

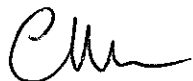
**AGENDA FOR THE MEETING OF TOTNES TOWN COUNCIL**  
**MONDAY 2<sup>nd</sup> JULY 2018 AT THE GUILDHALL TOTNES**

You are hereby SUMMONED to attend the Meeting of the Council, which is to be held in the Guildhall, Totnes on  
**Monday 2<sup>nd</sup> July 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:</p> <ul style="list-style-type: none"> <li>a. Full Council 4<sup>th</sup> June 2018</li> <li>b. Planning and Place 7<sup>th</sup> June 2018</li> <li>c. People Committee 14<sup>th</sup> June 2018</li> <li>d. Operations Committee 25<sup>th</sup> June 2018</li> <li>e. Personnel Committee 25<sup>th</sup> June 2018</li> </ul>	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"> <li>a. Full Council 4<sup>th</sup> June 2018</li> <li>b. Planning and Place 7<sup>th</sup> June 2018</li> <li>c. People Committee 14<sup>th</sup> June 2018</li> <li>d. Operations Committee 25<sup>th</sup> June 2018</li> <li>e. Personnel Committee 25<sup>th</sup> June 2018</li> </ul>	Enclosures
6	To elect a Recess Committee of the Mayor, Deputy and Committee Chairmen which will have delegated authority to deal with any matters which may arise during August when the Council is in recess. Any such decisions will be reported to the Council in September.	

7	To elect representatives and chairs onto the new committee structure	Enclosure
8	To receive an update on the Neighbourhood Plan	Enclosure
9	To note the updated Financial Regulations (changes due to Standing Orders review)	Enclosure
10	To consider a brief for the Market Square project	Enclosure
11	To consider a proposal for a footpath diversion at Baltic Wharf	Enclosure
12	To note the date of the next meeting: <b>Monday 3<sup>rd</sup> September at 7pm</b> <b>(Recess Committee Thursday 9<sup>th</sup> August at 11am)</b>	

Catherine Marlton



Town Clerk

## District Councillor's Monthly Report June 2018

**John Green, SHDC Councillor for Totnes**

### **Affordable housing**

Section 106 funds for affordable housing from the Riverside development (£87,124.50), Elwell House (£11,704.00) and Warlands Garage (£9,025.00) are to be allocated to the Totnes Transition Homes Community Land Trust development at Clay Park. The funding will help ensure the viability for the project which will provide two dwellings for disabled people instead of a proposed 4 bedroom house which received planning permission in 2017 and to replace another 4 bedroom house by 4 single room homes for young people.

### **Council Owned Asset Investment and Development**

The Leader of South Hams District Council will be organising a meeting with members of the Town Council to discuss the aspirations of Councillors for investment to be made within Totnes which would lead to changes to some of South Hams District Council's assets. This discussion will inform SHDC's Executive which next meets on 19<sup>th</sup> July and the Special Council meeting on 26<sup>th</sup> July which will decide on whether to allocate £150,000 to undertaken detailed business cases for various investment opportunities on Council-owned land across the District.

### **Greater Horseshoe Bat Supplementary Planning Document**

My responses to the South Hams SAC Greater Horseshoe Bat supplementary planning consultation are shown below:

#### ***Do you agree with the proposed boundary of the Landscape Connectivity Zone and Sustenance Zones***

"I do not believe that EN Research Report 174, nor any other document, provides sufficiently robust evidence to show that reducing the boundaries of the Sustenance Zones around Maternity Roosts to 4km from the centre of the roosts will not have a detrimental impact. The report states that:

- "After the first year of life they average between 2 and 3 km distance from the day roost to feeding sites, sometimes exceeding 4 km."
- "They considered that the conservation of foraging areas up to 3-4 km from the maternity roost should be considered crucial for the maintenance of populations of this species"

Stating that foraging areas up to 4km are crucial for the species, is not the same as saying that reducing Sustenance Zones to 4km from the Maternal Roost would not have a detrimental impact. If the boundary from maternal roosts is reduced, the robustness of the data and the approach being taken will be open to challenge. It would be more appropriate to retain the existing boundary."

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

"I believe that either there is a mistake in the flowchart on page 15, or it is correctly showing what I believe is a flaw in the approach being proposed.

For the situation where the plan or project is within the Landscape Connectivity Zone, I believe that if the plan or project, alone or in combination, causes increased illumination of Foraging Habitat, Commuting Routes or Designated Roosts, this should also require a HRA.

It is clear that increased illumination can and does cause a disturbance to Foraging Habitat, Commuting Routes or Designated Roosts, so if any of these are within a Landscape Connectivity Zone, they should be added to the criteria that can lead to the requirement for a HRA.

In addition, it should say "Loss, damage or disturbance, or increased illumination at a Pinch Point.\*"

**Do you have any further comments?**

"I believe that adopting the SPD as it is currently drafted has the potential to have a significantly detrimental effect on the SAC's population of greater horseshoes, and as such I believe that the LPA must carry out a Habitats Regulations Assessment on this policy document."

### **Clean Air Strategy**

My response to the consultation on the Clean Air Strategy and Air Quality Action Plan for the A385 is shown below:

**Submission by John Green  
on the consultation for the  
CLEAN AIR STRATEGY FOR SOUTH HAMS AND WEST DEVON  
INCORPORATING THE AIR QUALITY ACTION PLANS**

**Input relating to the Air Quality Strategy and the  
A385 AQMA in Totnes, Dartington and Berry Pomeroy**

**Poor air quality, which negatively affects the human respiratory & cardiovascular systems and is strongly linked to asthma and other conditions, is affecting residents, workers, visitors and drivers in Totnes, leading to premature deaths.**

**An Air Quality Management Area (AQMA) on the A385 stretching from Clay Lane in Dartington to True Street Junction in Berry Pomeroy exceeds the National Air Quality Strategy annual mean objective level for Nitrogen Dioxide, with road traffic being the predominant source of this pollutant. The Air Quality Action Plan (AQAP) proposed for the A385 AQMA is incapable of reducing the nitrogen dioxide (NO<sub>2</sub>) levels below 40 micrograms/m<sup>3</sup>. The proposals within the draft Joint Local Plan for additional housing in Dartington in particular will lead to a worsening of the pollution levels from NO<sub>2</sub>, there being no mechanism to ensure that this is unlikely to occur given that majority of local facilities are in Totnes which will lead to substantial additional car journeys along the A385 AQMA. Small increases in the number of cars within this AQMA at peak times will likely lead to significant increases in pollution at these times due to congestion.**

### **Actions proposed in the draft Air Quality Action Plan for the A385 AQMA**

The AQAP should assess more specific options, as a more granular approach is better able to highlight more cost-effective solutions. In particular, each of the following options should be assessed separately:

- £2,000 per household provided towards the cost of an electric vehicle for each new dwelling being built in Totnes, Dartington and Berry Pomeroy.
- Electric car charging facilities installed at the taxi rank on the Plains in Totnes.
- Electric car charging facilities installed at the train station in Totnes.
- Electric car charging facilities installed at all new commercial properties built within Totnes, Dartington and Berry Pomeroy.

- Electric car charging facilities installed at every car park owned by SHDC in Totnes. Further discussions should be undertaken with the Assets team at SHDC to determine whether there have been any changes since the following statement was written: "Initial conversations have been had with the Car Park teams and due to the low number of electric vehicles currently on the roads in the area, the loss of earnings for car park spaces given to electric vehicle charging is viewed as too great."
- Electric bikes based at the train station, the back of the Civic Hall, Follaton House, Rush Way and Steamer Quay in Totnes.
- Payments towards increasing the services of the Community Transport 'Bob the Bus' in Totnes and local villages.
- Improving signage from the Rail Station in Totnes to destinations in the town.
- Reassessment of the opportunity for a pedestrian underpass from the train station to the town centre under Station Road bridge. This option should be safeguarded if it is not likely to be supported in the short term.
- pp37 of the draft Strategy states that: "A previous study on air quality impacts of the Devon County report found through modelling that there would be limited improvements to air quality from highway improvements." It is important that the evidence for this statement is assessed further to determine to which improvements this does and does not apply, as it appears inconceivable that it applies to all highway improvements.
- The Totnes to Littlehempston cycle / pedestrian path to be investigated more thoroughly.
- Providing ramps to bypass the sets of steps along the Bridgetown 'Chicken Run'.
- Introducing direct trains from Torbay to Plymouth (and vice versa) during the morning and evening rush hours, in order to reduce the travel time from 1 hour to 40 minutes.

Once an AQMA is declared the Council is under a legal duty to work with other organisations such as Devon County Council to devise an air quality action plan with the aim of alleviating the cause of the poor air quality in as short a period of time as possible. However, cooperation between SHDC and DCC is widely recognized as being dysfunctional and renewed efforts are needed in order to ensure that any actions proposed are implemented.

### **Increased monitoring**

It is recommended that pollution monitoring is undertaken in the following locations on a semi-regular basis, in part to allay concerns which are regularly expressed by the community, including Totnes Town Councillors:

- the Narrows, Totnes,
- the houses opposite Travis Perkins on Station Road, Totnes.

### **Consequence of the JLP leading to increased housing locally and worsening air pollution**

The A385 AQMA is close to a large quantity of allocated housing in the draft Joint Local Plan (JLP), which if developed, will lead to a worsening of air quality due to the number of additional vehicle movements.

I have concerns about how air quality management has been considered within the JLP. For the plan to be realistic there needs to be a high probability that the impact of developments on allocated sites will not adversely impact the ability of the relevant authorities from carrying out their duties with respect to air quality management. There are almost 1000 new houses being allocated along the A385 and roads through Totnes, which is already in need of measures being undertaken to improve the air quality. Indeed, there are 504 houses allocated in the JLP within the parish of Dartington, which if all built would lead to a 63% increase in the number of dwellings located there. It is likely that the majority of traffic from these

new homes to shops, the supermarket, the secondary school and the doctors' surgery will be along the A385 AQMA.

The draft JLP states in TTV26 that, "An appropriate strategy to mitigate for any impact on the A385 Air Quality Management Area" is required and TTV25 point 3 requires, "Ensuring that all development, singularly or cumulatively, will not negatively impact on the ability of the relevant authorities to improve air quality within the A385 AQMA". However, there is no evidence that the Action Plan for the A385 AQMA will lead to any reduction in NO<sub>2</sub> and it is **likely that there will be challenge to all new developments in this area due to the detrimental impact that they will have upon people living in the A385 AQMA**. This could therefore undermine the implementation of the JLP and as such it is clear that the JLP is overestimating the quantity of housing that is likely to be built in allocated sites within Dartington.

The National Planning Practice Guidance stipulates that:

"Whether or not air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to generate air quality impact in an area where air quality is known to be poor. They could also arise where the development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation ...."

The draft Clean Air Strategy states that, "Based on the limited progress to date in resolving the air quality issues within the existing AQMAs, the revised AQMA in Totnes and the deteriorating air quality in other parts of the two districts it was felt imperative that the planning policies were tightened. This is to ensure that we could adequately protect the public and deliver on our legal duties, whilst supporting the need for sustainable development." However, it does not appear that the JLP will tighten policies to the extent that emissions will not continue to increase.

The draft Clean Air Strategy provides a shortlist of options for the A385 AQMA, none of which will make a significant impact upon reducing the Annual Average Daily Traffic (AADT) flow in the AQMA, nor improving the air quality. It merely draft states that:

"It is believed that the Council should promote alternatives to private car use through the adoption of a planning policy to require contribution towards green travel vouchers and green travel planning, with promoting green travel to new residents.

At the same time planning policies should seek the promotion of ultra low emission vehicles, by ensuring the infrastructure is designed into the new developments."

and:

"In the short term funding should be secured from developers to secure improvements to public transport signage, and to the pedestrian crossings in the town to off-set the impact of their developments.

There is the potential for greater use of cycling for short regional journeys within Totnes and the immediate area, however the road network does not easily facilitate this, and therefore the Councils should consider developing a regional cycling strategy.

Further work is still needed with Devon County Council to determine what other road improvements can be made to solve the poor air quality issues."

Some of these actions have already been undertaken to-date and they have clearly not led to a reduction in pollution levels, whilst others have been included in previous Action Plans and have not been implemented. Of the actions included in the previous Air Quality Action Plan for the A385 AQMA, the only significant action implemented was a change to the Redworth Junction. And air quality in this AQMA has not improved since this change has been made, nor following other minor interventions. Indeed, the 2017 Air Quality Annual Status Report released in July 2017 states that, "The monitoring has shown no meaningful improvements in the air quality levels...." There is nothing to suggest that actions being recommended in the AQAP will reduce NO<sub>2</sub> emissions.

The AQAP, as presently drafted, relies on contributions towards green travel vouchers and green travel planning, along with promoting green travel to new residents and for up to 10% of households being given

access to electric vehicle installation points. And these measures will lead to very little mitigation of the increased emissions of air pollutants from vehicles arising from additional development in and around the AQMAs, as can be noted from their lack of success to-date. Although the SHDC Officer responsible for the Air Quality Action Plans has issued a standard recommendation since July 2017 requesting that a condition is placed on large scale developments such that they meet guidelines to require 10% of houses be given access to electric car charging infrastructure, few developments approved since that date have actually had this included as a condition. And this measure, set at just 10%, will lead to very little mitigation of the increased emissions of air pollutants from vehicles arising from additional development in and around the AQMAs. There should be a requirement for them to be installed at the ground level of all new dwellings.

The AQAP and the Clean Air Strategy as drafted appear to be clearly inadequate. It is highly likely that new housing in Dartington will worsen the air quality issues in the A385 AQMA.





