordance with the Council's approved procedures and budgets;
- Payments are supported by appropriate documentation, either in the form of an original trade invoice or other appropriate form of document confirming the payment as due and/or an acknowledgement of receipt, where no other form of invoice is available;
- All discounts due on goods and services supplied are identified and appropriate action taken to secure the discount;
- The correct expense codes have been applied to invoices when processed; and
- VAT has been appropriately identified and coded to the control account for periodic recovery.

In order to ensure compliance with the above criteria we have again examined a sample of payments, including all those individually in excess of £1,500, together with a more random sample of every 30th cashbook transaction (irrespective of value), for the year to 31st March 2018. Our test sample comprised approximately 50 items in all, totalling just over £142,000 and representing 54% of all non-pay costs for the year.

We have also visually checked the fourth quarters' electronic VAT return submissions to the underlying control account records, also verifying the closing debtor disclosed in the Statement of Accounts.

Finally in this area, we have updated our year-on-year analysis of expenditure incurred across the range of Council activities with no significant, unidentified variances warranting further enquiry or explanation by officers.

Conclusions

No issues have been identified to warrant formal recommendation in this area.

Assessment and Management of Risk

Our aim here is to ensure that the Council has put in place appropriate arrangements to identify all potential areas of risk of both a financial and health and safety nature, whilst also ensuring that appropriate arrangements exist to monitor and manage those risks in order to minimise the opportunity for their coming to fruition.

- We are pleased to note that detailed Governance and Risk Registers (based on the bespoke LCRS software) were reviewed and re-affirmed by the Operations Committee at its meeting in July 2017 and, by subsequent minute adoption, Full Council in September 2017. We also note there are a plethora of physical / event assessments as retained on a sound control record file; and

- We note that the Council's insurance cover continues to be provided by Aviva (via brokers, WPS) and we have examined the current year's policy schedule (to May 2018) to ensure that appropriate cover is still in place noting that both Public and Employer's Liability remain at £10 million, with Fidelity Guarantee cover retained at £393,000 and Loss of Revenue cover in place at £208,000, all of which we consider meets the needs of the Council at present.

Conclusions

No issues have been identified to warrant formal recommendation in this area.

Budgetary Control & Reserves

Our objective here is to ensure that the Council has a robust procedure in place for identifying and approving its future budgetary requirements and level of precept to be drawn down from the District Council: also, that an effective reporting and monitoring process is in place. We also aim to ensure that the Council retains appropriate funds in general and earmarked reserves to finance its ongoing spending plans, whilst retaining appropriate sums to cover any unplanned expenditure that might arise.

- We are pleased to note that members are provided with regular (generally bi-monthly) I&E budget monitoring reports and we have visually examined that for March 2018 with no significant, un-identified variances to warrant any further enquiry or explanation by officers;
- We are also pleased to note that due and appropriate consideration has been given to the budgetary and precept requirements for 2018-19 resulting in the adoption of a Precept of £355,640, excluding the supplementary Council Tax Support Grant payable of £22,230, at the Full Council meeting in January 2018; and
- Finally in this area, we note that Total Reserves as at 31st March 2018 stood at £345,000, comprising specific Earmarked items of £16,000 and the residual General Fund of £329,000. The latter represents approximately nine months expenditure at current levels, which is considered to be more than acceptable at present.

Conclusions

No issues have been identified to warrant formal recommendation in this area.

Review of Income

In addition to the precept, the Council's principal sources of income includes Guide advertising, Cottage rentals, Cemetery activities, Grants and donations, VAT recoveries and others.

- We are pleased to note that members have again reviewed and approved the scales of fees and charges for 2017-18;
- Cemetery incomes for the period September 2017 to March 2018 (five interments in all) were checked and fees agreed to the published scales;

- We have checked and agreed two sample months manual cashbook ledgers (September 2017 and March 2018) to ensure all funds were properly receipted to customers, that appropriate analysis between cash and cheques was maintained, that VAT was separately accounted for where applicable and that the bankings (generally fortnightly) listed were in accord with the bank statements and Omega records for both the Town Council's main account and the Information Centre's account;
- We are pleased to note the independent control / cross checking of the Guildhall's public donation bankings (generally weekly); and
- We have visually examined the income code transaction reports for those activities where monies could reasonably be expected to have been received, such as the two periodic (generally monthly) property rentals, with no evidence of any errors or omissions.

Finally in this area, we have updated our year-on-year analysis of income arising across the range of Council activities with no significant, unidentified variances warranting further enquiry or explanation by officers.

Conclusions

No issues have been identified to warrant formal recommendation in this area.

Petty Cash Account

As a result of the previously noted transition from the "full code" audit to the "limited assurance" regime, we are now required to express a view on the operation of petty cash accounts as part of the Internal Audit Report within the revised AGAR.

