

AGENDA FOR THE MEETING OF TOTNES TOWN COUNCIL
MONDAY 1ST APRIL 2019 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 1st April at 7pm** for the purpose of transacting the following business:

No	Subject	Comments
1	To receive apologies.	Cllr K Tremain, Cllr R Adams, Cllr M Parker
2	The Mayor will request confirmation that all Members have made any amendments necessary to their Declaration of Interests, if appropriate. Councillors are reminded that we are currently in Purdah prior to local elections.	Enclosure
3	<i>The Council will adjourn for the following items:</i> <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. <u>Reports from County and District Councillors</u> <i>The Council will convene.</i>	a) Cllr Birch b) Cllr Green
4	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> a. Full Council 4 th March 2019 b. Council Matters 11 th March 2019 c. Town Matters 21 st March 2019	Enclosures
5	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> a. Full Council 4 th March 2019 b. Council Matters 11 th March 2019 c. Town Matters 21 st March 2019	Enclosures
6	To receive an update on the Neighbourhood Plan process and consider an update to the proposed budget allocation.	Enclosure
7	To note that the Standing Orders are currently under review. The current working draft is attached. A new proposed document will be sent to Full Council on 13 th May for consideration and adoption. Councillors are asked to note draft dates of meetings.	Enclosure
8	To note future dates: <ul style="list-style-type: none"> • Elections – Thursday 2nd May 2019 • Councillor Induction Session – Wednesday 8th May 2019 • Mayoral Choosing – Thursday 16th May 2019 • Annual Town meeting – Thursday 23rd May 2019 at 6.30pm in the Civic Hall 	
9	To note the date of the next meeting: Monday 13th May 2019 at 7pm in The Guildhall.	

Catherine Marlton

Town Clerk

PURDAH GUIDELINES

This year, the Purdah rules will apply from 21 March 2019 when the notice of election is posted, until the ballot closes on 2nd May.

The pre-election restrictions mean that Councils cannot: “**publish any material which in whole or in part, appears to be designed to affect public support for a political party.**”

This does not mean that councils are not allowed to communicate with their residents:

What councils are not allowed to do:

- Produce publicity on matters which could be seen as promoting any political group or individual
- Make reference to individual politicians or groups in press releases
- Arrange proactive media events involving candidates
- Issue photos which include candidates
- Help with national political visits

What councils are allowed to do:

- Continue to carry on with normal council business and continue to make council decisions
- Publish factual information
- Use relevant lead officers rather than members for reactive media releases (in practice this means the Clerk for your councils)

John Birch
SHDC Member for Totnes

Report for Totnes Town Council
meeting to be held on Monday 1 April 2019

I report on the following matters;

JOINT LOCAL PLAN APPROVED

At SHDC's Full Council meeting on 21 March 2019 the JLP was voted through even though councillors were given less than 48 hours to consider 4 key documents running to over 500 pages.

Furthermore, at the time, two of the documents had not been published by SHDC on its website for access by the public.

I, together with Cllr Robert Vint, called for council discussion of the documents to be deferred by 5 working days to enable councillors sufficient time to consider the reports in full and consult the residents they represent. Opposition councillors supported our proposal for deferment.

Unfortunately the Conservative members voted the proposal down resulting in an important long term planning policy going through without, in my opinion, proper examination or discussion by councillors.

When it came to the vote on the approval of the JLP I abstained and I had two reasons for doing so and they are as follows;

Firstly when the policy documentation came to the vote I abstained on the basis that as councillors we had not had sufficient time to read the 500 page plus reports and as such were not in a position to pass judgment.

Secondly I did not wish to vote against a plan that provided Totnes with a level of protection against widespread expansion of the town. The housing numbers initially proposed in the early stages of the draft plan included proposals for housing on the central car parks and in the grounds of KEVICC. A successful campaign to prevent such development resulted in a reduction of housing numbers in the plan for Totnes.

These are the sites situated within the Totnes Town Council boundary that are allocated for housing for the plan period up to 2034.

- KEVICC – 130 dwellings – included in previous local plan
- Baltic Wharf – 190 dwellings – under construction.
- Great Court Farm – 75 dwellings – under construction.
- ATMOS – 62 dwellings – planning permission granted

A rejection of the JLP would have left Totnes exposed to the possibility of widespread development especially on that part of the town adjoining Berry Pomeroy.

BALTIC WHARF DEVELOPMENT SCANDAL

When the planning application for the Baltic Wharf development in Totnes came before the SHDC planning committee in 2010 members were informed in an planning officer's report that a draft Full Travel Plan had been agreed between Devon County Council and the developer that provided "*a comprehensive and effective strategy to minimizing car use and encouraging walking, cycling and alternative means of transport such as buses, car clubs and car sharing schemes*". It was reported that the measures in the travel plan "*will reduce traffic to and from the site*".