**John Birch**  
**SHDC Member for Totnes**

Report for Totnes Town Council  
meeting to be held on Monday 2 July 2018

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I report on the following matters;

**Camomile Lawn – Linden overlook planning obligations**

Linden Homes seems to have overlooked its landscaping obligations on the Camomile Lawn development in Totnes. There are a number of omissions on its part and they are as follows;

The first omission of Linden is its failure to construct a new Devon bank to the left of the access road running from the Duke Road junction to Paradise Walk. The bank should consist of an earth mound 800 mm high with turf pegged to the sides and topped with a new hedgerow of mixed planting.

Linden recently made an application for planning permission for further houses on this strip of land but was refused.

The second omission of Linden is its failure to lay a hedge in front of the allotment boarding on the right hand side of the access road into the development and almost opposite Paradise Walk.

Linden is required to lay a double staggered row @300mm centres 450 mm apart in species groups of 3-5 with tree guards the length of the current boarding. This it has failed to do.

The third omission of Linden is its failure to create an accessible public open space on the large plot of land adjacent to Paradise Walk and to the left of the access road. The area should be seeded with low maintenance grass seed and be mowed on a regular basis.

The area is currently difficult to access due to the steepness of the surrounding banks. Easy access points should be created so that it is possible for the area to be enjoyed by the public.

I have had a meeting on the site with SHDC planning and enforcement officers and I have asked that action be taken to ensure the landscape planning obligations are undertaken by Linden.

Hopefully Linden will complete its obligations and that enforcement will not be necessary.

#### SHDC SECRECY CHALLENGED

The SHDC Executive Committee shut out the press and public from its meeting held on 14 June 2018 when it came to discuss a report entitled "Council owned asset investment and development".

At the meeting I challenged the need for such secrecy and argued that those parts of South Hams which are affected by proposed development are in the process of drawing up their Neighbourhood Plans and that being the case, it is important that SHDC, as a major landowner, makes its intentions known sooner rather than later.

I also made the point that drawing a veil of secrecy over its intentions is clearly not in the public interest and just resulted in speculation.

At the time of preparing this report I understand that arrangements are being made for Cllr Tucker, the Leader of SHDC, to meet with representatives from the Town Council to discuss SHDC's proposed intentions.

Meanwhile I will continue to press the Executive to release to the public the identity of the sites mentioned in the secret report and to make its plans known.

#### REPAIRS TO TOTNES CAR PARKS

Over the past few months I have been asking officers at SHDC to arrange resurfacing works to the Heath Nursery and The Nursery car parks as they are in a dreadful state.

I am pleased to report that SHDC is currently seeking tenders for the resurfacing works to both car parks and it hoped that works can start in or about mid September 2018

Cllr John Birch  
SHDC Member for Totnes  
25 June 2018



**County Councillor's Monthly Report      Cllr. Jacqi Hodgson - Date of Report: 27<sup>th</sup> June 2018**  
**County Councillor for Totnes & Dartington**  
**(incl. Harberton, Harbertonford, Staverton, Landscope & part of Berry Pomeroy)**

**Key Issues**

Devon County Council seem to have embraced very fully the issue of single use plastics and broadend this to include other plastic waste. Their report at June Cabinet meeting included an action plan and there are elements of this that fit well for use at Town and Parish level. I have circulated the DCC report separately.

The SHDC Clean Air Strategy and Air Quality Management Plan for Totnes is in my view very worrying as I believe that as it stands it offers very little by way of practical actions to improve either congestion of air quality in either the South Hams or Totnes and environs. I have suggested that the Totnes & District Traffic & Transport Forum prepare a submission for this public consultation (James Kershaw – Environmental Health Officer - has agreed to take further comments and views) and that as part of this the Totnes TC Transport Strategy and Policy and schemes is reviewed and updated to benefit not only the Green Travel Plan work now taking place in Totnes, but also the Neighbourhood Plans in this town and neighbouring Parishes but also to provide a community view when significant developments are put forward once the Joint Local Plan is approved. It is appreciated that James Kershaw has attended Parish and Town Council meetings to encourage submissions and answer questions.

**Green Travel Plan for Totnes**

Tracy Cheeseman who works with Transition Town Totnes has been working with residents of Follaton Oak as part of the 106 planning agreement to assist new residents in reducing their car use and carbon footprint. This has been very successful and this work is now being looked at with a view to this moving seamlessly to the Baltic Wharf and wider Totnes Green Travel plan coordination that has been agreed under the original S106 agreement for the Baltic Wharf development. Tracey's work has been very successful and has enabled deeper understanding of how non car routes are perceived as safe or otherwise new residents and the kinds of travel modes new residents wish to adopt. Incentives such as public travel vouchers and bicycle vouchers have been explored as options and one clear outcome is that 'one size' does not fit all and meeting practical needs rather than wants has been very welcome by these residents.

**HIGHWAYS MATTERS:**

**Collapsed wall in Maudlin Rd: update.** Non – the liability wrangle continues! I have asked for this to be referred to next months SH HATOC.

**Collapsed Pavement in Castle Street.** I attended the scene this Monday night. The local Fireservice were in attendance and had checked and ensured that the footpath had been made safe, the severe drop was barricaded and they agreed to provide amber lights. I contacted the out of hours highways service to ensure this was checked and recommended Building control investigate as the public footpath had been undercut by the developer. I have been assured that all is in hand and safe. I understand a licence for these works adjacent to the highway has now been sought.

**Forthcoming South Hams HATOC 6<sup>th</sup> July 2018: Items I have asked to be on the agenda**

- Totnes - Littlehempston cycle path update and progress report
- Dartington Village Centre – 106 monies, speed limits and safety. Plus site visit to include Parish Councillors
- Maudlin Road – update on progress

**This month I have made formal submissions on:**

- The Greater Horseshoe Bat Public Consultation
- SHDC Air Quality Management Plan – Clean Air Strategy Public Consultation
- National Consultation on Gypsy & Traveller Sites: on powers for dealing with unauthorised developments and encampments.

**My submissions** are available for public viewing and information (and recycling) on a website blog I have set up: **You are welcome to reiterate points and issues I raise in my responses: [www.jacqihodgson.org](http://www.jacqihodgson.org)**

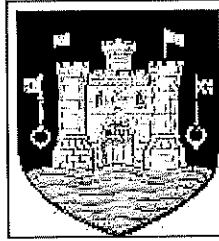
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Attendance at meetings etc. as elected public representative:

Weds June 6 <sup>th</sup>	Staverton PC meeting
Thurs June 7 <sup>th</sup>	Berry Pomeroy PC meeting
Friday June 8 <sup>th</sup>	Soundart Radio – Councillor report on local issues – live broadcast
Sat June 9 <sup>th</sup>	Greater Horseshoe Bat conference in Chudley (excellent)
Mon June 11 <sup>th</sup>	Totnes TC open meeting with draft proposals for the Market Square – 9 options
Tues June 12 <sup>th</sup>	DCC Members workshop regarding Cycling networks and strategies (referred from my item to SH HATOC last November) & PREVENT and CHANNEL anti-terrorism programmes  Corporate Infrastructure & Regulatory Services Committee meeting; presentations made by Totnes resident and myself regarding better roundabouts (further to last November HATOC meeting and Air Congestion issues. <b>It was agreed to establish a Task Group</b> to consider new ways to reduce the use of cars and make streets safer for cyclist and pedestrians.
Weds June 13 <sup>th</sup>	DCC Cabinet: items: <b>Roadworks Permit scheme for consultation:</b> proposed to replace the current Notification Scheme. Ie seeking prior approval rather than works simply going ahead. <b>A new policy for persistent evaders of parking enforcement</b> <b>DCCs speed management policy review</b> <b>Position on enforcement of bus lanes and box junctions</b> <b>A New Strategy and Action Plan for Plastics</b> prepared by officers was presented and approved (I forwarded this to all T.Cllrs to assist with our plans for local action). This report was further to a motion on single use plastics that I seconded in Autumn 2017 and raised further at last month's Full Council meeting.  DCC Crowdfunding workshop to encourage Councillors to work with others increase the value of their Locality budgets  KEVICCS Foundation Governor's meeting
Thurs June 14 <sup>th</sup>	SHDC Executive Meeting: Totnes items were discussed.  Dartington Rcreational Association Public Consultation event on revisions to play area
Mon June 18 <sup>th</sup>	Dart Estuary Forum inauguration meeting – well attended and very positive
Tues June 19 <sup>th</sup>	Totnes Rural Area Youth Engagement (TRAYE) Project meeting with the youth workers
Weds June 20 <sup>th</sup> July	Totnes – Littlehempston Cycle Path group meeting. Proposals to be raised at SH HATOC mtg in
Mon June 25 <sup>th</sup>	Totnes Neighbourhood Plan Task & Finish Group meeting.
Tues June 26 <sup>th</sup>	Dartington School protest at Mast installation (on Highways land) and Appeal for other mast
Weds June 27 <sup>th</sup>	Totnes Green Travel Plan strategy meeting.

Diary Dates

Thurs 5 <sup>th</sup> July	2.15pm	DCC Public Rights of Way Committee
Friday 6 <sup>th</sup> July	10.30am	DCC South Hams HATOC meeting
Weds 11 <sup>th</sup> July	10.30am	DCC Cabinet Meeting
Thurs 19 <sup>th</sup> July	2.15pm	Full Council



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**DRAFT MINUTES FOR THE MEETING OF TOTNES TOWN COUNCIL**  
**MONDAY 4<sup>th</sup> JUNE 2018 AT THE GUILDHALL TOTNES**

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

Apologies: Councillor Sermon .

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 2 members of the public.

No	Subject	Comments
	The Mayor advised that the meeting is being recorded.	
1	To receive apologies.	Apologies were given by Councillor Sermon. It was <b>RESOLVED</b> 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.	Confirmed.
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 Air Quality Strategy in relation to the Narrows.</p> <p>County Cllr Hodgson provided a written report. She identified a possible link between air quality and life expectancy.</p> <p>Cllr Whitty questioned how the DCC £12m Budget Management Reserve is used. Cllr Hodgson agreed reserve funds should be used for essentials instead of being held in reserves and that she would make enquiries.</p> <p>There was a discussion about air quality measuring methods and it was agreed this should be included as an agenda item for the Operations Committee.</p> <p>District Cllr Green provided a written report. The question was raised about whether the proposed Care Home development would be effected by the bat consultation. Cllr Green advised that the development has been assessed as being within the permitted levels of light pollution although there no up to date assessment has been done. It was questioned whether the Care Home is needed. Cllr Green confirmed there is demand and a further similar development is planned for Baltic Wharf. GPs in the town have expressed concern over the</p>

	<p><i>The Council will convene.</i></p>	<p>pressures this will place on their services.</p> <p>District Cllr Birch provided a written report. He reported that discussions are underway to re-instate the Youth Club at the Leisure Centre from September. Two Youth workers for 20 hours per week with management and support are needed and Cllr Green asked that the Council consider providing £5000 funding to help get this started. The Clerk recommended Cllr Green puts in a bid to the Paige Adams Trust for a grant.</p> <p>It was also highlighted that Berry Pomeroy do not have a Neighbourhood Plan which is a problem as they will have no control over developments in their area.</p> <p>Cllr Birch was asked what the Council can do about SHDC not allowing members to debate the modifications proposed for the JLP. Cllr Birch advised that an interim report/letter is expected from the Inspector before any modifications are put through so we need to see the contents of that document before deciding on any action.</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> <ol style="list-style-type: none"> <li>Full Council 14<sup>th</sup> May 2018</li> <li>Place 17<sup>th</sup> May 2018</li> <li>Operations 23<sup>rd</sup> May 2018</li> </ol>	<p>It was <b>RESOLVED</b> to approve and sign the Minutes of the following meetings :</p> <ol style="list-style-type: none"> <li>Full Council 14<sup>th</sup> May 2018</li> <li>Place 17<sup>th</sup> May 2018</li> <li>Operations 23<sup>rd</sup> May 2018</li> </ol>
5	<p>To consider any matters arising from the Minutes and to approve any recommendations from Committees  <i>(Please note confidential recommendations can be agreed but any discussion must be held in Part 2):</i></p> <ol style="list-style-type: none"> <li>Full Council 14<sup>th</sup> May 2018</li> <li>Place 17<sup>th</sup> May 2018</li> <li>To <b>RECOMMEND</b> 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.</li> </ol>	<p>The following matters arose:</p> <ol style="list-style-type: none"> <li><u>Full Council 14<sup>th</sup> May 2018</u></li> </ol> <p>Item 5 (e) – It was <b>AGREED</b> to carry forward the recommendation from Item 11 to the next Full Council meeting.</p> <ol style="list-style-type: none"> <li><u>Place 17<sup>th</sup> May 2018</u></li> </ol> <p>Item 2 – It was <b>RESOLVED</b> to accept the recommendation.</p> <p>Item 6 – Cllr Whitty asked to see both the minutes of the meeting on 19/3/18 and the revised timeline/project plan. Cllr R Adams advised that there are no minutes for the meeting and further information is awaited with regards to the revised timeline/project plan.</p>



	<p>c. Operations 23<sup>rd</sup> May 2018</p> <ul style="list-style-type: none"> <li>It was <b>RECOMMENDED</b> to Full Council that the Annual Return be approved.</li> <li>It was <b>RECOMMENDED</b> to Full Council that the amended Standing Orders with the new committee format was adopted.</li> </ul>	<p>c. <u>Operations 23<sup>rd</sup> May 2018</u></p> <p>Item 4 – the recommendation will be covered in later agenda items.</p> <p>Item 5 – It was <b>RESOLVED</b> to accept the recommendation subject to the addition of the words ‘to adopt on a trial basis’.</p>
6	To receive an update on the General Data Protection Regulations..	The Clerk briefed the meeting about the new Regulations and advised that work is in progress to ensure we are compliant. Further information will be coming to Councillors soon.
7	To consider the report of the Internal Auditor in relation to Accounts and Annual Return for the year ending 31 <sup>st</sup> March 2018.	The report was accepted.
8	To review and approve the Annual Governance Statement – if agreed, signing of the statement by the Chair and Clerk.	The Council unanimously <b>RESOLVED</b> to approve the Annual Governance Statement and it was signed by the Chair and the Clerk.
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.	The Council unanimously <b>RESOLVED</b> to approve the Accounting Statement and it was signed by the Chair and the Clerk.
10	To consider a draft response to the Greater Horseshoe Consultation – deadline 13 <sup>th</sup> June 2018.	It was noted that the deadline has been extended to 15/6/18. Thanks were given to Cllr Hodgson for preparing a response to the consultation on behalf of the Council. It was <b>AGREED</b> to submit the response.
11	To note the revised Market Square consultation timeline.	Noted. The location of the public consultation has still to be decided. Harrison Sutton are running it. The Clerk confirmed lots of information and all public comments have been sent to Harrison Sutton. Leaflets are to be produced to advertise the timeline and consultation event which local traders will be asked to hand out. The need for better Council noticeboards around the town was raised and it was <b>AGREED</b> this should go to Committee to be discussed as part of the public engagement review.
12	To note an update from Caring Town.	Noted. It was noted that Citizens Advice are now there every Friday.