The Council operates a limited, administrative petty cash scheme at the Administrative Office with a maximum holding of £100 "topped up" as and when required. We examined all transactions in the two sample months of February and March 2018 and verified each payment to supporting supplier invoices / till receipts, also ensuring that any VAT (albeit completely immaterial) was separately identified for periodic recovery.

In addition, there is an HSBC corporate debit card available for internet and urgent supply purchases where cheques and / or Bacs payments are not applicable: the separate transactions are properly identifiable in the Omega cashbook records and a few random samples have been checked to supporting documents as part of the supplier payments testing noted earlier in this report.

Conclusions

No issues have been identified to warrant formal recommendation in this area.

Review of Salaries

In examining the Council's payroll function, we aim to confirm that extant legislation is being appropriately observed as regards adherence to the Employee Rights Act 1998 and the requirements of HM Revenue and Customs (HMRC) legislation as regards the deduction and payment over of income tax and NI contributions, together with meeting the requirements of the local government pension scheme, as most recently further updated with effect from 1st April 2017 in relation to salary bandings. To meet that objective, we have: -

- Ensured that the Council has again reviewed and approved pay scales for staff for 2017-18;
- Noted that the payroll service continues to be operated by the Clerk "in house", utilising bespoke SAGE software;
- Confirmed, by reference to the March 2018 payslips, that each member of staff has received the correct gross salary in line with the Council's approved scales;
- Checked to ensure that any enhanced overtime or other variable hours are paid in accordance with appropriately prepared and certified time records;
- Checked to ensure that Income Tax and NIC deductions have been made applying the appropriate PAYE codes and NIC Tables;
- Ensured that the appropriate percentage deduction rate has been applied in respect of pension contributions; and
- Verified that the appropriate net pay has been paid to each employee for the month by reference to cashbook and bank statement transactions.

Conclusions

No issues have been identified to warrant formal recommendation in this area.

Asset Register / Inventory

The "Governance and Accountability Manual – The Practitioner's Guide", requires all councils to maintain a detailed register of their assets. We aim in examining this aspect of the Council's documentation to ensure that the Council has complied with that legislation; that an appropriate and comprehensive register is being maintained and that it is subject to periodic review and update.

We are again pleased to note the existence of sound documentation in this area and that the detailed values disclosed at Box 9, Page 5 of the revised AGAR are in accordance with the registers and also verifying that no acquisitions or disposals of note were required for inclusion from the supplier payments testing noted earlier in this report.

Conclusions

No issues have been identified to warrant formal recommendation in this area.

Investments and Loans

Our objectives here are to ensure that the Council is “investing” surplus funds, be they held temporarily or on a longer term basis in appropriate banking and investment institutions; that an appropriate investment policy is in place; that the Council is obtaining the best rate of return on any such investments made; that interest earned is brought to account correctly and appropriately in the accounting records and that any loan repayments due to or repayable by the Council are transacted in accordance with appropriate loan agreements.

Conclusions

Currently, the Council holds no “investments” and we have checked and agreed the bi-annual PWLB loan repayments as part of the supplier payments testing above, also verifying the residual capital balance at 31st March 2018 disclosed at Box 10, Page 5 of the AGAR to third party advice notes.

Statement of Account and Annual Return

The Accounts and Audit Regulations require all Councils to prepare annually a detailed Statement of Accounts, together with supporting statements identifying other aspects of the Council’s financial affairs.

We again note that the Deputy Clerk has been assisted with the necessary steps to close-down the ledgers and compile the summary AGAR data and supporting Income & Expenditure and Balance Sheet statements with the support of external accountancy contractors from Rialtas (the Omega software supplier) and that at the time of this visit all the documentation was available for audit purposes.

We have checked and agreed the detail of same to the underlying Omega trial balance and other relevant documentation and verified the data for transposition onto Page 5 of the revised AGAR.

Conclusions

As noted in the preamble to this report, there are no further matters arising and we have duly signed off the Internal Audit Report at Page 3 of the AGAR, assigning positive assurances in all relevant categories.

Local Councils, Internal Drainage Boards and other Smaller Authorities in England Annual Governance and Accountability Return 2017/18 Part 3

To be completed by:

- all smaller authorities* where either the higher of gross income or gross expenditure exceeded £25,000 but did not exceed £6.5 million; and
- any other smaller authorities that either:
 - are unable to certify themselves as exempt; or
 - have requested a limited assurance review.

Guidance notes on completing Part 3 of the Annual Governance and Accountability Return 2017/18

1. Every smaller authority in England that either received gross income or incurred gross expenditure exceeding £25,000 **must** complete Part 3 of the Annual Governance and Accountability Return at the end of each financial year in accordance with Proper Practices.
2. **The Annual Governance and Accountability Return is made up of three parts, pages 3 to 6:**
 - The **annual internal audit report** is completed by the authority's internal auditor.
 - **Sections 1 and 2** are to be completed and approved by the authority.
 - **Section 3** is completed by the external auditor and will be returned to the authority.
3. The authority **must** approve Section 1, Annual Governance Statement, before approving Section 2, Accounting Statements, and both **must** be approved **before 2 July 2018**.
4. An authority with either gross income or gross expenditure exceeding £25,000 or an authority with neither income nor expenditure exceeding £25,000, but which is unable to certify itself as exempt, or requesting a limited assurance review, **must** send to the external auditor:
 - the Annual Governance and Accountability Return Sections 1, 2 and 3, together with
 - a bank reconciliation as at 31 March 2018
 - an explanation of any significant year on year variances in the accounting statements
 - your notification of the commencement date of the period for the exercise of public rights
 - Annual Internal Audit Report 2017/18

Unless requested, do not send any original records to your external auditor. Your external auditor will ask for any additional documents needed.