It was further stated that the plan "*will be managed and developed by a site Travel Plan Coordinator and enforced through site wide control of the site with sticks and carrots to effectively encourage uptake of the Travel Plan initiatives*".

The Travel Plan initiatives, as agreed between developer and Devon County Council, were subsequently incorporated into a S106 agreement between the parties dated 4 December 2012.

The Baltic Wharf developer was and is required, by the legal agreement with Devon County Council, to implement a travel plan for the development and this it has failed to do.

This, in my opinion, is an appalling state of affairs when you consider that Phase 1 of the Baltic Wharf development is nearly complete. All the promises made by the developer in support of its planning application have counted for nothing. What is more galling is that these promises were turned into legal obligations and these have been ignored.

There are two culprits in this sad state of affairs. The first is the developer who has failed to fulfil its legal obligations and the second is Devon County Council as it has failed to ensure that the developer has complied with its legal obligations.

Its time for Devon County Council to accept its failure and press the developer to comply with its obligations as well as provide compensation for its past failures. I have taken this matter up with the Executive Member responsible at DCC and I await his response.

39 HIGH ST, TOTNES - LATEST

The Enforcement officer from SHDC has had a meeting on site with the owner and received an assurance that those items of work that require urgent attention and pose a danger to the public will be dealt with as a matter of urgency.

There are continuing discussions concerning the repairs required to the rest of the building. I will press for regular updates on progress and will report back.

TOTNES PUBLIC TOILETS - LATEST

This matter came before the Executive Committee of SHDC on 14 March 2019 and the report that was put before Members was, in my opinion, insufficient and did not report on the proposals submitted by the Town Council. I brought this to the Chief Executive's attention and an updated report was circulated prior to the meeting. This document entitled "Totnes Public Toilets - Briefing note for Members is submitted with this report. The proposal sent out in the last paragraph of the note has been accepted by SHDC and the next step is for the Town Council to submit a formal proposal following the elections in May. Meanwhile the installation of Pay on Enter equipment is put on hold pending the Town Council's proposal.

Cllr John Birch
SHDC Member for Totnes
24 March 2019

Totnes Public Toilets

Briefing note for Members

Following the call in and consideration by Overview & Scrutiny Committee, officers advised Totnes Town Council that we would be revisiting the consultation with them in respect of Pay on Entry (PoE) for the three facilities in the town, which are Civic Hall, Coronation Road and Steamer Quay.

As a result, District Council Ward Members and officers met Totnes Town Councillors and officers on 10 January, and discussed various options. It was agreed that Town Councillors would consider further and that the Town Clerk would come back to the District Council with a proposal.

On 11 February, the Town Clerk informed officers that the Town Council, in principle, was supportive of a proposal to prevent PoE being installed. However, no decisions had been made about how this was to be funded by the Town Council.

The Clerk was given delegated responsibility to negotiate with the District Council in respect of making financial arrangements to compensate the District Council to delay the installation of PoE until the matter had been considered by the new Town Council, following the election in May.

An officer meeting was held on 27 February, to clarify some points and review the timetable moving forward.

Following this, the Town Clerk confirmed, on 28 February, (see extract below) that the Town Council wishes to compensate the District Council for PoE income, pending a final decision by the new Council in May 2019. This income has been profiled in accordance with seasonal usage of the toilets.

Therefore, the current position is that the Town Council has requested to fund the lost income from PoE as an interim measure, pending further consideration of the way forward by the new Town Council, following elections in May, when a formal proposal will be submitted by the Town Council to the District Council.

**District Councillor's Monthly Report
March 2019**

John Green, SHDC Councillor for Totnes

Joint Local Plan

The Joint Local Plan for Plymouth, the South Hams and West Devon has been adopted and is now in force.

Borough Park

Financial support from s106 funding is available for clubs that are located in Borough Park. A meeting is being held on 1st April with the clubs to discuss the opportunities this presents and how funding can be obtained.

Follaton Arboretum

SHDC is minded to formalise its recognition of Follaton Arboretum being a Public Open Space.

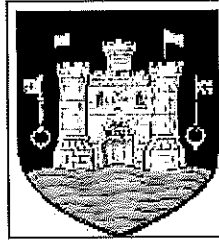
Totnes Travel Partnership

Following the forthcoming Town Council and District Council elections it would be beneficial for a member of the Town Council to join District Councillors and SHDC Officers in discussing and deciding on the priorities for transport-related s106 funding from Baltic Wharf and other developments.