13	To note the date of the next meeting: <b>Monday 2<sup>nd</sup> July 2018 at 7pm</b>  <i>A Paige Adams Trust meeting will be held beforehand at 6pm</i>	Noted.
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Ended 8.40pm



Catherine Marlton  
Town Clerk

DRAFT

46

**MINUTES OF THE PLANNING AND PLACE COMMITTEE  
THURSDAY 7<sup>TH</sup> JUNE 2018 AT THE GUILDHALL TOTNES**

Present: Councillors R Hendriksen (Chair), J Hodgson, P Paine, K Sermon, and R Vint.

In Attendance: Sara Halliday (Administrator).

Apologies: None.

Not Present: Cllrs Allen and Simms.

No	Subject	Comments
1	To receive apologies and to confirm that any absence has the approval of the Council.	No apologies had been received.
	<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.	There were no members of the public present.
	<i>The Committee will convene to consider the following items:</i>	
2	To approve the minutes of the meeting of 17th May 2018 and update on any matters arising.	<p>The minutes have been agreed by Full Council. Matters arising:</p> <p>Item 2 – Resolved by Full Council. The Administrator will write to SHDC as part of the consultation process.</p> <p>Item 6 – The meeting between the Totnes Neighbourhood Plan Task and Finish Group and Harberton Neighbourhood Plan was informal and no minutes were taken. There is no revised timeline for the Totnes neighbourhood Plan at present.</p> <p>Item 7 – Administrator to email the event details to Cllrs Allen, Hendriksen and Paine.</p>
3	<p>To make recommendations on the following planning applications:</p> <p>3.1) 0715/18/FUL – READVERTISEMENT (Revised plans and description) Change of use to ancillary studio at first floor level with parking/garden beneath to 2 Plym Villas, Plymouth Road, Totnes, and installation of additional Velux windows to roof, and re-opening of historic opening to side to form new window. Mount Plym Mews, Mount Plym, Plymouth Road, Totnes, TQ9 5PQ.</p> <p>3.2) 1571/18/LBC – Listed Building Consent application for repairs to existing front elevation windows and replacement of existing slated roof finish with associated lead flashings and cappings. 2 Seymour Terrace, Bridgetown, Totnes, TQ9 5AQ.</p> <p>3.3) 1575/18/FUL – Replacement windows and installation of new entrance to front. Unit 5, The Business Park, Wills Road, Totnes, TQ9 5XN.</p>	<p>Applications available on the SHDC website – <a href="http://www.southhams.gov.uk">www.southhams.gov.uk</a></p> <p>Cllrs decided that they needed to visit the site to understand the objection from neighbours that has been registered with SHDC.</p> <p>No objection.</p> <p>No objection. The application makes no reference to external lighting but if changes are planned Cllrs would request that light levels are reduced to</p>

	3.4) 1657/18/LBC – Listed Building Consent for fire escape strategy including means of escape to the ground storey, improving fire separation to the first and second storey and the means of escape from the upper storeys. 56 Fore Street, Totnes, TQ9 5RU.	protect the bat pinch points in the area.  No objection.
<b><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></b>		
4	To discuss a public complaint about the new signage at 3 Fore Street for 'Saveurs' bakery/café erected.	Concerns had been raised by the public about the method of fixing the hanging sign to the building. It was <b>AGREED</b> that the Administrator would contact the SHDC Conservation Officer to ensure no breach of planning has taken place.
5	To consider a response to the 'Powers for dealing with unauthorised development and encampments' consultation being run by the Ministry of Communities and Local Government.	Cllrs expressed concern about the lack of recognised sites to move illegal camps on to. It was <b>AGREED</b> that due to the consultation deadline (15 <sup>th</sup> June), Cllrs should submit any comments in a personal capacity.  To <b>RECOMMEND</b> that the Totnes Neighbourhood Plan Task and Finish Group considers the issue of identifying land for the travelling community as part of the Neighbourhood Plan process.
6	To note the following event request received by SHDC:  6.1) BRITE 2018 (Totnes Christian Festival), 1400-2000hrs on Saturday 9th June, Vire Island, Totnes.  6.2) Party in the Town, 1700-2300hrs on Saturday 9th June, Civic Square, Totnes.	Noted.  Noted.
7	To note the proposed date of the next meeting – <b>28<sup>th</sup> June 2018 at 5pm</b> in the Guildhall.	Future agenda item – suitable electric car charging points in the town.

CHAIR

4c

**DRAFT MINUTES OF THE PEOPLE COMMITTEE  
THURSDAY 14<sup>TH</sup> JUNE 2018 AT THE GUILDHALL OFFICES TOTNES**

Present: Councillors B Piper, M Parker, L Webberley, T Whitty, G Allen  
 In Attendance: Cllr Hendriksen, Cllr Simms, Cllr Paine, Catherine Marlton  
 Apologies: Cllr K Sermon  
 Not present: Cllr J Westacott MBE

No	Subject	Comments
1	To receive apologies and to confirm that any absence has the approval of the Committee.	Noted.
The Committee will adjourn for the following item:		
	Public Engagement: 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.	None.
The Committee will convene to consider the following items:		
2	To address any matters arising from 19 <sup>th</sup> April 2018.	It was <b>AGREED</b> to add a Community Engagement Plan to a future Town Matters committee after officers have reviewed and updated it.
3	To update on the arrangements for the Christmas Markets/Late Night Shopping 2018.	<i>The meeting adjourned to allow free discussion</i> Cllr Simms and Cllr Sweett explained that they had been liaising with the event organisers to ensure that entertainment still formed a key part of the Christmas late nights. A meeting had been arranged by the Town Clerk for involved parties. <i>The meeting reconvened.</i>  A meeting was held immediately following the People Committee with the event organizer, SHDC officer and Police representative to raise concerns about the nature of the event and hear directly about the health and safety measures required.
4	To update on the Borough Park Skate Park project.	Cllr Sweett updated on the project and explained SHDC are on board. She will continue to provide the Town Matters committee with updates. The Town Clerk reminded Cllr Sweett that any variation to the agreed grant funding would need to be reconsidered by the Town Council and the funds spent by 31 <sup>st</sup> March 2019.
5	To discuss the condition of the hoist at Totnes swimming pool.	Cllrs Whitty and Webberley updated that Fusion are in the process of obtaining funds for repair or replacement. Both Councillors in their Tadpool link role will continue to chase this matter urgently.
6	To consider the 'Devon Mobile Library and Outreach Service' consultation.	It was <b>AGREED</b> to circulate this to all Councillors for response and distribution out into the community.
7	To note the Torbay and South Devon NHS Health and Care Insights newsletter for May 2018.	Noted.
8	To note the date of the Town Matters Committee will be Thursday 19 <sup>th</sup> July 2018 at 7.00pm.	Noted.







4d

**DRAFT MINUTES FOR THE OPERATIONS COMMITTEE  
MONDAY 25<sup>TH</sup> JUNE 2018 AT THE GUILDHALL TOTNES**

Present: Councillor R Adams, Cllr E Price, Cllr J Westacott MBE, Cllr P Paine

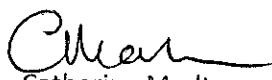
Apologies: Cllr M Adams, Cllr T Whitty

Not present: Cllr J Hodgson

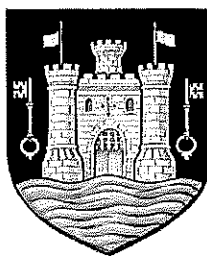
In Attendance: Catherine Marlton (Town Clerk), Cllr Webberley, Cllr Vint, Cllr Simms, 8 members of the public, 1 member of the press

No	Subject	Comments
1	To receive apologies and to confirm that any absence has the approval of the Council.	Noted.
2	To vote a temporary chair of the meeting in the Chair's absence	It was <b>AGREED</b> to have Cllr E Price Chair the meeting in the absence of Cllr Whitty. It was agreed that appointing a deputy was unnecessary given the restructure of Standing Orders starting in July.
<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>		
3	To discuss any matters arising from the minutes of the last meeting (already agreed through Full Council).	None.
4	To consider funding options for youth nights in the Pavilions	It was <b>RESOLVED</b> to match fund the youth nights at Totnes Pavilions to a maximum of £2500, assuming the other £2500 can be found from other sources.
5	To consider how to support a 'Plastic Free' campaign in Totnes	<p align="center"><i>The committee adjourned to allow free discussion</i></p> <p>Members of the public spoke regarding existing initiatives to reduce plastic waste.</p> <p align="center"><i>The committee reconvened</i></p> <p>It was <b>AGREED</b> that this should be something the Town Council should be supporting and an item detailing how to become a 'Plastic Free' town would be sent to the next Town Matters Committee</p>
6	To consider a report from St Mary's Partnership	<p align="center"><i>The committee adjourned to allow free discussion</i></p> <p>Cllr J Birch outlined the attached report and reiterated that at this time the Town Council were only being asked to continue their support. There were no financial or time commitments associated with the request.</p> <p align="center"><i>The committee reconvened</i></p> <p>It was <b>RECOMMENDED</b> to Full Council that Totnes Town Council continues to formally support the St Mary's Partnership project.</p>
7	To receive a Neighbourhood Plan update	<i>The committee adjourned to allow free discussion</i>

		<p>Cllr A Simms explained that the current OSSR document is not sufficient given the information gleaned from recent training on the Neighbourhood Plan process.</p> <p><i>The committee reconvened</i></p> <p>It was <b>AGREED</b> that a detailed proposal of what would be included and the breakdown of costs would go to the Council Matters Committee on 9<sup>th</sup> July for consideration.</p>
8	To consider the Totnes Market Square concept designs	<p>The Town Clerk gave a verbal update on the process. A brief is being drafted which includes copies of all the consultation feedback received to date. This will then go to Full Council on 2<sup>nd</sup> July for consideration. After which time the architects and officers will have 2 months to draft a proposal for consideration by Full Council in September.</p> <p><i>The committee adjourned to allow free discussion</i></p> <p>Comments were made as follows by members of the public:</p> <ul style="list-style-type: none"> <li>• Visibility to businesses on the square on market day should be improved.</li> <li>• Vehicle and pedestrian access to businesses on the square must be maintained during the improvement works.</li> <li>• The improvement works should be kept to the January and February timeline to reduce impact on market traders and business owners.</li> <li>• The number of market stalls must be maintained.</li> <li>• The market should not try to be all things to all people.</li> </ul> <p><i>The committee reconvened</i></p>
9	To consider a new Data Protection Policy	It was <b>RECOMMENDED</b> to Full Council that the attached Data Protection Policy be agreed.
10	To note the date of the next meeting: <b>Monday 9<sup>th</sup> July 2018 at 7pm (Council Matters Committee)</b>	Noted.
<p><i>The Council will be asked to <b>RESOLVE</b> 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>		
11	To consider quotes received for the Totnes Guide design and printing	It was <b>RESOLVED</b> to give the Clerk delegated authority to choose the preferred contractor and allocation of expenditure within the agreed overall budget.

  
 Catherine Marlton  
 Town Clerk





## TOTNES TOWN COUNCIL

### INFORMATION & DATA PROTECTION POLICY

#### **Introduction**

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

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

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

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

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

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

#### **Protecting Confidential or Sensitive Information**

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

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

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

- Processed fairly, lawfully and in a transparent manner in relation to the data subject.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

## Data Protection Terminology

**Data subject** - means the person whose personal data is being processed.

That may be an employee, prospective employee, associate or prospective associate of the Council or someone transacting with it in some way, or an employee, Member or volunteer with one of our clients, or persons transacting or contracting with one of our clients when we process data for them.

**Personal data** - means any information relating to a natural person or data subject that can be used directly or indirectly to identify the person.

It can be anything from a name, a photo, and an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

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

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

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

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

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

The Council processes **personal data** in order to:

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

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

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

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

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

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

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

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

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

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

### **Diversity Monitoring**

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

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

Appropriate technical and organisational measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data. Personal data shall not be transferred to a country or territory

outside the European Economic Areas unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

### **Information provided to us**

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

### **The Councils Right to Process Information**

General Data Protection Regulations (and Data Protection Act) Article 6 (1) (a) (b) and (e)  
Processing is with consent of the data subject, or  
Processing is necessary for compliance with a legal obligation.  
Processing is necessary for the legitimate interests of the Council.