Once the external auditor has completed and is able to give an opinion on the limited assurance review, the Annual Governance and Accountability Return including **Section 3 – External Auditor Report and Certificate** will be returned to the authority.

Publication Requirements

Smaller authorities with either income or expenditure exceeding £25,000 **must** publish on a public website, under the Accounts and Audit Regulations 2015, the Annual Governance and Accountability Return:

- **Section 1 – Annual Governance Statement 2017/18**, page 4
- **Section 2 – Accounting Statements 2017/18**, page 5
- **Section 3 – The External Auditor Report and Certificate 2017/18**, page 6
- Notice of the period for the exercise of public rights and other information required by Regulation 15 (2), Accounts and Audit Regulations 2015.

It is recommended as best practice, to avoid any potential confusion by local electors and interested parties, that you also publish the Annual Internal Audit Report, page 3.

The Annual Governance and Accountability Return constitutes the annual return referred to in the Accounts and Audit Regulations 2015. Throughout, the words 'external auditor' have the same meaning as the words 'local auditor' in the Accounts and Audit Regulations 2015.

*for a complete list of bodies that may be smaller authorities refer to schedule 2 to Local Audit and Accountability Act 2014.

Guidance notes on completing Part 3 of the Annual Governance and Accountability Return 2017/18

- The authority **must** comply with *Proper Practices* in completing Sections 1 and 2 of this Annual Governance and Accountability Return. *Proper Practices* are found in the *Practitioners' Guide** which is updated from time to time and contains everything needed to prepare successfully for the financial year-end and the subsequent work by the external auditor.
- Make sure that the Annual Governance and Accountability Return is complete (i.e. no empty highlighted boxes), and is properly signed and dated. Avoid making amendments to the completed Annual Governance and Accountability Return. Any amendments must be approved by the authority, properly initialed and accompanied by an explanation. If the Annual Governance and Accountability Return contains unapproved or unexplained amendments, it may be returned and additional costs will be incurred.
- The authority **should** receive and note the annual internal audit report prior to approving the annual governance statement and before approving the accounts.
- Use the checklist provided below to review the Annual Governance and Accountability Return for completeness before sending it to the external auditor.
- Do not send the external auditor any information not specifically requested. However, you **must** inform your external auditor about any change of Clerk, Responsible Finance Officer or Chairman, and provide relevant email addresses and telephone numbers.
- Make sure that the copy of the bank reconciliation to be sent to your external auditor with the Annual Governance and Accountability Return covers all the bank accounts. If the authority holds any short-term investments, note their value on the bank reconciliation. The external auditor must be able to agree the bank reconciliation to Box 8 on the accounting statements (**Section 2, page 5**). An explanation **must** be provided of any difference between Box 7 and Box 8. More help on bank reconciliation is available in the *Practitioners' Guide**.
- Explain fully significant variances in the accounting statements on **page 5**. Do not just send a copy of the detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include complete numerical and narrative analysis to support the explanation.
- If the external auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or variances are not fully explained, additional costs will be incurred.
- Make sure that the accounting statements add up and that the balance carried forward from the previous year (Box 7 of 2017) equals the balance brought forward in the current year (Box 1 of 2018).
- Please enter the authority's name **only** in Section 3 on Page 6. **Do not complete the remainder of that section**, which is reserved for the external auditor.
- The Responsible Financial Officer (RFO), on behalf of the authority, **must** set the commencement date for the exercise of public rights. From the commencement date for a single period of 30 consecutive working days, the accounts and accounting records can be inspected. Whatever period the RFO sets it **must** include a common inspection period – during which the accounts and accounting records of all smaller authorities must be available for public inspection – of the first ten working days of July.
- The authority **must** publish the information required by Regulation 15 (2), Accounts and Audit Regulations 2015, including the period for the exercise of public rights and the name and address of the external auditor.

Completion checklist – 'No' answers mean you may not have met requirements		Yes	No
All sections	Have all highlighted boxes have been completed?		
	Has all additional information requested, including the dates set for the period for the exercise of public rights, been provided for the external auditor?		
Internal Audit Report	Have all highlighted boxes have been completed by the internal auditor and explanations provided?		
Section 1	For any statement to which the response is 'no', is an explanation provided?		
Section 2	Has the authority's approval of the accounting statements been confirmed by the signature of the Chairman of the approval meeting?		
	Has an explanation of significant variations from last year to this year been provided?		
	The bank reconciliation as at 31 March 2018 is agreed to Box 8?		
	Has an explanation of any difference between Box 7 and Box 8 been provided?		
Sections 1 and 2	Trust funds – have all disclosures been made if the authority is a sole managing trustee? NB: do not send trust accounting statements unless requested or instructed.		