Thank you

I will not be standing in the forthcoming District Council elections.

I have felt very privileged to be a District Council representative for Totnes. I have often felt humbled by the openness, integrity, creativeness and insight shown by people from all walks of life. The people of Totnes and the town itself will always have a special place in my thoughts.



DRAFT MINUTES FOR THE MEETING OF TOTNES TOWN COUNCIL
MONDAY 4TH MARCH 2019 AT THE GUILDHALL TOTNES

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

Apologies: Councillors Parker, Sermon, Webberley, R Adams, and Hendriksen

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

No	Subject	Comments
1	To receive apologies.	Apologies were given by Councillors Parker, Sermon, Webberley, R Adams, and Hendriksen It was RESOLVED to accept the apologies.
2	The Mayor will request confirmation that all Members have made any amendments necessary to their Declaration of Interests, if appropriate.	None.
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 speed of traffic through the narrows.</p> <p>A member of the public asked the Council what is being done to monitor and protect the Dart Valley wildlife corridor and the Greater Horseshoe bats. He asked whether any European Protected Species licences have been issued for Totnes as indications are that none have. The Mayor responded to advise that the Town Council does not have any planning authority.</p> <p>An organiser from the Community Interest Company, Jamming Station, advised that they are trying to expand their project but are finding the cost of hiring the Civic Hall a concern.</p> <p>District Cllr Green provided a written report. He advised that 14 Sparkwell Drive fence is to be refused. The path at Follaton Oak is now open. Unfortunately the signs for showers near the river will no longer go ahead but D.Cllr Green intends to pursue this.</p> <p>District Cllr Birch provided a written report. He confirmed that the South Hams Enforcement officer has been trying to make contact with the owner of 39 High Street to arrange an inspection of the property</p>

	<p><i>The Council will convene.</i></p>	<p>with Historic England. The owner is in the country and has been located. South Ham DC can issue an urgent repair notice and a meeting is being planned to take this forward. The Ground Floor shop is separately owned. DCC and the H&S Executive have said it is SHDC's responsibility. Cllrs questioned how it could be made safe in the interim whilst an urgent repair notice is being arranged.</p> <p>District Cllr Vint advised that the District Council budget has been approved. He is also dealing with a parking problem at Swallowfields.</p> <p>County Cllr Hodgson handed out a written report. She expanded on the issue of the protection of bats that was raised by a member of the public and suggested the Town Council asked for a bat protection licence to be included with planning applications submitted to SHDC. She also advised that DCC precept is going up by 3.99% to raise the funding for Care Services. A Climate Emergency meeting has taken place and the next meeting is planned for 6/4/19. Consideration needs to be given to asking central government for funding.</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"> Full Council 4th February 2019 Council Matters 11th February 2019 Town Matters 21st February 2019 	<p>It was RESOLVED to approve and sign the Minutes of the following meetings :</p> <ol style="list-style-type: none"> Full Council 4th February 2019 Council Matters 11th February 2019 Town Matters 21st February 2019
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> <ol style="list-style-type: none"> Full Council 4th February 2019 Council Matters 11th February 2019 Town Matters 21st February 2019 	<p>The following matters arose:</p> <ol style="list-style-type: none"> <u>Full Council 4th February 2019</u> <p>Item 3 – a Museum meeting has not taken place yet.</p> <ol style="list-style-type: none"> <u>Council Matters 11th February 2019</u> <p>Item 7 – It was RESOLVED to accept the recommendation.</p> <p>Item 12 – It was RESOLVED to accept the recommendation.</p> <ol style="list-style-type: none"> <u>Town Matters 21st February 2019</u> <p>Item 4 – Cllr Vint has no further information yet.</p>