### **Information Security**

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

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

### **Children**

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

### **Rights of a Data Subject**

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

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

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

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

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

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

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

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

### **Making Information Available**

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

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

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

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

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

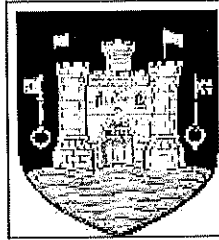
The 2014 Regulations also amend the Public Bodies (Admission to Meetings) Act 1960 to allow the public or press to film, photograph or make an audio recording of council and committee meetings normally open to the public. The Council will where possible facilitate such recording unless it is being disruptive.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

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

### **Data Transparency**

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





4e

**DRAFT MINUTES FOR THE PERSONNEL COMMITTEE**  
**MONDAY 25<sup>th</sup> JUNE 2018 AT THE GUILDHALL OFFICES TOTNES**

Present: Councillors J Westacott MBE, Cllr J Sweett (temporary Chair), Cllr R Adams  
In Attendance: Catherine Marlton (Town Clerk)  
Apologies: Cllr T Whitty and Cllr M Adams

Cllr Sweett was **AGREED** as the temporary Chair.

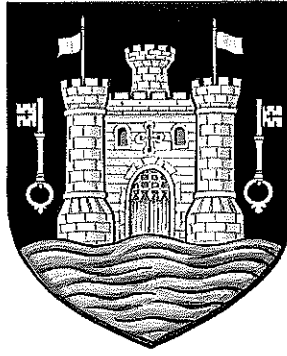
No	Subject	Comments
1	To receive apologies and to confirm that any absence has the approval of the Committee	Apologies from Cllr Whitty and Cllr M Adams were <b>AGREED</b> .
2	Matters arising (minutes already agreed)	None.
3	To consider the reviewed Appraisals Policy	The reviewed policy was <b>AGREED</b> .
4	To consider the reviewed Pensions Discretions Policy	The reviewed policy was <b>AGREED</b> .
5	To receive an update about Probationary Reviews	The Town Clerk gave a verbal update on how new staff members were settling in.
6	To consider a draft recruitment timeline and JD for the Office Administrator (Mayoral PA/Reception)	<p>That the Totnes Town Council Personnel Committee <b>RESOLVES to agree</b> the proposed recruitment timeline.</p> <ul style="list-style-type: none"><li>• 10<sup>th</sup> July 2018 – Advertise for the role in local press, on the website, Devon Jobs, on Facebook.</li><li>• 31<sup>st</sup> July 2018 – Closing date</li><li>• 1<sup>st</sup> August 2018 – Shortlisting</li><li>• 8<sup>th</sup> August 2018 – Interviews (Cllr Westacott, Cllr R Adams, Town Clerk)</li><li>• 9 August 2018 at 11am – Recess Committee ratifies appointment</li><li>• Mid September – proposed start date for 2 week handover period with existing postholder</li></ul> <p>That the Totnes Town Council Personnel Committee <b>RESOLVES to agree</b> the proposed JD and minor staff restructure.</p>
7	To note the date of the next meeting	Monday 9 <sup>th</sup> July at 7pm – Council Matters

Catherine Marlton  
Town Clerk

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**TOTNES TOWN COUNCIL  
JOB DESCRIPTION –OFFICE ADMINISTRATOR**

The permanent and part time (32.5 hours per week) and the working hours will include some evenings and weekends, as required by the activities of the Town Council.

Salary is £20541 – £22401 pro rata

**The Administrator's primary responsibilities and duties are:**

- To provide reception cover including answering the phone, door and general enquiry emails.
- To undertake a routine administrative support service including: filing; dealing with post; photocopying and printing; ordering stationery; and other general administrative duties
- To manage the Guildhall volunteers during the open months. This may include: opening and closing the building; ensuring volunteers are looked after; counting the donations; updating the Guildhall social media
- To act as PA to the Mayor which role includes: dealing with correspondence and communication regarding Mayoral and Civic events; overseeing the Mayor's diary and maintaining an up to date record of mayoral functions on the electronic calendar; liaising with and advising on matters of civic etiquette and protocol; providing administrative support to Civic events; co-ordinating the Mayoral Christmas card; overseeing the upkeep of the civic regalia to ensure that it is maintained to a high standard; and maintaining a record of Town Council protocol. This work is estimated at 10 hours per week.
- To assist the Deputy Clerk with Civic Hall invoicing on a monthly basis and provide cover for the Civic Hall Administrator during periods of leave.
- To provide cover for the cemetery administration in the absence of the Senior Administrator.
- To provide emergency Saturday cover in the Guildhall in the event of Weddings/Civil ceremonies (in the event of other staff leave/sickness. Hours paid in addition to contract).
- To attend training and other courses as directed by the Town Clerk.
- To undertake any other tasks as directed by the Town Clerk or Deputy Town Clerk.



## Proposals for new Committees

### Council Matters

Cllr Whitty - Standing for Chair  
 Cllr Simms - Standing for Chair  
 Cllr M Adams  
 Cllr R Adams  
 Cllr Sweett  
 Cllr Price  
 Cllr Westacott MBE  
 Cllr Piper  
 Cllr Paine  
 Cllr Hodgson

### Town Matters

Cllr Hendriksen - Standing for Chair/Deputy  
 Cllr Sweett - Standing for Chair/Deputy  
 Cllr Hodgson  
 Cllr Webberley  
 Cllr Sermon  
 Cllr Piper  
 Cllr Vint  
 Cllr Paine  
 Cllr Parker  
 Cllr Allen

### Dates for committees:

Monday 2nd July at 7pm - Full Council

Monday 9th July at 7pm - Council Matters (Operations and Personnel combined)

Thursday 19th July at 7pm - Town Matters (People and Place combined)

Monday 23rd July - Council Venues Working Group and Arts Working Group

Thursday 9th August at 11am - Recess Committee (usually consists of Mayor, Deputy and Chairs)

Monday 3rd September at 7pm - Full Council

Monday 10th September at 7pm - Council Matters (Operations and Personnel combined)

Thursday 20th September at 7pm - Town Matters (People and Place combined)

Monday 24th September - Council Venues Working Group and Arts Working Group

Monday 1st October at 7pm - Full Council

Monday 8th October at 7pm - Council Matters (Operations and Personnel combined)

Thursday 18th October at 7pm - Town Matters (People and Place combined)

Monday 22nd October - Council Venues Working Group and Arts Working Group

Monday 5th November at 7pm - Full Council  
Monday 12th November at 7pm - Council Matters (Operations and Personnel combined)  
Thursday 22nd November at 7pm - Town Matters (People and Place combined)  
Monday 26th November - Council Venues Working Group and Arts Working Group

Monday 3rd December at 7pm - Full Council  
Monday 10th December at 7pm - Council Matters (Operations and Personnel combined)  
Thursday 20th December at 7pm - Town Matters (People and Place combined)

Monday 7th January at 7pm - Full Council  
Monday 14th January at 7pm - Council Matters (Operations and Personnel combined)  
Thursday 24th January at 7pm - Town Matters (People and Place combined)  
Monday 28th January - Council Venues Working Group and Arts Working Group

Monday 4th February at 7pm - Full Council  
Monday 11th February at 7pm - Council Matters (Operations and Personnel combined)  
Thursday 21st February at 7pm - Town Matters (People and Place combined)  
Monday 25th February - Council Venues Working Group and Arts Working Group

Monday 4th March at 7pm - Full Council  
Monday 11th March at 7pm - Council Matters (Operations and Personnel combined)  
Thursday 21st March at 7pm - Town Matters (People and Place combined)  
Monday 25th March - Council Venues Working Group and Arts Working Group

Monday 1st April at 7pm - Full Council  
Monday 8th April at 7pm - Council Matters (Operations and Personnel combined)  
Thursday 18th April at 7pm - Town Matters (People and Place combined)

VOTING SLIP CHAIR OF TOWN MATTERS (PREVIOUSLY PLANNING AND PEOPLE)

PREFERRED CANDIDATE:



VOTING SLIP CHAIR OF COUNCIL MATTERS (PREVIOUSLY OPERATIONS AND PERSONNEL)

PREFERRED CANDIDATE:



# Report on Neighbourhood Planning Hive

Rosie Adams and Andy Simms

University of Reading 6<sup>th</sup> June 2018

## Part 1

The Hive was run by an independent group under the guidance of Professor Gavin Parker (Henley Business School, University of Reading) the results will be published and will be part of the Governments policy making strategy on N. Planning in the future.

39 NP areas were represented from all over the country.

Summary of research –

There is an uneven geographical take up of NP'ing

There have been cases of conflict where those writing the plans have assumed consensus between what they think the public want for their area and what is actually wanted. So a more robust form of participation will now be required with strong evidence that the proposals came from the public request or that ideas are based on agreement by the public.

The legislation on the NP changes on a regular basis where updates are proposed to an ongoing Plan the Plan must take those updates into account, if there is a finished Plan and an update meets the basic conditions there will be no need for a new referendum the NP itself can be changed accordingly. If there is a significant change then the Plan must go back to referendum. Money will need to be set aside for a. checking for updates, b. changes to the Plan itself, c. a new Plan, d. a possible new referendum

Recent Changes-

The LPA should 'have regard' to a NP that has passed examination

The LPA is responsible for identifying which of their strategic priorities and policies in the LP the NP must be in conformity with.

From July 31<sup>st</sup> the LPA's must identify in the 'Statement of Community Involvement' the support they will give NP groups this means, a. how the community was involved, b. what they can offer to achieve transparency

Delivery of Housing –

The figures are at present unknown which is halting some NP's

Experiences of other NP's

- A lot more work than expected
- Lack of clarity and guidance
- Inappropriate guidance
- Developer changes
- Changes to policy
- Differing views of the community
- The 'dark arts' of planning policies
- Costs incurred range from £500 to £ 30,000 ( note that Totnes has already exceeded this figure and will need to spend more to make the NP compliant)

Updated information

- If the Community really needs something ( what used to be called 'a wish list') even if it is outside the LP then put it in the NP and get the evidence from the community to back it. E.g. setting aside land for a future By-pass, land for recreation facilities, affordable starter homes.
- Surveys must contain: Post codes, age, and name of every person who returns the survey so there is a record of duplication. ( note our evidence so far does not match this criteria)
- We need to re-look at the value of a 'Housing needs Assessment'
- There should be a Special Planning Officer in S.hams and a dedicated NP officer, our expectation is that this person must and should be proactive in advice and help e.g. use of public transport reports, etc
- Note that there are people registered for housing in more than one area
- It cannot be emphasised enough that evidence must be Robust and clearly back up the Community Survey



- Need to draw on evidence to explain intention and rationale of policies- include policy justification
- Evidence must be plain and context specific
- Community views provide the steer on areas and topics for which evidence should be gathered
- There needs to be specific advice on certain policy areas e.g. local green space, SEA and site assessment. These need to be professional and regularly updated
- See Planning Aid England's guide on good evidence gathering
- Community Actions can go into the Plan e.g. sports and leisure facilities (note if they go in the Plan then a report on how these items will be financed must be available) There must also be Implementation groups set up to see these objectives through to completion

We not only have other notes but we also have notes from other group members who attended. We have shared our notes with other members so there is a framework of checks and cross checks on the information.



# The Neighbourhood plan Going forward in Light of the Government changes and recent training

## Part 2

### Foreword

The recent and ongoing changes to the Neighbourhood Plan requirements have required a rethink about what we need to do in Totnes to complete a robust and effective Neighbourhood Plan. There is a path through this minefield that is the NP but it cannot be navigated solely on the work already done or by our hard working volunteers on the NP Task and Finish Group. Neither can it be done with the help of someone who knows a 'bit about something' although they can be a valued part of the research. This is not a criticism of anyone or anyone's work 'you don't know what you don't know' and you can't be expected to provide work when you don't know that you need to provide and what you need to evidence has changed anyway.

Part 1 outlined the situation we have at present; in Part 2 we will explain what we need to do now and how others are successfully navigating the path to a complete NP.

#### Changes and strategies

- The government is shifting its approach from a Light Touch to more rigorous requirements
- The NP is not finished after referendum in fact that is just the beginning it has a very short 3 year life span and even during those years it will be subject to changes. After year 3 it will need continuous updating and patching to keep it viable. This is a 'Live Document' always being modified always open to challenge.
- We have recently seen how our 106 money can be lost without a strategy, this is the reason we need the skills of a legal team and the skills of an ecologist to work with us on the green spaces and planning aspects of the Plan.
- Our Plan must set a legal president for the future that secures our 106 money
- The NP group can be of vital help in collecting evidence but we do not have the skill set to provide the perfectly worded documents we need to support a water tight NP.
- Many of the successful NP writers at the training had used Landsmith Associates ( Tor Ecology) and could not have praised them more highly for their work. ***A list of what they can provide can be found at the end of this document***
- Due to the inevitable and increasing changes to the NP requirements it would be advisable to subscribe to an independent network that searches through legislation to find these changes. The changes are not all in one place and some are easy to miss so with an eye on due diligence we would be wise to subscribe.

- On the positive side the Task and Finish group can write the Plan itself without further expenditure. We have the outline of what is required; a tight clear easy to read document that contains the 'bones' that support the Policies. It has been made clear to us that the examiners like pictures and that the policies must be short and concise and not too many of them.
- Our problem is that our evidence from the community does not meet the new exacting requirements. We will have to go out and get that evidence, the Task and Finish group has a clear vision of how it will collect the evidence. This will require a cash input. Part of the evidence gathering can be done by Tor Ecology, Landsmith Associates and they have budgeted for it.
- The Task and Finish group has been frugal so we have the money to commission the report and part of the money to employ the final checks on the Plan and to take it to referendum
- We will be applying to Locality for the balance.
- There is no doubt that Totnes needs a robust NP which supports the needs and aspirations of the community. It must be sustainable, resilient, promote wellbeing and with healthy neighbourhoods.