*More guidance on completing this annual return is available in **Governance and Accountability for Smaller Authorities in England – a Practitioners' Guide to Proper Practices**, which can be downloaded from www.nalc.gov.uk or from www.slcc.co.uk or from www.ada.org.uk

Annual Internal Audit Report 2017/18

TOTNES TOWN COUNCIL

This authority's internal auditor, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls to be in operation during the financial year ended 31 March 2018.

The internal audit for 2017/18 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	✓		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic and year-end bank account reconciliations were properly carried out.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. (For local councils only)			
Trust funds (including charitable) – The council met its responsibilities as a trustee.			✓

For any other risk areas identified by this authority adequate controls existed. (List any other risk areas on separate sheets if needed).

Date(s) internal audit undertaken

14+15th May 2018

Name of person who carried out the internal audit

N. ARCHER, for AUDITING SOLUTIONS Ltd

Signature of person who carried out the internal audit

N. J. Archer

Date: 15/05/2018

*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).

Section 1 – Annual Governance Statement 2017/18

We acknowledge as the members of:

TOTNES TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2018, that:

	Agreed		‘Yes’ means that this authority:
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.			<i>prepared its accounting statements in accordance with the Accounts and Audit Regulations.</i>
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.			<i>made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.</i>
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.			<i>has only done what it has the legal power to do and has complied with Proper Practices in doing so.</i>
4. We provided proper opportunity during the year for the exercise of electors’ rights in accordance with the requirements of the Accounts and Audit Regulations.			<i>during the year gave all persons interested the opportunity to inspect and ask questions about this authority’s accounts.</i>
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.			<i>considered and documented the financial and other risks it faces and dealt with them properly.</i>
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.			<i>arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.</i>
7. We took appropriate action on all matters raised in reports from internal and external audit.			<i>responded to matters brought to its attention by internal and external audit.</i>
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.			<i>disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.</i>
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			<input checked="" type="checkbox"/>
			<i>has met all of its responsibilities where it is a sole managing trustee of a local trust or trusts.</i>

*Please provide explanations to the external auditor on a separate sheet for each ‘No’ response. Describe how the authority will address the weaknesses identified.

This Annual Governance Statement is approved by this authority and recorded as minute reference:

dated

Signed by the Chairman and Clerk of the meeting where approval is given:

Chairman

Clerk

Other information required by the Transparency Codes (not part of Annual Governance Statement)

Authority web address

Section 2 – Accounting Statements 2017/18 for

TOTNES TOWN COUNCIL

	Year ending		Notes and guidance
	31 March 2017 £	31 March 2018 £	
1. Balances brought forward	280829	291175	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.
2. (+) Precept or Rates and Levies	300953	344527	Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.
3. (+) Total other receipts	119105	108191	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.
4. (-) Staff costs	156935	154021	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5. (-) Loan interest/capital repayments	9148	9148	Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).
6. (-) All other payments	243629	235553	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	291175	345171	Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).
8. Total value of cash and short term investments	247215	379711	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.
9. Total fixed assets plus long term investments and assets	360905	360905	The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.
10. Total borrowings	70057	64602	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	The Council acts as sole trustee for and is responsible for managing Trust funds or assets.
		✓	N.B. The figures in the accounting statements above do not include any Trust transactions.

I certify that for the year ended 31 March 2018 the Accounting Statements in this Annual Governance and Accountability Return present fairly the financial position of this authority and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer

Date

I confirm that these Accounting Statements were approved by this authority on this date:

and recorded as minute reference:

Signed by Chairman of the meeting where approval of the Accounting Statements is given

Section 3 – External Auditor Report and Certificate 2017/18

In respect of

TOTNES TOWN COUNCIL

1 Respective responsibilities of the body and the auditor

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2018; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

Our responsibility is to review Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with guidance issued by the National Audit Office (NAO) on behalf of the Comptroller and Auditor General (see note below). Our work **does not** constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and **does not** provide the same level of assurance that such an audit would do.

2 External auditor report 2017/18

(Except for the matters reported below)* on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with *Proper Practices* and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the authority:

(continue on a separate sheet if required)

3 External auditor certificate 2017/18

We certify/do not certify* that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2018.

*We do not certify completion because:

External Auditor Name

External Auditor Signature

Date

*Note: the NAO issued guidance applicable to external auditors' work on limited assurance reviews for 2017/18 in Auditor Guidance Note AGN/02. The AGN is available from the NAO website (www.nao.org.uk)

South Hams SAC Greater Horseshoe Bat Supplementary Planning Document Representation Form

This form should be returned by **5.00pm** on **Wednesday 30th May 2018**, please return completed forms to:

Strategic Planning planning@devon.gov.uk
Devon County Council
AB2 Lucombe House
County Hall
Exeter
EX2 4QD

If you have any queries, please get in touch using the contact details in Annex 1 of the SPD.