		<p>Item 4 – Item 5, It was RESOLVED to accept an amended recommendation to say ‘The Clerk will e-mail the various authorities, including the Police and the fire services, to reiterate concerns on the safety of the building. The Town Clerk will also ask the Town Ranger to install high vis tape and signage to stop people walking through the pillars’.</p> <p>Item 8 – Cllr Vint enquired about the use of Fairtrade products by the Council. The Mayor confirmed this is the case and the Clerk advised we do as much is feasibly possible.</p>
6	Update on the public toilets negotiation	<p>The Clerk provided a written report on the current situation and advised that time is needed to carry out a community consultation to assess whether keeping the public toilets free from pay-on-entry is a priority for the use of the community budget funds. The proposal is to pay SHDC the money they expected to receive from the pay-on-entry system for the next few months until the community consultation has been carried out and a decision can be made about how it is taken forward.</p> <p>The toilets on Coronation Rd are temporarily closed while some maintenance work and design out crime work is being undertaken.</p>
7	To note that the Standing Orders are currently under review. Councillors are asked to send feedback to the Town Clerk by 31 st March 2019. A new proposed document will be sent to Full Council on 13 th May for consideration and adoption.	Noted
8	To ratify the internal office policy for how to proceed following the death of a national figure.	It was RESOLVED to adopt the policy.
9	To note future dates: <ul style="list-style-type: none"> • Civic Mayoral dinner – Friday 22nd March 2019 at the Seven Stars • Mayoral Choosing – Thursday 16th May 2019 • Annual Town meeting – Thursday 23rd May 2019 at 6.30pm in the Civic Hall 	Noted
10	To note the date of the next meeting: Monday 1st April 2019 at 7pm in <u>The Guildhall</u>.	Noted.

Ended 8.15pm

Catherine Marlton
Town Clerk



DRAFT MINUTES OF THE COUNCIL MATTERS COMMITTEE
MONDAY 11TH MARCH 2019 AT THE GUILDHALL TOTNES

Present: Councillor T Whitty, Cllr E Price, Cllr P Paine, Cllr J Hodgson, Cllr J Sweett, Cllr M Adams, Cllr J Westcott MBE, Cllr A Simms

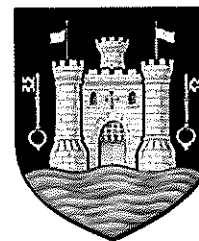
Apologies: Cllr R Adams, Cllr M Adams

In Attendance: Catherine Marlton (Town Clerk)

No	Subject	Comments
1	To receive apologies and to confirm that any absence has the approval of the Council.	The apologies were noted.
<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.	None
<i>The Committee will convene to consider the following items:</i>		
2	To discuss any matters arising from the minutes of: a) Council Matters 11 th February 2019 - (already agreed through Full Council)	It was suggested that a quarterly Cemetery Working Group be built into the Standing Orders. The Town Clerk will include this suggestion in the Standing Orders review.
3	To consider the current year's budget allocations and balances and any virements needed.	The current year budget monitor was considered and AGREED . It was AGREED to vire £150 from Civic and Mayoral Events to Mayoral Travel and Expenses to cover a small overspend. Cllr Simms arrived.
4	To receive an update on the Neighbourhood Plan (standing item).	A meeting had been set by the Town Clerk for Wednesday 20 th March 2019 at 11am to find out the current position and start to summarise information ready for the new Council and potentially a new Neighbourhood Planning Group. Councillors were asked to circulate this meeting date to other NP Task and Finish members.
5	To consider an employee Absence Management Policy.	It was RECOMMENDED to Full Council that the draft Absence Management Policy be ratified.
6	To consider a letter from SHDC regarding the 2019/20 precept increase and how to word a response.	The draft statement from the Clerk was AGREED as the correct response.
7	To ratify the appointment of the Administrative Assistant.	It was AGREED to ratify the appointment subject to the usual pre-employment checks.
8	To note the date of the next meeting: Monday 8th April at 7pm in The Guildhall.	Noted.
<i>The Committee RESOLVED 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>		
9	To note the last 12 months of sick leave.	Noted.
10	To discuss a staffing matter in relation to serious illness.	It was AGREED to give the Clerk delegated authority to: 1. Extend paid sick leave by up to 12 working days. 2. Implement any adjustments needed to facilitate the employee being able to return to work, up to and including appointing temporary staff to cover any phased start required.

Catherine Marlton

Town Clerk



ABSENCE MANAGEMENT POLICY

TOTNES TOWN COUNCIL

Adopted: 1st April 2019 TBC

1 Introduction

The Council is committed to providing effective, high quality service to all its customers and to optimising the contribution of all employees. As part of this aim, it is essential that all employees are committed to maximising attendance.

The Council is concerned for the wellbeing of its employees and seeks to protect their health and safety by creating a safe working environment. In return, the Council expects all employees to take reasonable care of their own health, seek medical help whenever appropriate, and to attend work when fit to do so.

The Council recognises that genuine medical grounds will occasionally result in employee absence. It is the Council's policy to treat all such sickness absence in a fair, sensitive, and consistent manner across all areas of the workforce.

The Council must balance the sensitive management of genuine individual sickness against its need to be publicly accountable for its resource allocation and, as such, cannot sustain high levels of sickness absence. Action will therefore be taken to address recurrent short term sickness or extended periods of absence as appropriate.