## Why do we need a Green Infrastructure Strategy?

A GIS will set a framework for a deliverable vision for Totnes, the town needs to progress sustainably into a confident future where we can tackle our poor air quality, the growing social issues, the lack of environmental and economic stability.

The success of a GIS and its strength is directly related to the rigour of the research, thinking, consultation, process and management.

Green space is not a 'nice to have' it's a basic need for all urban areas – World Bank

The evidence of benefit comes from (WHO, World Bank, Savills, CABE, NHS Forest, Mind, Urban Mind Project) examples include:

### Environmental

Reduced pollution, increased ecological diversity, reduced energy consumption, increased soil fertility, increased interconnected habitats, local food production

### Social

Improved quality of life, increased both real and perceived security and safety, promotion of social equality and stability, increased cultural vitality, social integration and civic pride

### Economic

18% increase in property prices, 10-15% increase in retail profit (CABE and Savills)

Green spaces save the NHS £111 million a year (Field in Trust research)

Attracts human capital especially a younger generation needed to support our growing ageing population

Increased business confidence

Increased cash expenditure close to footpaths, cycle paths

Ability to inform developers on what the town wants with an eye to the 106 money

Evidence for independent grant funding e.g. Payment for Ecosystem Services, Woodland Trust funding, Cool Rivers funding etc.

### Who should we look for to provide the GIS?

A company with a proven track record of working with successful NPlans one that has been held up as an exemplary example of 'good practice' by our peers

One that is reasonable local and understands the 'pinch point' in relation to the Greater Horseshoe Bat, who knows the effects of Totnes's new developments.

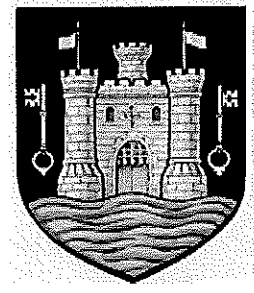
Sympathetic to the ideas of more parks and green spaces, living walls, green roofs, and multi-functional spaces

Ready to work on opening up the Dart to more people and as a vibrant habitat for animal species and humans

A 'people centred ' locally responsive approach based on the experience of local people, safe crossings, paths and areas for children going to school or for people to unwind. Enhanced tree planting for mental health and to improve air quality.

These are just a small sample of what our money will give us.

Finally we need a cast iron Green Infrastructure Strategy because it can accomplish what Totnes and Bridgetown require for a challenging future.



# FINANCIAL REGULATIONS

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TOTNES TOWN COUNCIL  
JUNE 2018  
REVIEW DATE: MARCH 2018

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*These Financial Regulations are produced in accordance with Governance and Accountability for Local Councils and were adopted by the Council at its meeting on*

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DRAFT

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## 1. 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;

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- 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:

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- 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).

## **2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)**

- 2.1. 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.
- 2.2. 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.
- 2.3. 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.

- 2.4. 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.
- 2.5. 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.
- 2.6. 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.
- 2.7. 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.
- 2.8. 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.
- 2.9. 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.
- 2.10. The Clerk/RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

### **3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING**

- 3.1. 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 Council Matters Committee and then approved by the Full Council.
- 3.2. 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.
- 3.3. 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.
- 3.4. The approved annual budget shall form the basis of financial control for the ensuing year.

### **4. BUDGETARY CONTROL AND AUTHORITY TO SPEND**

- 4.1. 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 Council Matters 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 Chairman.

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

- 4.2. 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').
- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

- 4.4. 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.
- 4.5. 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 chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.6. 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.
- 4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8. The Clerk/RFO shall regularly provide the Council Matters Committee with a budget monitor comparing actual expenditure against that planned as shown in the budget. These statements are to be prepared for each Council Matters Committee meeting, at least at the end of each financial quarter, and shall include explanations where required.
- 4.9. Changes in earmarked reserves shall be considered by the Council Matters Committee and approved by full council as part of the budgetary control process.

## **5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS**

- 5.1. 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.
- 5.2. 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.
- 5.3. 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.
- 5.4. The Clerk/RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading.

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- 5.5. 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 councils banking arrangements up to the sum of £2,500.
- 5.6. 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.
- 5.7. In respect of grants the Council Matters 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.
- 5.8. 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.
- 5.9. 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.

## **6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS**

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. 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.
- 6.3. All payments shall be effected by bank payment or debit card.
- 6.4. 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.

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- 6.5. 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.
- 6.6. 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.
- 6.7. 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.
- 6.8. 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.
- 6.9. 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.
- 6.10. 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.
- 6.11. 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.
- 6.12. 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.
- 6.13. 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.
- 6.14. 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.
- 6.15. 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

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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

- 6.16. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council's Council Matters Committee. Transactions and purchases made will be reported to the Council Matters Committee and authority for topping-up shall be at the discretion of the Council Matters Committee.
- 6.17. 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.
- 6.18. 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.

## **7. PAYMENT OF SALARIES**

- 7.1. 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.
- 7.2. 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.

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- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the council.
- 7.4. 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.
- 7.5. 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.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8. Before employing interim staff the council must consider a full business case.

## **8. LOANS AND INVESTMENTS**

- 8.1. 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.
- 8.2. 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.
- 8.3. 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.
- 8.4. 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.

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- 8.5. All investments of money under the control of the council shall be in the name of the council.
- 8.6. All investment certificates and other documents relating thereto shall be retained in the custody of the Clerk/RFO.
- 8.7. 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).

## 9. INCOME

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the Clerk/RFO.
- 9.2. 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.
- 9.3. The council will review all fees and charges at least biennially, following a report of the Clerk/RFO.
- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 9.5. 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.
- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.8. 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.
- 9.9. 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.
- 9.10. 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).

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## 10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. 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.
- 10.2. A member may not make any contract on behalf of the council.
- 10.3. 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.

## 11. CONTRACTS

- 11.1. 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 Chairman and Vice Chairman 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

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Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>1</sup>.

- 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)<sup>2</sup>.
- 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 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.

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<sup>1</sup> 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

<sup>2</sup> 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)

## **12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)**

- 12.1. 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).
- 12.2. 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.
- 12.3. 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.

## **13. ASSETS, PROPERTIES AND ESTATES**

- 13.1. 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.
- 13.2. 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.
- 13.3. 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).
- 13.4. 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).

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- 13.5. 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.
- 13.6. 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.

## **14. INSURANCE**

- 14.1. The Clerk/RFO shall effect all insurances and negotiate all claims on the council's insurers.
- 14.2. 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.
- 14.3. 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.
- 14.4. 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.

## **15. CHARITIES**

- 15.1. 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.

## **16. RISK MANAGEMENT**

- 16.1. 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.

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- 16.2. 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.

## **17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS**

- 17.1. 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.
- 17.2. 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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# DRAFT Market Square – July 2<sup>nd</sup> 2018 Full Council

In light of the recent community consultation process it seems clear that the community feels strongly about the Market Square.

Below are the proposed phasing and outline brief for the architects and also the latest round of community feedback.

## KEY ISSUES FOR PHASE 1

Natural resurfacing material used such as that shown in Design 8. Must be vehicle compatible.

Market operation must be maintained. Seating and planting to the edges of the site.

Improvements must be kept to a tight schedule to limit the impact on market traders and businesses.

More trees and planting but not necessarily flowers.

Needs to include a space for erection of a large Christmas tree

Width of Civic Hall ramp to remain but railings to be removed or upgraded, similar to those in Design 2, vertical timber?

Must include a drinking fountain for refilling water

Keep signage to a minimum

Include a community noticeboard space perhaps on the wall at the bottom of the ramp

Find a visible location for the mosaic that is not part of the surface and is visible on market days. Side of the Birdwood building above a community noticeboard?

## Phase 1 – 2018/19 financial year

Focus on renewing the surface from the front of the Civic Hall to the kerb in a natural, hard wearing material

Build in planting and seating to the edges of the site without impeding Market use or vehicular access to carpark

Budget estimated:

DRAFT BUDGET PHASE 1 MARKET SQUARE	
Surfacing materials	60000
Ground works and laying of surface	120000
Architect design initial	1000
Architect Design detailed	3000
Survey Work already completed	3000
Consultation - boards	500
Survey work still required	3000
New seating and lighting and bins	20000
Mosaic project	13500

complete  
complete  
complete

Drinking Fountain	3000
Upgrade of railings area	8500
Community noticeboard area	3000
Planting	15000
<b>FUNDING SOURCES?</b>	
SHDC?	-200000
TOWN COUNCIL BUDGETED	-10000
PAIGE ADAMS?	-15000
S106?	-15000
ARTS COUNCIL	-13500

#### Phase 2 2019/2020

Renewal, repair or removal of Civic Hall steps. Possible creation of 'balcony' to the front of the Civic Hall and double doors through in the Civic.

Include the upgrade of the adjoining building to the Civic Hall that requires refurbishment and repurposing.

Upgrade the underneath of the Civic Hall through improved lighting, wood cladding and displays of artwork

#### Phase 3 2020/2021

Consider extending the improvements into the rear car park and potentially extending the Civic Hall rear balcony to allow for a ground floor retail/eatery and outside seating?

Cover for the Market Square?

## **Market Square Consultation Summer 2018 (second round)**

### **Emailed/FB comments**

Further to the request for comments relating to the proposed alterations to Market Square, we would make the following observations:-

- We already suffer from the Friday Market making the entrance to the shop difficult and continuously blocking the visibility of the shop frontage.
- Most of our goods are brought from the road across the Market Square on pallet trucks to our goods inwards/stockroom door, which is next to the public toilets. This will need to remain totally accessible from Monday to Saturday while the work is going on.

As an employer who employs over 40 people, we would request consideration be given to the problems we already encounter and see that the alterations do not jeopardise trade and therefore jobs.

A summary of the points to consider are therefore:-

1. Accessibility to Greenlife, particularly on Market day. This must include wheelchair access.
2. The ability to bring pallet trucks across Market Square to our delivery area at the side of the shop at all times.
3. Drainage off the Square needs to be sorted out - especially the drain near the phone box. Also, the grounding needs to be able to cope with approximately one tonne per pallet run.
4. Dust and dirt being dragged into the shop must be kept to a minimum.
5. Visibility of the shop from the road.

Comments directly from our Stockroom Manager regarding access:-

Accessibility can be a problem on any market day including Tuesdays Elizabethan Market with regards to access.

Usually we are not able to use the undercover walkway as there are stall holders so we have to negotiate our way across the market and pull the pallets past the stairs, through the drain near the side entrance, which can be quite precarious.

It sort of works and I guess we gain custom from market day, but we certainly wouldn't want it to get worse. But it would be better if there was access on the outside rather than us going across, if you know what I mean. Like a continuation from the undercover walkway towards the delivery bay.

This would probably also ensure visibility from the roadside.

And also with regards to the grounding being strong enough for the pallet-trucks (big weight per square inch on small wheels), that needs to include drains/covers as well.

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I have visited the guildhall and looked at the presented suggestion plans for Totnes market square. One of the most interesting attractions of this town is the lively Totnes market to most of the residents and many visitors (who gamely trudge up the hill of the main street) My comments as a 35 year long resident, one time marketeer and latterly business owner are as follows:

Firstly please consider the livelihoods of the present marketeers and don't squeeze them out with gimmicky modern space taking 'features'

The market space is in reality quite small and will be overcrowded by too many additions.

So in my opinion keep it simple wholesome and functional.

Consult the marketeers ( I imagine this goes without saying)

No need for vegetable gardens...( who is going to be eating it) ( The Lamb is great)

More decent seating with back rests especially for elderly and disabled.

Decent and adequate wastebins

PLEASE no recycling units.( we know what a mess they can get) and who wants to lug their heavy glass or other stuff across from the car park. Not to mention the smells and noise of smashing glass. ( Car parks best for all that unsightly stuff)

Repaint anything white with white

Basically just give us FUNCTIONAL attractive plain paving which will be DURABLE, and some decent seating.

Just wondering what the cost is of drawing up these and the final plans.

Hoping for a sane decision

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I hope it's not too late to provide some feedback on the Market Square proposals. As a long time visitor to Totnes (my grandmother lived here) and a newly arrived resident of Castle St, I am very keen that this fantastic opportunity to invest in the heart of the town goes well. I attended the drop-in at the Guildhall and have reviewed the boards. My background is in communications and I have lectured globally on public space, written a book on the subject, judged student competitions and was short listed in the Mayor of London's competition for redesigned lost spaces in 2015. I have recently been deeply involved as a consultee on the redesign of Elephant and Castle's junction, working one to one with Stephen Witherford of Stirling Prize Winning Witherford Watson Mann architects, employed by Transport for London to deliver the challenging and controversial transformation. I look forward to settling into Totnes with my young family (we love the park at Leechwell Gardens).

Likes:

- High quality natural stone paving. This must be traditional and hard wearing. I remember the current concrete being installed and even as a child felt it was wrong. Ideally match the riven york stone paving that runs along the edge next to the High Street.
- More trees. Not too many, but a few more. Smallish vertical species such as Liquidambar styraciflua. Not pleached limes as proposed in one idea, they can deposit a nasty sticky mess on paving below.
- Removing flower beds. While I love flower beds, this space is not suitable for them.
- Repairing the Civic Centre. The circular staircase needs repairing not replacing. It has been bodged over the years with metal caps to the steps, hiding the original mosaics. A sensitive restoration is needed to return them to their elegant glory.
- Prioritising the space for the market. It is a market square. It must enhance the existing markets. Market Squares can be m
- Seating. It must be solid, ideally integrated into hard landscaping rather than timber. Consider granite. Sheffield have brought some of the local peak district into the city with solid granite benches. It need not look like a bench, it could be a low wall or a step.
- Something new and of the time, but nothing radical that seeks to dominate the space. Perhaps the slope up to the hall could be made more characterful, but no less practical. Consider Martin Creed's Scotsman Steps in Edinburgh as a reference (<https://www.fruitmarket.co.uk/scotsman-steps/>). Consider the use of the famous local marbles in this - Totnes exists in a location of incredible geological diversity and the local buildings, from door steps upwards and made from all sorts of different stone.
- Consideration for the placing of a Christmas tree. Currently it gets awkwardly inserted into the middle of a raised flower bed.