Late representations will not be accepted.

This form contains two parts:

Part A: Personal Details

Representations cannot be made anonymously, as we are legally required to publish representations received as part of the consultation for public inspection and keep these on record on our files for the purpose of production and adoption of the SPD. All comments will be made publicly available along with your name and organisation (if applicable); addresses, telephone numbers and email addresses will be withheld on the website, however, they will be shown on paper copies shared with the other consulting authorities. Personal data will be processed in accordance with Data Protection Law.

Part B: Your representation

Please answer the questions against which you wish to make comments

Office use only: _____

Part A: Personal Details

ID no:

	Personal Details – If agent appointed, please complete only the title and name or organisation	Agent’s Details (if applicable)
Title	Mrs	
First name	Catherine	
Last name	Marldon	
Job title	Town Clerk	
Organisation	Totnes Town Council	
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Postcode		
Email		
Telephone number		

Signature		Date
------------------	--	-------------

Please indicate whether you wish to be notified of any of the following:

Further consultation on the Supplementary Planning Document

The adoption of the Supplemental Planning Document

√
√

Part B: Representation

1. Is the Draft Supplementary Planning Document clearly structured and legible?

The Introductory (boxed) statement regarding the status and importance of Greater Horseshoe Bats (GHBs) appears on Page 7 of this document. This should appear much earlier in the document to set the context

Otherwise the way that the document has been put together is clear and helpful to understanding the issue and for the unfamiliar it provides clear information about GHB, their needs and habitat requirements. However the absence of the previous document The Special Area of Conservation (SAC) Planning Zone guidance and the associated maps makes it more difficult for comment based on comparison between the two documents that it is now proposed to move between.

These should be included on the current public consultation proposals or at least on the web-link provided to the consultation.

2. Do you agree with the proposed approach to replacing Strategic Flyways with the Landscape Connectivity Zone? If not, why not?

We do not agree with replacing the Strategic Flyways with the landscape connectivity zone (LCZ as both the Strategic Flyways and the new LCZ are needed in the proposed SPD.

We understand that the rationale for the removal of the flyways is attributed to the need for more widespread protection across the entire area that GHBs actively use for sustenance and foraging, however it is well known and documented that GHBs use the natural lines along waterways, tree lines and similar routes that are identified as their flyways for navigation.

When development proposals are considered by LPAs they talk about mitigation, which generally assumes that GHBs will 'make do' with some Bat Boxes and / or find another area or flyways to use. These same areas designated for mitigation can be used and reused by different development proposals, in particular in areas where extensive urbanisation is being developed, such that the overused mitigation area becomes a pinch point; this could provide inadequate habitat or sustenance, foraging etc for the increased numbers of GHBs plus all the other wildlife that will be moved out by the development proposals and expected to survive with that reduced space. Certainly the major wildlife losses (50%) over the past half a century indicate that this is occurring to the detriment of our wildlife and we should ensure that we put in place workable mitigation and (in line with the emerging JLP) require measures that enhance biodiversity.

GHB do not exist in isolation from the rest of the fauna and flora that occupy their habitats. GHB are dependent on the network of the natural environment they live alongside and that habitat, previously identified as their Strategic Flyways must be protected as key wildlife corridors as well this new and additional provision of protection of the open spaces including farmland and the edges of the more built up areas of South Devon that they are also known to inhabit.

The Strategic Flyways should be given enhanced protection not only to ensure that

there is a rich network of natural habitat that supports GHBs but also ensures links between the SACs to prevent any of them being 'cut off' and turned into fragile islands of this already endangered species.

We understand that there is a deficit of ecological surveys to support some of the current Strategic Flyways and indeed this will apply to the proposed wider LCZ, however rather than allow this lack of information to be to the detriment of areas that need protection, it would be the benefit to the GHB population and to the wider support and enhancement of biodiversity in South Devon to seek ways to increase the ecological knowledge of the area. The public are often keen to be involved in local surveys and the Devon Bat Project has carried out excellent work in the past few years with bat surveys that the public can participate in. We would suggest that this work is supported and mapped as part of the SPD to enable it to be updated and grow as more information from new surveys is incorporated into the knowledge. We would further suggest that ecological surveys carried out by developers as part of their planning applications are also logged and mapped in this way (this would not mean that additional new surveys can be required for further developments in or around the same site). Bringing all this information together could dramatically increase our knowledge, understanding and ensure the best possible protection for GHBs as well as all the other species of bats (that are also protected in this area) and the wider wildlife including other protected species such as EU protected Hazel Dormice.