1.1 Aims

In order for the Council to meet its responsibilities, it will ensure that:

- It provides a supportive environment for those employees affected by ill-health;
- Managers and employees adhere to this policy and procedure; and
- Levels of sickness absence are the subject of routine monitoring.

1.2 Responsibilities

The onus for attending work on a regular basis and for reporting absence in accordance with the Council's agreed procedures rests with the employee. It is also an employee's responsibility to appropriately detail any periods of absence on their record of hours worked.

The responsibility for recording, monitoring, and managing absence on a day-to-day basis lies with the Town Clerk. It is therefore essential that they ensure that all employees are aware of the Council's Absence Management Policy and Procedures.

1.3 Reporting

Employees who are unable to work due to illness/injury must contact the Town Clerk as soon as possible or arrange for someone else to do this on their behalf. This should be no later than 09.30 on the first day of absence or the nearest working day. The employee should provide some indication of:

- The nature of the absence;
- The date the injury/illness began (including weekends and holidays);
- The expected duration of the absence; and
- Whether there are any immediate work commitments that need completing/reassigning during the absence.

If the Town Clerk is unavailable, the employee should ensure that contact is made with the office.

The employee must maintain contact with his or her Line Manager during any period of sickness absence lasting longer than one day, so that the Line Manager is aware of any progress and the expected date of return to work. If the employee is unable to do so, they must arrange for someone else to do this on their behalf.

Failure to follow the sickness reporting process might lead to the absence from work being considered as unauthorised, resulting in loss of pay and possible disciplinary action.

2 Certification

Where the absence is for a period of up to seven days (inclusive of weekends) and not covered by a doctor's certificate, the employee will be asked to complete a self-certification form on their return to work.

If the absence exceeds seven days – and the employee has not already done so – the employee should provide a doctor's certificate for the remainder of the absence. The employee will need to ensure that there is always a current certificate. The doctor's certificate ('fit note') will include whether or not the employee needs to see a doctor again before returning to work.

If the doctor's certificate states that the employee "may be fit for work", the employee should inform the Town Clerk immediately. They will discuss with the employee whether there are any additional measures that may be needed to facilitate the return to work, taking into account the doctor's advice. This may take place at a Return to Work Interview or an Absence Review Meeting. If appropriate measures cannot be taken, the employee will remain on sick leave and the Town Clerk will set a date to review the situation.

3 Return to Work Meetings

When the employee returns to work after any period of absence, the Town Clerk will arrange to meet with them. This meeting will occur on the first day back or as soon as possible. The purpose of this meeting is:

- To provide an opportunity for the Town Clerk to check that the employee is fit enough to return to work;
- To give the employee an opportunity to voice any concerns that they may have and/or to identify any domestic, welfare, or work-related problems in an appropriate forum;
- To ensure that the employee is aware of work-related matters that have occurred during their absence; and
- Fill out the Sickness Declaration Form.

4 Miscellaneous

It is important that the employee complies with these procedures so that:

- The Council can be aware of any potential problems and provide assistance to the employee where necessary; and
- Any sick pay to which the employee would otherwise be entitled is not withheld or refused.

Records retained in respect of sickness absence will be treated with sensitivity and confidentiality at all times, in accordance with the provisions of prevailing Data Protection legislation. The employee is entitled to access their records on request.

5 Frequent Intermittent Absence

In addition to the Return to Work interviews after all periods of absence, the Council will institute a more formal review of attendance records and reasons for absence with an employee if there has been either (a) four episodes of absence or (b) a total of 10 days' short-term sickness absence within any period of 12 months. The relevant manager will arrange an Absence Review Meeting to meet with any employee whose absence record matches or exceeds the above criteria.

During the meeting, the manager should draw the employee's attention to their poor attendance record and the problems that their absences are causing for the Council and other employees. Where no underlying medical condition is disclosed, the employee will be advised that their attendance record will be monitored (over a period of not less than 3 months) and that significant improvement will be required. In addition, employees will be warned that if no such improvement is forthcoming, serious consideration will be given to reviewing their employment situation. This will be confirmed in writing.

Return to Work interviews will continue to be carried out following any absences that occur during this monitoring period. These interviews afford the manager the opportunity to remind the employee of the Council's concerns.

If no significant improvement in attendance is demonstrated after the period of monitoring has elapsed, a further Absence Review Meeting will be arranged. At this meeting, the employee will once again be reminded of the problems caused by the absences and asked if they wish to disclose any underlying medical condition or problem of which the manager is unaware. If such a condition is disclosed, a medical referral should be arranged. Where no underlying medical condition exists, the

employee should be told that their attendance record will be subject to a further period of monitoring (of not less than 3 months) and that their employment may be terminated if the required improvement is not effected. Employees have the right to be accompanied to this meeting by a trade union representative or a work colleague.