Dislikes:

- Overall I was very concerned from the boards that the clear brief from the council had been wildly misinterpreted with a lot of very 'wacky' ideas that seemed deeply detached and insensitive to (1) the limited budget (2) Totnes as a proud Devon market town with an important heritage and independent spirit not a funky global city (3) the fabulous architecture of the mid century Civic Hall (4) the importance of the market traders. The risk is that Totnes is blighted with a faddish, tokenistic gimmick designed for Instagram selfies rather than long term use from people in the space. Totnes risks looking like its lost its mojo and just wants to be a bit like something better elsewhere. Where were the architects reference points to other great market squares in the West Country or beyond, instead we got mosaics from Barcelona, bits of the desperately misunderstood New York High Line and the Scandi wood cladding for the slate walls of the Civic Hall. The work reminded me distinctly of student projects I've judged, not the first round of responses for an immensely serious project.

- Trying to turn the market square into a permanent Multi Use Space. This is bonkers. Market Squares have been multi use spaces for millenia. They don't need permanent hard infrastructure to achieve this, such as benches on wheels, plasma screens, play areas. Save the money and save us all from embarrassment, focus on the surfacing! Seating can even be provided by steps and low walls, as it is now. Totnes has many other great spaces, the market square doesn't need to try and do everything. Other nearby places are better suited for gardens or overt children's play.

I look forward to seeing how the project develops.

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Our first and foremost comment is that we would like the consultation process to have been more widely publicised, most of the locals we've spoken to recently about this, dog walkers neighbours and friends didn't know that the consultation process was happening, we think a lot more locals would like to be included in this process if they had known about it. The boards up in the market today weren't very easy to see, some were covered by market stall holders. I saw two a4 size flyers in the market square but I don't think that's visual enough to capture people's attention. It would be great to involve local school communities in the consultation process. Various local community groups and online social media sites could have spread the word to invite more comments.

As a family we like the suggested uses especially the performance /screening area, speakers corner so we can encourage more community listening/ live conversation/ debates and discussion. We like the use of mosaic and the ribbon road. We would welcome more clarity of pedestrian and road way to support safety/relaxation/wellbeing...we would prefer it to be traffic free, we would like more bike park spaces more seating more greenery and more community notice boards. We would definitely benefit from recycling bins and generally more bins. We like the idea of street game like chess draughts backgammon that encourage people to meet and hang out together. We would like more colour in the market square, we love most of the street art in Bristol and would welcome a move for local artists to be permitted to create artwork on the concrete pillars. We would appreciate a drinking fountain in the market square ....currently we refill in Leechwell gardens. We would like to be involved in the next stages of this process as fully as we can, and intend to attend the public meetings. I wish we had known about the meeting held on the 11th June, but we only heard about it after the event I suggest many others are likely to feel the same way. We call for more intergrated community suggestions. Thank you

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Totnes and District Society (TOTSOC) response to proposals for the resurfacing of the Market Square.

We applaud the efforts of Harrison Sutton to bring a wider brief to the proposal for resurfacing the market square, and were generally very impressed with the variety of schemes and innovative ideas put forward by the practice architects.

Rather than pull out a selection of 'best' features from the different schemes, we would like to make a couple of general points.

TotSoc feel that it is essential that the North side should be kept open and flexible enough for the market, and any large scale civic gatherings and public performances. The market is a central part of Totnes's identity and we should be wary of adding any features to the square that might compromise the layout of the market stalls.

Despite our support for the wider vision encompassed by the Harrison Sutton architects, TotSoc would press for the bulk of the present budget being spent on the highest quality natural stone surfacing materials. These could be used (as illustrated in some of the schemes), in variegated patterns/colours to break up the space, define zones etc.

We realise that it would be sensible to consider any future requirements for the square, but would be wary of the possibility of the central requirement for the best possible resurfacing materials being diluted by provision for elements of a future scheme that may or may not happen.

Jim Carfrae  
Totnes and District Society (TOTSOC)

Committee member

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The well-known architectural guide – *Pevsner and Cherry, 1989* – condescendingly describes Totnes Civic Hall as '*less painful than most civic buildings*' of its day. Writing about Totnes a decade earlier Alec Clifton-Taylor was more perceptive – '*To build today in an old town without spoiling it is neither easy nor, alas, common.*' He regarded some of the then recent buildings in Totnes as '*notably good*' and rightly called for the preservation of the individuality of the town.

Now with a greater passage of time the architecture and design of the 1950s is being given the respect it deserves. And here in South West Devon we are fortunate to have some of the best. English Heritage had this to say, in *Plymouth: Vision of a modern city, 2010* – the city centre can lay claim to '*the most complete and sole surviving British post-war plan... as important and representative of its time as Georgian Bath or medieval York.*' And they rightly lament the '*lack of understanding and pride in the extraordinary achievements*' of 1950s architecture. Central in the Abercrombie plan for Plymouth was the Grade II listed Civic Centre and responsible for completing its design was the architect, town planner and landscape architect, Sir Geoffrey Jellicoe, And it was to Jellicoe & Partners that Totnes turned for its Civic Hall, built 1958 - '61, as noted on the small plaque inside. He was '*renowned for his delight in designs that adopt less easy and less obvious options, responding inventively to the site and the brief. His common hallmarks throughout included structured geometry, vistas and designing to a human scale.*'

This is certainly apparent in the appearance, function and form of our Civic Centre, even to an untrained eye such as mine – the slate hung upper floor hall on columns, mirroring those of the nearby Butterwalk, enabling a rearwards sheltered extension of the Square.

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In its own small way Totnes has something that reflects what was done in Plymouth – a similar public space and building though on a far smaller scale. It surely ought to be better recognised – as being part of this wider, distinctive 1950s architectural style and movement.

Thus my suggestion for the refurbishment of the Civic Square is that an imaginatively designed explanatory board should be included, putting the Civic Hall and the space to the front and beneath in this post war architectural context. Jellicoe his background and his role in our civic architecture should be explained and celebrated. However such an explanatory board should also describe the nature of the surrounding Elizabethan town and discuss the visual conflict that can arise, having something so modern at its heart. Reference should perhaps be made to our traditional local building style and material – stone, slate timber, etc. – and how their use in a new building can be used as a link with the old. Mention could be made of other Totnes gems, from its plaster ceilings to the two Adshead / Tisdall Murals. Reference could also be made to other more recent buildings in the outlying area, work by William Lescaze and Oswald Milne for example.

There is a wealth of architectural expertise in Totnes involved with design, the conservation and adaption of older buildings and the sympathetic addition of our many new ones. We are well placed to create an informed and eye-catching board!

**I am very much in favour of improving and refurbishing the Civic Square.**

**New paving. New signage, not least 'To the Toilets'! New seating, etc.**

**And please commit at the outset to maintaining a newly refurbished civic square over the years that follow.**

**We are very poor at looking after what we have in our public places. The 1953 commemorative Coronation garden in Borough Park Road is a disgraceful example of how we fail in this regard. Given that we were able in a time of real austerity to mark in this way the accession of HM Queen Elizabeth II and that she is now our longest serving monarch, surely in the 65<sup>th</sup> year of her reign this is a clear example of where some urgent remedial work is needed.**

**It does not reflect well on Totnes!**

**Please can we divert some funds from somewhere to this very deserving cause?**

**It is so embarrassing that otherwise it should be quietly removed altogether.**



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My feelings - Leave the empty space as it is, straighten the curved LH steps and update more tastefully the left and right entrance door blocks of the building.

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Today, June 21st, I visited the Guild Hall in Totnes to visit an exhibition which apparently was a consultation about 9 different proposed plans for the Market Square in Totnes. The exhibition

seemed to be set up by the architect company, Harrison Sutton. I had tried on two previous occasions to visit the exhibition but it was closed because there was no volunteer available to open it. I would make the following observations.

1. I do not recollect any town councillors telling me when they were canvassing for election to say such a proposal was an aspect of their manifestos. Who did initiate this process?
2. I am unaware of any mass movement being formed by the people of Totnes to change the market square.
3. Notwithstanding my previously mentioned concerns, if the town council did decide to start a process with the aim of developing the market square I would like to know how the company of architects Harrison Sutton was appointed to provide these plans. Was an open procedure of tendering gone through which clearly demonstrated that this company gave the best value to the electorate.
4. If this did not happen and this company was offered the task, or, indeed if the company Harrison Sutton took it upon itself to carry it out, clearly there is a concern about the openness of this procedure because such a way of dealing with matters is susceptible to corruption.
5. I remember that about 20 years ago this company of architects drew out plans for the Rotherfold and proposed to build houses on it. They gained no sympathy at the time.
6. I looked at the plans at the exhibition and by a long chalk my preference was for a drawing on Design 9 which was entitled "Existing." I don't think I was supposed to choose this but I did.
7. Spaces need protection just as much as old monuments. The market square is a historic and living place which gives the ordinary folks of Totnes somewhere that is vibrant and human that allows them to feel part of their community. In this sense it is much more significant to the Town than even the castle. In its present state the market square is all it needs to be and is relatively inexpensive to maintain. The market square will flourish as it is.

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I would like to add some comments regarding this :

- Option 1 - not sure what the Y things are (I found it difficult to read all the details, there is so much! And as a carer I have limited time to view this)
- I think I prefer Option 2 but if you want a more cultural/creative area, then more people may visit - where will they park? And do you have plans to provide additional seating? Mural is a good idea as is a screen.
- I do not agree with the lift "block" where the steps currently are - unnecessary and overwhelming visually. I am very disability aware but feel the ramp on the other side of the square meets this needs. If the language school needs to meet the needs of wheelchair users or people with problems with steps, then they need to consider what other reasonable adjustments they could make- it is possible)
- Must have enough room for the market stalls, as the square is often completely full and in the car park area behind the hall
- Don't remove the car park, the town needs all the spaces it can get, but I do agree with making it more attractive
- What about the building that stores the market equipment - it needs restoring!



- I like the Incredible Edible feature

I hope you find these comments helpful.

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Firstly I would like to say that a consultation usually starts with the public being asked what their views are and a brief being drawn up from this information. Seven thousand people live in Totnes, but hardly anyone has heard of the 9 plans predawn by one architect company which apparently is a choice to choose from. I read in the Totnes Times that the plans were on view in the Guildhall. I went there three times, the first two times it was closed as no volunteer was available. The third time I was able to see the designs. They were confused, photos of other towns were mingled with them, what exactly was planned was difficult to see. Most of them, all except number 8 reduced the space in the market square considerably - where is the market supposed to fit in? The architect seems to have forgotten that there has been a market there for centuries, and that it is a livelihood for the traders and draws people into the town. Apparently Mr Sutton, head of the architect firm, has said that he does not think Totnes needs a market anyway. It is very good of him to decide this on behalf of the whole of Totnes, and to give us a couple of weeks to try to get into a locked building to see his ridiculous plans.

Now the plans - why would any town want wooden loungers in the market square? It is not a lido. Other alternative seating included stripes benches with pull down tops. What for? Even if it was raining your legs would still get wet. Seats on rails?? Fold up and pull down canopies - how long do you think those would last with seagulls, rough treatment etc. and did it not appear to you that they resembled washing poles? Why do we have to have untidy vegetable containers filled with vegetables - you assume schoolchildren will have time to look after them. Perhaps Harrison Sutton will come and weed them in their lunch hour. Totnes is an ancient town. Can we have some dignified seating please and very little else? Trees - no, they cause darkness and wet leaves, and again they take up market space. Tubs of flowers etc are for those who want the town to look twee.

The timescale of this 'consultation' is outrageous. I have missed the two previous unadvertised meetings. There has been no information about the tendering process. Who appointed Harrison Sutton to this task and how much is it going to cost? The meetings are being held in the Guildhall - this is a very small space, I hope all the residents of Totnes do not want to attend or you will certainly have to adjourn it. Again it seems that the architects will rework comments into one design to vote on. How can a company which doesn't even recognise how important the market is to Totnes people, present us with 9 designs of their choice, pre consultation, and then be given carte blanche to produce a final design for us all to swallow?

This is not a consultation in any way. It is an attempt by one company, aided by the Town Council, to railroad ridiculous, expensive plans through, which will alter completely the feel of the centre this town. Town Councillors please take a step back - if the surface of the market square needs replacing do that. Some discreet and sensible seating would also help. Leave all the other ideas on the cutting room floor. I think you will find it is cheaper, much nicer, and will restore the market quicker. By the way I do not know why relaying the surfaces needs an architect at all.

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Whilst there are many features and elements from which one could pick and mix, I will distill my comments to six considerations.

Whilst I realise that I may be stating the obvious, from a casual glance around some urban regeneration developments, it's worth the restatement.