Ref 2.2.14 The term Existing Mitigation Features would be better replaced with Existing Sensitive Habitat Features as the latter provides a more informative approach to the feature. The use of the term Mitigation in the term suggests that mitigation is acceptable, although the document at 2.2.15 suggests that any impacts could have a likely significant effect and would require an HR, i.e. still providing a positive approach to mitigation, a step that could give false hope to a potential development and could be a location where it could be totally inappropriate to allow disturbance or intrusion of a sensitive and important GHB habitat.

3. Do you agree with the proposed boundary of the Landscape Connectivity Zone and Sustenance Zones shown on Figure 1 (also available online at: <http://map.devon.gov.uk/DCCViewer/>) If not, why not?

The map with the new proposals illustrates a number of GHB roosts outside of the LCZ. These roosts which are not designated as SAC have little protection with regard to sustenance, connectivity or flyways to support those bats using those roosts. We support the proposal of our County Councillor that there should be an additional Buffer Zone that extends a further five Kilometres from the demarcation of the four kilometres LCZ i.e. a total of eight kilometres from the SAC / roost. This would broaden the area within which GHB considerations in the form of Preliminary Ecological Assessments (PEA) would be required for any proposed developments and require more detailed Ecological surveys as triggered within the LCZ. This would not only provide stronger habitat protection for the bats in the SACs and other roosts in the LCZ, but support connectivity and links with bats using the GHB roosts mapped outside of the LCZ and could help identify more roosts, sustenance and foraging areas and flyways through more ecological surveys being carried out. This would also be important to the areas where the LCZ is very narrow and extends hardly beyond the 4 km Sustenance Zone.

While we realise that some GHB roosts marked on this proposed map are not designated or protected as SACs, it would be to their advantage and assist with considerations and decisions on development proposals to have at least a minimum of a Sustenance Zone and an LCZ that connected them to other identified roosts together with any potential Strategic Flyways identified to ensure those GHBs are not lost

through being cut off from other colonies.

We consider that the LCZ should extend at least a minimum of 8km from the SSSI / SAC in all directions. It is not clear why the areas in particular to the North, South and West have been ignored in this way. I appreciate that these areas do not necessarily connect between the main SSSIs and SACs, but the GHBs will be using those areas and as outlined above there are additional roosts that are not currently designated as SSSI/SAC but will need protection for their interactions with the roosts with designated status

4. Does the Flow Chart help in clarifying which planning applications will require a Habitat Regulations Assessment? If not, how can this be improved?

It would be beneficial to all concerned to understand whether the HRA is a new proposal or to be more widely implemented by all LPAs in the areas mapped as SAC, Sustenance Zone and LCZ. The relationship between local Planning Application checklists that applicants consult and adhere to and the EIA and HRA documents and triggers that LPA planners complete and apply would be helpful for all concerned.

While the flow chart produced for this consultation reads well and clear it could be overly simplistic given the issues raised above with regard to the planning decision making process in practice

5. Does the document help to clarify the information which the Local Planning Authority require from the developer? If not, how can this be improved?

There is a lack of clarity in how major difference between the experience of our Place Committee members and the reference in this document regarding the triggers for a Habitats Regulations Assessment. At SHDC there is a Validation Checklist for all the documentation required for a planning application to go forward and in our experience just an Environmental Impact Assessment (EIA) Screening Opinion is carried out for most Planning applications, further to which a Preliminary Ecological Assessment (PEA) is considered sufficient and no further ecological surveys are required (e.g. the recent Care Home at Steamer Quay 4165/17/Ful where Natural England's advice was ignored and no additional surveys were required of the developer nor was an HRA carried out). Would new standards be applied to ensure Natural England would not be ignored if this Spd were to be implemented?

The Joint Local Plan (JLP) for South Hams, West Devon and Plymouth 2014 – 2034 is currently in the late stages of development. This document as a Supplementary Planning Document will be advisory to the implementation of the JLP. To give it greater weight in planning decisions and therefore provide the level of protection that is within the detail and spirit of the EU Habitats Directive, we support the proposal by our County Councillor that this SPD is escalated to DPD (Development Plan Document) status, as advisory documents can be seen as less important to all parties trying to develop in areas where GHBs need to be fully protected. Either way and essentially on the potential impact of this document on the population of GHBs as an internationally and nationally protected species in South Devon, this proposed SPD / DPD should be subjected to an SEA (Strategic Environmental Assessment). It is regrettable that this important Local Plan that is at an advanced stage of development is not provided as a link in the listings at the end of the document. This SPD will (hopefully) provide strong material guidance to the JLP and should have been referenced in that context.

6. Are the proposed arrangements for monitoring and review of the Supplementary Planning Document clear and appropriate?

There is a clear requirement for monitoring expressed in the document, however it would be more useful and probably more helpful to all concerned and provide a greater assurance of effective monitoring being carried out if some minimum requirements for this monitoring and who would be carrying this out were to be set out in the SPD. Many development sites are sold on and/or their open space management is conducted by a separate management company once the site has been developed; therefore clarification of how the monitoring and the time scales for ongoing surveys needs to be set out.