Employees whose levels of attendance improve satisfactorily during periods of informal or formal monitoring will be reminded that they will be expected to maintain these levels of attendance. Failure to do so will result in further monitoring or the initiation of formal action.

Where an employee's attendance has not improved to the required level, an Attendance Hearing will be arranged (see Section 8) to consider whether or not the employee should be dismissed.

6 Long-Term Absence

All cases of long-term absence will be treated sympathetically and every assistance will be given to the employee to return to work. The Council will maintain contact with the employee and advise them that they should keep the Council informed of developments relating to their medical condition. The Council will hold Sickness Review Meetings with the employee during their absence, as appropriate, to: keep up to date, review the on-going absence, and offer support to the employee where appropriate.

In order to ensure that the Council has access to guidance and advice in respect of the best course of action to follow in relation to such cases of absence, employees who have been absent for a continuous period of four weeks might, depending on the nature of the absence in question, be referred to an Occupational Health Physician. Where the Occupational Health Physician makes a recommendation that might affect the employee's continued employment, the relevant manager will hold an Absence Review Meeting with the employee to discuss the alternative options. Employees may wish to have the support of a trade union representative or a work colleague present during such a meeting, and this should be positively encouraged.

Where a return to work following a period of prolonged absence might be facilitated by temporary redeployment or phased re-introduction (e.g. job sharing or part-time working) an employee can discuss these options with their manager and, if such measures are appropriate, the Council will ensure that the support mechanisms necessary for this to occur are provided. Such arrangements will be for a defined period and will be subject to joint review.

In certain cases, the Occupational Health Physician might find that an employee is unfit to perform a particular job but fit enough to undertake other types of work. In such cases, full consideration will be given to the possibility of redeployment into alternative positions. Consideration will also be given to redeployment in cases where work in a particular place poses problems with attendance.

Where an employee remains absent and a return to work is not foreseeable within a reasonable timescale, the Town Clerk will arrange a Final Absence Review meeting

(see Section 7), which may lead to an Attendance Hearing (see Section 8) to consider dismissal.

7 Final Absence Review Meeting

Prior to dismissal being considered for either frequent intermittent absence or long-term absence, the Town Clerk will meet with the individual to explore whether there are any reasonable adjustments that could be made to enable an employee to remain employed.

Termination of employment may take place where:

- An employee is declared permanently unfit for work;
- An employee is declared medically unfit for their work and alternative employment cannot be found;
- A decision has been taken that the service can no longer tolerate a high level of absence; or
- A decision is taken, within the Council's disciplinary process, that an employee has wilfully abused the sickness absence/payments provisions or absented themselves without permission.

8 Attendance Hearing

To reach a decision about whether dismissal is appropriate, an Attendance Hearing will be arranged. The employee will be invited in writing to attend the hearing and notified of their right to be accompanied by a Trade Union Representative or colleague.

The Hearing Panel will comprise of Personnel Sub-Committee, who will make the decision. The Town Clerk or relevant manager will attend to outline the history of absence and any relevant steps taken and advice received.

All paperwork relating to the hearing will be circulated 5 days in advance of the hearing to all parties attending.

Once the Panel has considered the manager's and employee's cases, and all other relevant information, it will adjourn to make a decision.

The decision of the Panel will be confirmed to the employee in writing within 5 working days. The letter should clearly set out:

1. The Panel's decision:
 - a. If a warning has been issued the timescale for this and the level of improvement required;
 - b. If the decision is not to take action at this point and to review again in a certain time period, the applicable timescale for this; or
 - c. If the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information; and
2. The employee's right of appeal.

9 Appeals

Employees have the right to appeal against any decision to issue a formal warning or dismissal under this procedure. If an employee wishes to appeal, they should write to the Town Clerk setting out the grounds of their appeal. This must be done within 10 days of the date of the letter informing them of the outcome of the Attendance Hearing.

Appeals will be heard by a separate panel of members, who will also normally be part of the Council Matters Committee. An appeal hearing will be held where the employee can present their appeal. The Chair of the original panel will also attend to explain the original decision. Witnesses may be called.

Once the Appeal Panel has considered both the employee's appeal and the Hearing Chair's case, and considered all other relevant information, it will adjourn to make a decision.

The decision of the Appeal Panel is final and will be confirmed to the employee in writing within 5 working days. There is no further right of Appeal.