Ask of each design element;

1. Will it serve all users of the place? Is there an aspect of it that whilst useful for one, may be limiting for another? Can that be mitigated?
2. Any public art should relate to the squares present identity or foster its new one, and aid in "place-making". It should not be mere decoration.
3. Consideration should be given to the durability and ease of maintenance of any surface, street furniture or artwork. We cannot rely on future maintenance!
4. The identity of the Square should encompass the the road space alongside it. The whole is a specific town zone.
5. Vehicle access to the Square, whilst necessary, should be just that. Use as a thoroughfare ought to be discouraged by *design*. Signs are usually ignored.
6. And on signage, keep it to a minimum. Over signage, alongside poorly sited street furniture offers visual clutter. The design of the place should inform both the desired usage, and discourage unacceptable use.

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I don't know which of the options I think is best but would like to suggest that bike parking is important as there is currently very few places around the top of town to lock up bikes. I would also like to add that I particularly like the idea of the cladding etc under the civic hall, it is currently a bit 1960's!

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from first glimpse of plans i would say on a practical level the ramp should be kept as an access ramp...how do any gigs or events load in and out without the ramp being drivable on?

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I have had a look at the exhibition in the Guildhall. I have to say that I thought many of the ideas were quite fanciful and frankly over the top.

Whilst I appreciate that the Square is showing signs of wear and tear, I do not feel it needs anything like this degree of 'prettyfication', if I can coin a word. It does, after all, house up to three real-life markets per week, attracting crowds of shoppers. I find it hard to see how the markets could function properly with all this decorative stuff and the architects seem to have got completely carried away, no doubt thinking of the lucrative contract this will entail.

All that is needed is some basic repair work and perhaps some extra seating. The money would be far better spent on cleaning up the town and making it a safer environment for visitors and residents, many of whom feel constantly threatened by speeding motorists and delivery vans etc. (See recent issues of the Totnes Times.)

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Firstly, can we thank Harrisons for an interesting set of proposals for consideration.

We are strongly of the opinion that Design 2 is overall the best proposal, If executed in good materials it should give the community a visually pleasing space for a range of uses including vibrant and successful markets.

We do not wish to criticise the other offers in detail, as almost anything would be an improvement on the tired and run-down centre we currently have.

We wish to be kept informed as the consultation proceeds.

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Thank you for sending out the various ideas. There are many interesting ideas & in general it seems good to turn this into more of a useable public space for the community.

Obviously budget limitations exist but I really believe that to make this a space that can be used all year round that it needs to incorporate a proper cover. There are many examples around the county but in particular the one at the café at Buckfastleigh is a particularly good one. See pictures attached.

Buckfastleigh uses a glass roof but could easily be PV panels which in the long run via the FIT payments could pay for itself. The structure itself could be made at e.g. Earth Wrights (Dartington) therefore creating jobs and keeping money in the local economy.

By covering the area this would benefit all users and allow concerts, children's activities; outdoor exercise groups; etc. to take place. By introducing some form of booking system the area could also be used by the many musicians that play around the town. A stage could also be incorporated under the current Civic Hall space for concerts.

The plans, as circulated, do show some sort of limited covering but I don't believe this goes far enough.

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Please keep any changes to the market square to a minimum, as complex building work will inevitably cause massive disruption to the market. If it can't be done within the scheduled timetable of 2 months work in Jan/Feb 2019 please Don't even think about it, otherwise market traders will go out of business

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We have been regular Saturday traders at Totnes Market for more than 10 years,

Totnes is one of the few small towns, in Devon or elsewhere, that still has a viable, and generally well-attended, year round Market.

Most local people and visitors, in our experience, find it to be an attractive asset to the town. Your Design Brief clearly states as essential that 'the functionality of the Market must be protected', and the Architects state that 'maintaining and enhancing (its) function is key'.

We have studied the plan options posted on your website, and are very concerned for the following reasons:

None of them provide enough space for the current number of Market Traders' stalls, especially in summer. The addition of so many trees, seats, and other features, would mean a reduction in stall numbers would be unavoidable.

Vehicle access for setting up and removing stalls can be problematic with the current open frontage, so reducing it, with walls, trees, etc., would result in tailbacks on the High Street, and increased risk of damage or injury.

The space available is simply not as large as it appears on most of the drawings. Are they to scale? This is not a pedestrianised plaza in a modern city, it is a market square in a historic Devon town.

Some of the plans include features which are not realistic for this site.

For example 'pleached' trees are very expensive and require ongoing expert pruning.

We consider the best of the Plans to be 7, as it shows the fewest unnecessary changes. (Apart from the impractical idea of four 'pleached' trees along the side of the ramp on the west side - behind a row of 10 'deep stalls - including ours!).

It is obvious that the area needs to be re-surfaced, and the area made more attractive on non-market days, but we must make the point that it is the Market that generates income, for Traders, local shops and for SHDC. Many of the ideas proposed, for leisure and aesthetic reasons, could be more of a hindrance than a help to our ability to work.

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## Public Comments from Guildhall Boards

### Design 1

1. In this one the seats face a building. Why not have them face greenery/trees?
2. NO – Too much structure will limit market stall space
3. Why can it afford to lose a carpark – unless we have a park & ride?
4. NO WALLS! Will get in the way on market days. Definitely not this one
5. Too many walls – could they be moveable lockable planters instead?
6. Yes to the trees and greenery yes to cladding the pillars
7. Not grass! Yes to trees and shrubs
8. Yes to water, can it be more of a small water course through the square? See ished Bristol
9. Most people don't want to sit facing shops. They want to face across to the square. Timber clad planters ok or could have them with small mosaic
10. No room for our wonderful market
11. Nobody mentions the public conveniences
12. Market traders view important. Markets must continue to thrive – in the interests of all of us. Keep in close contact with the traders. No loss of their income please!
13. Please designs must be simple and not take up space from market stalls. Decent, plain, attractive resurfacing which is durable and not needed patching up forever

### Design 2

1. Love the simplicity and the fact that the square can transform its use and layout on market days
2. Yes to including Incredible Edible in ALL schemes/designs
3. I like the extension of the ramp to give seating and planters
4. Good to emphasise public art and role of open space as cultural hub
5. Nice and simple. Needs to be fit for purpose i.e. market town and this should be enhanced
6. Resurfaced car parking out back are always used not an overflow area

7. We need a continuous balcony across the front of the Civic (both front and back) and along the side of Greenlife to bring the scale of these buildings more in line with the facing Butterwalk and increase the ? of the space by providing cover for the market and other T. Centre events – Jacqi Hodgson
8. Ugly seating. Brutalist – can it be more soft and comfortable (looks like bus shelter)
9. Can we have a meeting with the architects describing each of the plans
10. Can we put these plans on the internet to give people more time to review
11. Yes to public cut however mosaic dates and soon looks scruffy and old. Sculpture with functions?
12. Vital to improve creativity to the space, currently so under used
13. Moveable seating ok in theory but looks quite ugly and would it be vandal proof? Who would have the job of moving it around before and after markets? They'd be very useful for homeless people to sleep on
14. Yes to outdoor event space and flexibility. Not enough greenery in design
15. Really like the idea of the market square being a town resource – open air cinema performance space ok – Party in the Town knows how valuable this can all be
16. Like the use of timber 'wall' next to ramp – could incorporate seating?
17. Approve of ideas to soften impact of Civic Hall
18. Please retain sufficient ramp capability to get heavy items into Hall
19. Please resurface rear carpark in line with front
20. Too cluttered and not respecting markets. Seating should be around the edges only
21. Yes
22. Furniture too modern
23. What about the disabled? We have equality law
24. Please no more clutter – reduces market traders space
25. Keep circular seats. Don't renew wooden seating. Flower beds well looked after by hard working volunteers (Totnes Gardens) Xmas tree there December 2017
26. Covering the slate hung wall with artwork/screen would ruin the fine blending of the existing 1958 Jellicoe building with its surrounds
27. The attractive slate hung façade of Civic Hall should be left as it is. Also Totnes Town crest in its central position. 3 cinemas in the area already
28. Keep it simple, don't ..... the space. Too many 'features' – not needed
29. Tacky and not practical. Who would keep the runners/rails free for the movement of the seats on wheels?
30. Tacky
31. I like the recyclable community ownership ideas and design
32. If the square had been properly looked after in the past none of this new installation would be necessary – paint the bollards and renew the wooden seats
33. Fully support the need for Market Square facelift. Great care needed (conservation area). Totnes is of national importance. Listen to views of Conservation Officer and Historic England
34. Keep improvements low key and sensible. No ego trip please
35. Has any thought been given to maintenance costs of these ideas? Who will be responsible? Who will have the cash?
36. These look like washing lines

### Design 3

1. Canopies concept quite good. Seats good but too many to allow market stalls, other designs show too few seats!
2. I like the pedestrian links and dealing with ? however this design is stale and heterogeneous
3. Not much room left for market stalls (the market is the heartbeat for Totnes?)
4. Any obstructions in the central major part of the square will impede community events
5. Limits flexibility of space. Difficult and expensive to keep canopies clean
6. If the square is to be interrupted by permanent vertical post then trees are preferable
7. Don't like the canopies. Ugly clutter
8. Canopies will go mouldy not in spirit of Totnes
9. Kinetic canopies unsuitable

## Design 4

1. Yes to curved timber furnishing
2. Pebble seating looks great but not practical for everybody
3. Yes to murals, cladding & floor surface under Civic Hall
4. Too many obstructions to market stalls. No ramp access to Civic Hall. It is principally a Market Square – easy and attractive arrangement for the maximum number of stall is the PRIORITY. Access to unload for traders MUST be considered. The market is the HEART of Totnes
5. Like the contemporary designs, the curved seating, under Civic cladding and mural, planting and elevated area
6. Take inspiration from successful open spaces around the world i.e. Southbank, London, Madison Sq. NY, Kemgstadgarden in Stockholm. Welcoming and friendly with innovative design features – seating, planting, stage area, art etc.
7. Great to link with garden trail. Add pavement inset markers as on trail leaflet
8. Have any of these designs been costed ? I don't see how £150,000 can do very much on so ? as complex and large as the market
9. Refurbishment of the undercroft quite attractive but too dark. (I sell jewellery under there on Saturday). Pebble seats ok in moderation
10. Yes link to garden trail. For ? how about a small watercourse ? as the one in Bristol and Birmingham ? Sound of water is good
11. Why not raised flower beds. Ramps along and below window jasmines, roses take up the space
12. Tree instead of lamp post to replace the one on the right full of fairy lights. The old tree with the wall will have to come down eventually
13. Current flower beds could be inward ? tables encouraging interactions
14. Re watercourse it will soften the environment through light, sound and texture. Love the cladding can it be revised to work for stalls?
15. Love, love, love the curvy seating. Yes to refurbishment of undercroft, can it be lighter and with lighter palette? Love pebble seats.
16. Venue far too small to evaluate anything properly. Left freely ? Hope there is a website full presentation please!
17. Combine with garden car park from Design 1
18. Like the pebble seats and curved seat – large – slabs
19. Difficult to view in this small space. How about a screen in the Civic Hall and well publicised
20. Nice undercroft. Need trees/planting and also significant space for market stalls

21. More trees/raised beds and greenery would improve this design
22. Pendeen pebble seats??? Photo shows 2 people sat in a space that would seat 4/5 and stone? Be cold the square is in use in winter too
23. How can you make this space striking to view coming up the High Street? Make it a space to want to be in. Must function as a market
24. I think you should look more at modern urban trends, London, New York – more artistic, more sculptural, more visual. But this is along the right lines
25. Love the undercroft, timber cladding
26. I think you should rent deck chairs in summer like Hyde Park. Have a small café, people will congregate and use the square
27. Does not respect market use
28. Please do not extend seating/planting into market space too much and retain as much flexibility as possible
29. What's wrong with straight runs of seating against walls and long ramp, both with beautiful curved section profile!
30. Too much clutter will ruin our fantastic market
31. Trees and design to the rear of the Civic will conflict and prevent existing market traders. Not good
32. Edible yes. Bed untidy. Cost of upkeep?
33. Mobile searching much too complicated. Projection screen an unnecessary expense with cinemas nearby
34. Flowers in raised beds stay free of litter
35. Trees would ruin the sense of space
36. Where will the market go?
37. Who is going to look after these trees? Cost!! Leaves!! Mess!!
38. No more trees – they would create obstruction for traders and reduce the number of stalls. Fewer stalls and the economic heart goes into decline
39. Trees will be a public health/hygiene problem for all the market food stalls. They would attract roosting birds and imagine the leaf fall problems!
- 40.

## Design 5

1. Suggest placing seats on one side of the planter only facing into the Square (timber). Also twirly seats the other side of the square
2. Too much jargon?
3. Increased greenery and planting is important
4. Curved seating planter is good idea, but takes up far too much room in the open space and stalls for market should only be moveable
5. No more trees! This is an urban square! And no additions that restrict the open space
6. Incredible Edible planters good idea, but must not obstruct the large open community usable space (for large event). Yes, keep the ground space
7. Make a decent surface and replace wooden seating with something more substantial – listen to the market traders and don't spend money on expensive architects
8. No walls! They just get in the way on market days
9. Too much clutter. Protect our market!