Similarly the document's requirements for mitigation prior to impacts is welcomed (but is currently not the case with new developments in my experience), I would therefore suggest that timescales and who would monitor this is clearly set out in the SPD to provide clear unequivocal guidance.

Again, the public could be encouraged to be involved here and the important role of specialist NGOs such as Devon Wildlife Trust, Devon Bat group etc could be brought together here as part of the back-up for the monitoring.

With encouragement and perhaps information and guidance Neighbourhood Plan groups could be important groups to also assist with monitoring GHBs in their parishes.

Review of this SPD?? We could find no mention or reference to this in the document.

7. Do you have any further comments?

It was disappointing that only planners and developers were invited to the special workshop prior to the public drop-in. (We understand one of our Ward Members was told not to attend). That workshop should have been clearly open to all Ward and Division Members across the area of the proposed plan to understand and contribute at the workshop and bring this understanding back to the public they represent who were unable to attend the public workshop. Far more public engagement and understanding of these proposals needs to be encouraged.

This public consultation and the associated documents are not easily accessible on DCC website it takes a keen search and at least 4 links to access the relevant page that carries documents to study and comment on.

South Hams District Council has only this week (i.e. over four weeks into the public consultation) added links to this consultation on their current consultations webpage.

Whilst it has been appreciated that an additional two weeks has been provided for submissions, the dates littered throughout the on-line pages and documents have both dates and are therefore confusing; please could this be amended before the close of the consultation as some potential commenters could be put off by thinking that they were too late to comment.

Given the importance of the protection and stewardship Local Authorities are charged with to afford to wildlife, in particular protected wildlife, there has been a serious lack of publicity and thereby transparency in the public consultation for this important document.

Please could this public consultation be more widely advertised and ALL the relevant documents be made more accessible and easily available asap i.e. BEFORE the close of the consultation to ensure a wide response from all stakeholders.

The lack of reference to Neighbourhood Plans was disappointing; these are important groups and there are currently at least 28 parish wide groups actively putting together plans for their parishes in the South Hams alone. Their role and understanding of their areas, much of which is being enhanced through their work in developing their NHPlan could provide considerable and much needed additional evidence of wildlife including GHBs in their parishes.

Understanding of wildlife, their habitats and biodiversity in general is often seen as a highly specialist subject and with the reduction in nature studies etc in primary education that is likely to increase that image and distance rather than encourage the public to become more involved in wildlife care. Many people are deeply concerned that we have lost 50% of our wildlife in the UK in the last 50 years and much of this is due to endless encroachment on wildlife areas and chipping away of important ecological habitats. The JLP mentioned above includes many references to Wildlife corridors but does not give further information in terms of how they can be identified, understood, surveyed, monitored or enhance, nor is nay provision of mapping these features included. South Devon is full of local people who would be very enthusiastic to be more involved in helping their local wildlife; We would therefore suggest a further SPD of Wildlife Corridors and important habitats to support this SPD and provide a basis for wider protection of all wildlife in South Devon.

MARKET SQUARE CONSULTATION TIMELINE 2018

- Thursday 31st May at 6pm - Members of the public will be invited to submit any comments on the Market Square to be added to the consultation feedback sent to Harrison Sutton.
- Monday 11th June at 10am – Officers and Mayor meet with Harrison Sutton on concept designs.
- Monday 11th June at 7pm - public presentation in the Guildhall to all Councillors and the public.
- Tuesday 12th June - Friday 22nd June - public consultation on the concept designs and workshops hosted by Harrison Sutton with English Heritage, TOTSOC, Councillors, members of the public, Market traders.
- Monday 25th June at 6pm - Operations Committee (and other Councillors who wish to attend) to consider the 2nd round of feedback and the elements of design that are most important. Also consider quote for detailed design work post decision day.
- Tuesday 26th June - Monday 2nd July - Harrison Sutton rework important elements into one design for Full Council to vote on
- Monday 2nd July at 7pm - Full Council consider final concept design and vote on whether to accept it.
- From Tuesday 3rd July – Start September 2018 – Winning design worked into final solution plus detailed specification provided by Architect.
- Sunday 29th July 2018 – Winning design is displayed at the Totnes Show.
- Mid-September onwards - SHDC Tender process and ordering of surface materials (some potentially with 12-15 week lead time).
- Town Council gets quotes based on the agreed design for works not covered by the SHDC. Start Works January / February 2019.

Caring Town Information Exchange

Connecting local people with local services.



End of year 1 update for Totnes Town Council, May 2018

The Caring Town Information Exchange (CTIE) service has now been running for over a year, since April 2017, thanks to the support of Totnes Town Council (and the local residents who voted it a priority in the participatory budgeting process). This short report summarises the numbers and types of service users, the outcomes/impacts and plans for the next year.

Visitor numbers

The service operates at the Mansion for 20 hours each week. During the year from April 2017 - March 2018, a total of 1,684 people have used the CTIE, and of these 414 visitors had 'specific needs suitable for referral'.