10 Alcohol/Drug Dependency

Where an employee discloses that their absences are a consequence of alcohol- or drug-related problems, they will be encouraged to seek help and treatment voluntarily through the Council's Occupational Health Service or through resources of their own choosing. Employees may be granted, if necessary, leave to undergo treatment and any such leave will be regarded as sick leave within the terms of the Council's sick pay scheme, with the monitoring of progress by the Occupational Health Service.

Should an employee refuse or discontinue any programme of assistance designed for them, then any unacceptable behaviour or inadequate standard of work will be dealt with on its merits through the Council's Disciplinary Procedure.

11 Welfare

If, as a consequence of medically related absence, the relevant manager has any concerns about an employee's ability to undertake the full range of duties and responsibilities associated with their post, consideration should be given to suspending them with pay, or finding alternative duties whilst medical advice is sought from a qualified medical professional or Occupation Health service.

12 Monitoring

Monitoring is an important part of sickness absence. In order for reports to be issued to managers, it is important that all absence from the workplace is reported. All signed absence forms should be returned as soon as possible after the employee's Return to Work Interview has been conducted. The Town Clerk will ensure that an absence history is maintained for each employee. These records will provide the base data for the compilation, at regular intervals, of statistics showing the level of sickness absence across the Council.

The sickness monitoring system will also enable the Town Clerk to identify Individual cases where frequent or lengthy absences have occurred, or where patterns of absence have been identified. However, the manager should view such notifications as a secondary means of identifying problems or potential problems.

The manager should ensure that they maintain comprehensive records at all times for each employee in relation to contact during and immediately following periods of sickness absence. These details should be maintained on the employee's personal file and should be treated with sensitivity and confidentiality at all times. Employees will be entitled to access these records on request.

13 Terminal illness

The Town Council promises to support any employee diagnosed with a terminal illness.

Whilst the contractual amount of full paid and half paid sick leave will still apply, as below, the Council will provide as much support as possible to allow the employee to choose their own path in terms of whether they are able to continue working or not.

The maximum entitlement to occupational sick pay is:

During 1st year of service:

one month's full pay and (after four months' service) two months' half pay.

During 2nd year of service:

two months' full pay and two months' half pay

During 3rd year of service:

four months' full pay and four months' half pay

During 4th and 5th years of service:

five months' full pay and five months' half pay

After 5 years' service:

six months' full pay and six months' half pay.

From the moment of diagnosis of a terminal illness the worry of being dismissed and losing pension related 'death in service' benefits for family members will be lifted.

14 Death in Service

The Town Council recommends that every employee opt into the Local Government Pension Scheme which provides death in service benefits as outlined at the following link. <https://www.lgpsmember.org/arm/already-member-prot.php>

In addition to this the Town Council has insurance coverage for personal accidents during employment as outlined below. Following such an accident the Town Council will decide how to claim and how the proceeds of the claim should be allocated between the employee/employees family or the Town Council as the employer.

1. Death - £50,000.
2. Total and permanent loss of sight in one or both eyes and/or permanent loss of hearing in one or both ears - £50,000.
3. Loss of one or more limbs - £50,000.
4. Any other total and permanent disablement which lasts without interruption for more than 12 months from the date of the accident and prevents the person from pursuing any occupation - £50,000.
5. Temporary total disablement which prevents the person from pursuing their normal occupation - £500 per week for 104 weeks.
6. Temporary partial disablement which prevents the person from pursuing a substantial part of their normal occupation - £250 per week for 104 weeks.

Coverage applies for 24 hours a day, so it does not mean that the incident had to happen to the employee whilst at work.

APPENDIX 1

RETURN TO WORK / ABSENCE REVIEW

* * CONFIDENTIAL * * *

Return to work and absence review interviews must be conducted after every period of absence and during periods of longer term absence.

Date of discussion				
Method of discussion	Face to Face <input type="checkbox"/>	Telephone <input type="checkbox"/>		
EMPLOYEE DETAILS				
Full Name:				
Job Title:				
ABSENCE DETAILS				
Start date of absence				
Date of return				
Reason for absence				
Dates of absences in last rolling 12 month period (refer to managers desktop or local employee file)				
Has the employee been updated on any issues that occurred during his/her absence?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If the period of absence has been long term does the employee require any retraining?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Any issues that the employee wishes to raise following their recent absence?				

Does the employee consider themselves to have a disability? Yes No

If yes, please provide an explanation of the disability and if any support is required.

Do any reasonable adjustments need to be considered? Yes No

If yes, please provide details of the reasonable adjustments.

Has the employee received a fit note? Yes No

If yes, are there any recommendations/adjustments to support the employee at work?