## Design 6

1. No thanks! Try Butlins!
2. Oh dear, not aesthetically pleasing and very cluttered, sorry not good
3. No, no, no totally impractical for market square
4. All the market stalls have their access exactly where these profoundly impractical and uncomfortable seats are!
5. Daft ? the artificiality of this structure
6. Really don't like this looks dreadful and will not serve any community function
7. Ribbon road too too too much clutter for a town open space, it is a market place up to 4-5 days a week
8. Too industrial! Too cold! Unfriendly! Lack of greenway
9. Rubbish! We don't need more clutter to trip over
10. Blocks flow across the square
11. Horribly ugly
12. No! We need the area in the centre clear of obstructions for community events, dancing, street circus etc
13. Dislike lack of flexibility and visual impact of ribbons!! What may work in a garden will not work here
14. Big No! No! Market requirements must dominate
15. This is vile! Inappropriate, nothing to do with Totnes, will ruin the market
16. Keep up with times maybe but don't destroy the history of the town
17. How much did all this 'design' and photos of other towns cost? Who asked for it?
18. Ribbon Road rather ridiculous. Where would the market traders fit in! What an expense and for what/why?
19. If they want a modern town why don't they move to one!
20. No thanks

## Design 7

1. Nice – Pleached trees line the access
2. Like the 'balcony' – walkway in front of the Civic Hall. Quite like the surface proposed
3. Love the porous floor! Yes! Yes to performance balcony. Not sure it works as a market for stall holders
4. Green space and trees good. Need to limit seating to maximise market stall space – essential to the community
5. Trees? = clutter and dirt from bird dropping. Birdwood ct is next door
6. Excellent idea to have a large maze when market not in use
7. Yes – outdoor table tennis where space permits
8. I like the maze, attractive, without causing an obstruction. Ugly edging on the road through the square. Pleached trees are nice – who's going to maintain them?
9. Do we really need a balcony on the Civic Hall?
10. All the market needs is a flat smooth attractive surface with as little clutter as possible. The stairs to the Civic Hall need repair/replacing
11. Pleached trees good! Sails and basket good! Seats not great
12. Grey materials end up looking tired very fast. This is Totnes not Royal William Yard and the Royal Navy mosaic. Long terms is it going to be looked after?
13. Nice Maize floor
14. Budget?
15. Like the idea of balcony across Civic also cladding



16. Ugly edging
17. If the market area need beautifying South Hams DC and Totnes TC could start making staff available to sweep and generally clean up between markets. Ongoing maintenance and its cost must be considered
18. Trees on or by the access ramp? Ever tried reversing an A3 ton van full of lighting/sound gear up ramp with poor visibility?
19. No new trees including peached trees. Maize pointless. This is an urban square not a garden
20. No more stressed trees!!
21. The market space needs a simple upgrade and smartening up – but the weekly market is the most important event and the market traders must be consulted
22. Do we need pleached trees? Like the room left for our wonderful market
23. Will the bench seating get in way of market traders? Not good if so
24. This is the best design but do protect our existing market this is VITAL
25. I like the historic pattern in paving looks like archaeological find
26. How about other patterns as well as the Maze? Hopscotch? Mandalas? Other games? Compass points? It should be a working maze which people could walk around
27. No pleached trees (or any other obstruction) at the back of the car park please. Steps to Civic Hall do need repair or replacement
28. The present concrete steps to the Civic Hall need a lot of work to repair. I do like the idea of the performance balcony. Not sure space for market traders on Fridays
29. Keep the spaces open as possible for traders and vehicular access. Archaeological? of major work is requested
30. As a market trader I love the Maze. A maze or labyrinth set into a flat surface would provide a flow and entertainment on non-market days and wouldn't get in the way
31. Messy rubbish
32. Street signs do need improvement. Visitors have difficulty locating the public toilets
33. The existing slate hung face of the Civic Hall should be left exactly as it is with Town Crest. Wonderful building
34. Do not take away space from market traders. We all love the market as it is

## Design 8

1. Hate the mosaic. Always a lovely thought but looks like money saving by using children!! Seating needs to look inwards to increase eye contact essentially
2. Cedar cladding will need maintaining who will pay/guarantee its integrity in the future?
3. I like the cladding but how long would that take? My main concern as a market stallholder is the length of time work will take. Where will the market go if work overruns beyond Jan-Feb '19. Uncluttered – good!
4. Suggested seating area brill to encourage people to buy, load and sit together and enjoy.
5. Not another café
6. Love the awnings and parasols. Uncluttered good – does it have to be stone surface?
7. Totnes is overflowing with food outlets. The market café as is doesn't use up trading space to the detriment of other traders
8. Seats with mosaics are nice so long as they aren't taking up space currently used by market stalls. Don't need to encourage cafe – we've got one.
9. Like cladding. Road thin, only for access on market day.
10. Raised beds to ? with Catherine's balcony & a jasmine

11. Hedge and climbing roses by ramp. Minimal disruption and beautiful fragrance
12. Flowers and seating to encourage customers to mingle
13. Love the surface material – if affordable! Proven at Fort William Yard to work
14. Yes, let's have whole square area with tasteful patterned mosaic
15. Definitely no cedar cladding nor replacement of beautiful slates
16. Yes, keep tree at front. Yes to shared space treatment across High Street
17. Good scheme with minimum change and maximum flexibility
18. Nice plain plan. That tree should go – diseased and dying, stressed
19. Yes, replace staircase
20. The slates are beautiful and in any case, what a waste of money on an improvement so recently made
21. Did they have cedar cladding in Elizabethan times?

## Design 9

1. I like the grouping of trees to one side
2. Please consider an alternative to flagstones to avoid run off and yet meet vehicle and market needs
3. Yes to more greenery that is also well looked after (volunteers?)
4. Remove cutter good. Far too many trees though. A few trees ok. Simplify, good. Don't really see the point in extending the square onto the High Street
5. Too ?, but more trees a good idea and more seating (with backrests!) - Looking like most of the market stall place has disappeared!
6. Walls reduce the large valuable space for community, large events
7. Reduces market space
8. Low walls reduce flow through area
9. This is an urban square not a garden!
10. High maintenance and reduced space
11. Nice paving
12. Do they know we have a thriving market? Utterly impractical
13. Mosaic instead of paving is far better
14. Too many trees impractical for market
15. Keep history in place. Don't knock down things hundreds years old to replace with buildings that only last 50 years
16. Yes
17. Too many trees not good in market square
18. Keep slate hung façade on Civic Hall it is in keeping with other Totnes architecture
19. Keep it simple
20. Misleading representation of space – where will the market stalls go?
21. The plan labelled 'existing' is superb
22. More simple benches needed for elderly and disabled resting space and visitors having picnics
23. This is the best design, simple, uncluttered, tasteful and in keeping
24. Best one – space preserved

## The Brief & General Comments

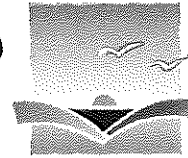
1. What's the General obsession with mosaics? Can we do something else?

2. I think somehow (shared space?!!) the High Street use needs to be minimal and slow! I use it a lot by car for business when I stop people ? past me/cross!
3. I think it's important for the space to be fluid/open/changeable for different uses
4. Can we have a small room/shed/anything where people can try on clothes on market days? If the toilets became pay loos there will be nowhere to use as a changing room
5. Drinking fountain brilliant idea
6. Please get this online clearly and promote heavily so people get to see this
7. People have been having trouble accessing the designs on line – can't find them on Facebook or the Town Council website
8. I would be really helpful if the designs were laid out in the right order
9. Please keep things simple. Use good quality material. Fancy idea will not last. Seating needs to be weatherproof, simple. Please remember used by a lot of older folk
10. This consultation has been rushed and not available to the public due to Guildhall closures. Meetings were not widely advertised and being given 9 designs to choose from is not asking the public what they think
11. How many architects were tendered to do the plans? The idea to develop the square was not mentioned in any of the Town Council's manifestos that I read. The space is historic let it be
12. The Guildhall appears to have disappeared. Pity, as the original build was used by monks until Henry VIII rooves removed
13. This display open to the public has not been accessible because of lack of staffing. So this is not really a public consultation. This has been quickly pushed through. I am concerned about people's livelihoods i.e. market traders
14. Who asked for a makeover of the market square in the first place?
15. Why the Guildhall, Why not the Civic Hall for public meeting. Guildhall is too small
16. Comments from Greenlife via email



11

Please reply to: Rob Sekula (Specialist – Assets & Place Making)  
South Hams District Council  
[assets-administration@swdevon.gov.uk](mailto:assets-administration@swdevon.gov.uk)  
Follaton House, Plymouth Road, Totnes. TQ9 5NE



South Hams  
District Council

West Devon  
Borough  
Council

***Working together***

Our ref: PROW/FP2/TOTNES  
Date: 14<sup>th</sup> June 2018

Dear Sir / Madam

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257**

**SOUTH HAMS DISTRICT COUNCIL  
(PUBLIC FOOTPATH No. 2 TOTNES)  
PUBLIC PATH DIVERSION ORDER 2018**

I write to invite your comments on a proposal to divert part of Public Footpath No.2, Totnes (Baltic Wharf) as shown on the attached plan.

The proposal arises from an application made by the landowner, who has undertaken to pay the costs of the diversion. The reason for the diversion is to accommodate a mixed use development.

This Proposal replaces a previous diversion order dated 24<sup>th</sup> May 2013 which has not been certified as available for use by the public. This proposal utilises the route established by the developer as temporary access used during the construction phase of the development and seeks to formally confirm this as the definitive route of Footpath 2.

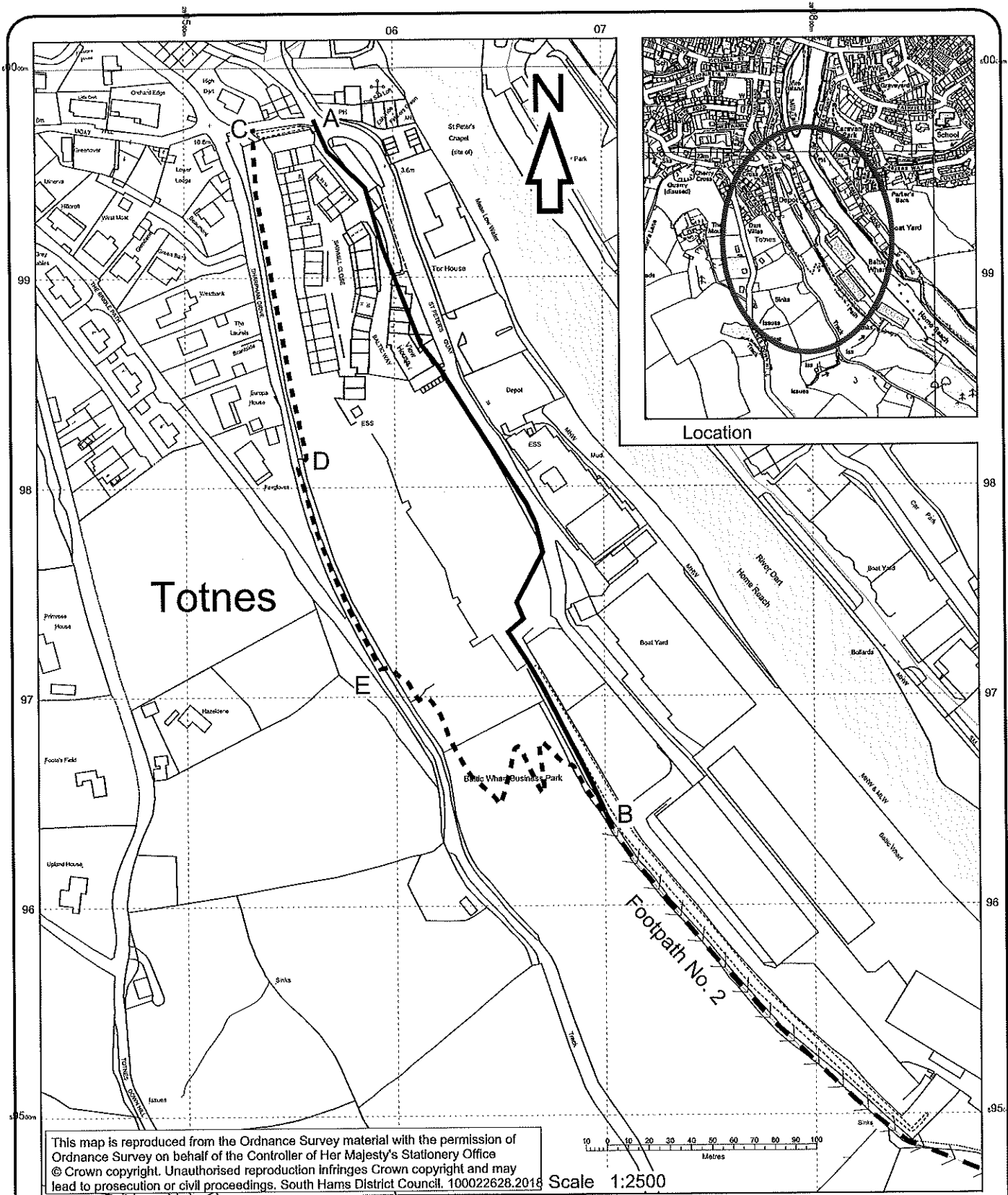
The District Council may make Public Path Orders under the Town & Country Planning Act 1990 (Sec. 257 & para 1 of Schedule 14), where planning applications require the diversion or extinguishment of a public right of way when it is deemed necessary to enable a development to go ahead.

I would be pleased to receive any comments you may have on this proposal **no later than Friday 13<sup>th</sup> July 2018**

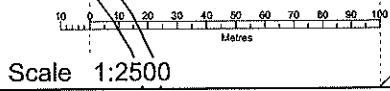
Yours sincerely

**Rob Sekula**  
**Specialist – Assets & Place Making**  
**South Hams District Council**  
**[assets-administration@swdevon.gov.uk](mailto:assets-administration@swdevon.gov.uk)**



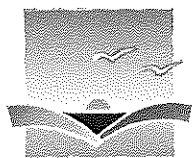


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<b>South Hams District Council</b> Proposed Public Path Diversion Order 2018 Footpath No. 02 Totnes		
Notation	To be extinguished	To be created
	A - B  (385 metres)	C - D - E - B  ( not B - C ) ( 494 metres)
Map Reference: SX806597		

Drawing No: 042g  
 Scale: 1:2500  
 Date: 04/04/2018  
 Drawn by: TP



**South Hams  
District Council**