Over the period we have seen a small but steady increase in numbers each month, resulting in nearly 50% more visitors per session by the end of the final quarter, compared to the first. The percentage of visitors presenting 'referrable needs' has also increased significantly to be around 1 in 3 - this seemingly reflects better understanding of what the service provides.

"Thank you for all your help, I am now registered with SHDC housing and have been helped with forms and computer access at Marketplace Ministries. I have also followed up on the assistance available to me as ex- army personnel. Thanks for your support and encouragement – it's such a relief to now be getting somewhere as it was all too much to do by myself". CTIE visitor who was having housing issues with impacts on their mental health.

The other visitors (i.e not referred) come in for a wide range of reasons including because they are lonely and want someone to talk to, but the main ones are to find out what we do, providers that are dropping off service info/leaflets or asking tourism/location related questions (which are now directed to the new tourism officer as relevant). All of these visitors are interacting with us in some way and we always take the opportunity to connect and make sure they know what we do, in case of future need.

Types of needs

Need expressed (may be more than 1 of these)	%
Mental health	19
Legal issues, benefits or rights	19
Physical health	18
Looking for social contact - activity or group	17
Financial issues	12
Housing	9
Drug/alcohol related	4
Courses or IT help	2
Work or employment	2
Practical help	2
Social care	2
Help for carers	2
Other	remainder

"Talking to you [the Connector] was a catalyst in turning my life around and I am now medication free – thank you so much!" CTIE visitor with drug issues that dropped in last week with this positive news following a consultation with us a few months ago.

More about the visitors with needs

- 14% are under age of 30; 24% aged 30-50; 29% aged 50-65 and 36% aged 65-80 - we have seen an increase in the number of older visitors over the period.
- 82% of the visitors were there on their own behalf and the others, for someone they knew.
- About half of the visitors said this was recent issue, rather than ongoing - this immediacy has increased significantly over the year.
- 83% said their issue was urgent or somewhat urgent versus not very urgent - again the urgency has increased significantly over the period.
- 74% of visitors were female.
- 10% of visitors/service users do so by email or phone.

How did we help them?

Visitors bring a wide range of queries, and the actual need can take some time to emerge as trust grows during the conversation with the Connector. Some are quick to address, and others can take several visits and hours of research and follow-up. We were able to help with practically all of the issues in terms of sign-posting visitors to local organisations, services and groups - as a user or as a potential volunteer. During the year we have made over 400 referrals across 80 or so organisations - we provide the contact details to the visitors (who may or may not then follow-up on the referral).

The most common referrals are to: Totnes Caring, Citizens Advice South Hams, Churches, St Johns Community Cafe, Marketplace Ministries (Food Bank, Drop In, Transition Club etc.), CVS, Learn Devon, Totnes Library and Walk & Talk.

"Thank you so much for all the information – what an amazing service, thank you!" CTIE visitor

Reflections

The CTIE room continues to act as a doorway for the community into the local network of services and groups, and the service is highly valued as reflected in the recent TTC participatory budgeting survey which helped secure our funding for the period to March 2019.

The number of visitors is continuing to increase, slowly but surely, as the service becomes more widely known both by residents and providers. We need to continue to make sure everyone is aware of what we offer, and that the service builds to its full capacity by the next year end. This requires ongoing publicity and our Connectors, Denise and Victoria will continue to take the CTIE out to other venues and events. However, we still look forward to the signage at the front of the Mansion being reinstated (date not yet confirmed), as this continues to negatively impact our profile to some degree.

We are considering whether Saturday opening should be continued as it's definitely our quietest day of the week - perhaps using these hours in another venue more regularly would be a good option, and is being discussed with Bridgetown Community Cafe, for example.

The CTIE has been helping some organisations to reach their service users, for example, South Dartmoor Energy have been running drop-in sessions with us. We are currently trialling a more regular and formal arrangement with Citizens Advice South Hams who is sharing the CTIE room every Friday.

As of now (May 2018) we are trialling a more formal social prescribing service with both Leatside and Catherine House surgeries, where we can track (to some degree) how many patients are referred to us, how many then actually come to us, who we refer them to, and then whether they fulfil the 'prescription' or not. We are working closely with both surgeries to explore the potential to deepen this aspect of the service (which may require us looking elsewhere for additional funding).

In summary, we feel our first year has been a successful start, many local people have been helped, local organisations and groups are being better used, and more local collaborations with key providers are happening as trusting relationships form. This provides a stable basis on which to build during our 2nd year of operation.

We continue to monitor usage of our service, and adapt it as needed to best meet the requirements of local people. Over the next year we hope to see even more people using and benefitting from the service. We greatly appreciate the financial support of Totnes Town Council, without which this service would not be possible. The next update will be issued in 6 months.

Fiona Ward
Caring Town Coordinator
07922 165564
fionaward@caringtown.org.uk
www.caringtown.org.uk