Has the employee met the corporate trigger points in a rolling 12 month period?

- 4 or more episodes of sickness
- 10 working days of absence

Trigger points for employees that work fewer than 5 days in a week will need to be pro rata to the number of days.

Yes

If yes, please refer to the absence management policy.

No

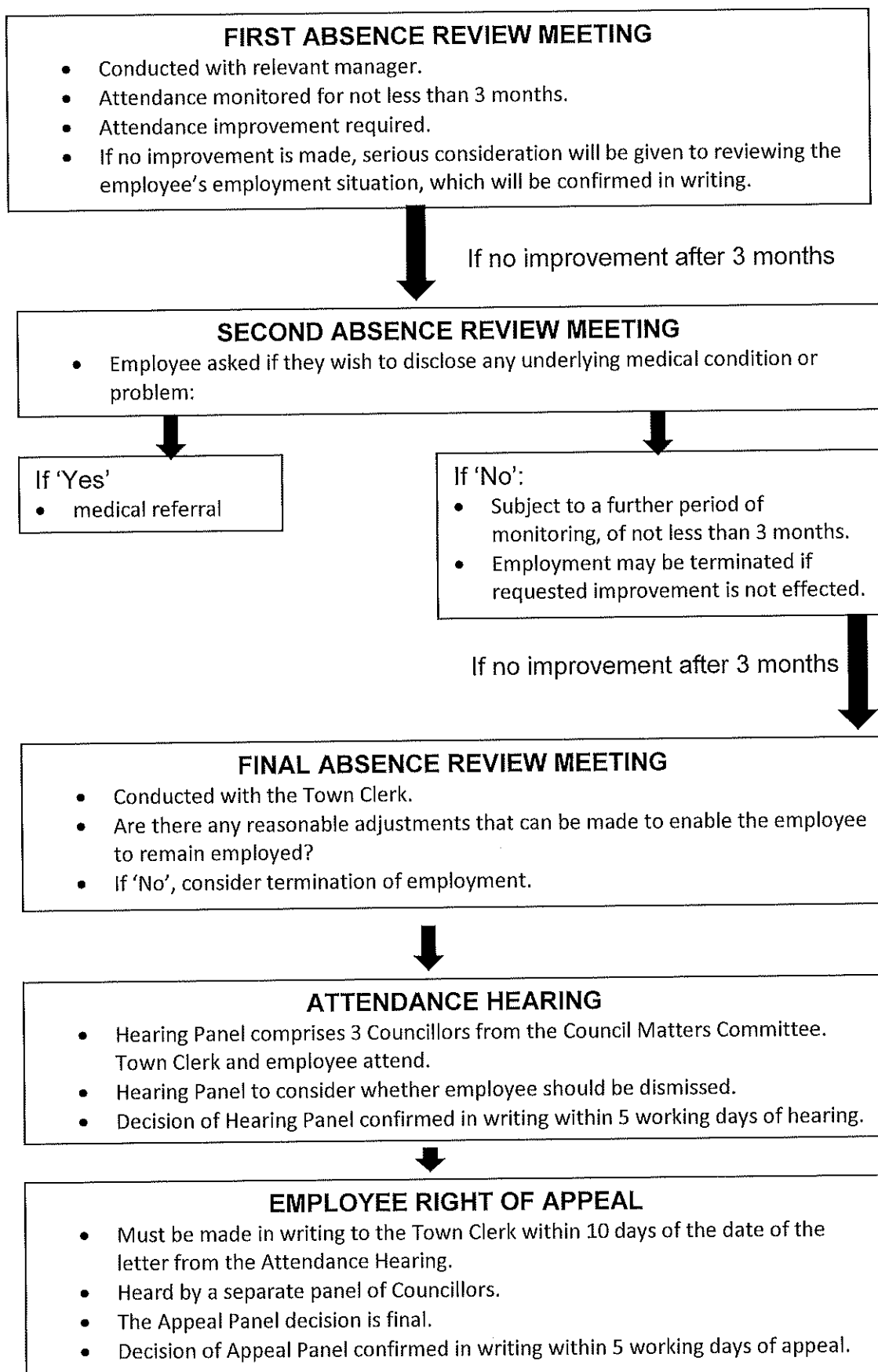
If yes to the above question please state what stage you are up to within the Absence Management Policy.

If the employee has triggered and the line manager along with the senior manager's approval have decided not to start/progress with the Absence Management Policy then please document the reasons why.

Has the employee been made aware of future actions in accordance with the Absence Management Policy if they are absent again in the near future?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Is a referral to Occupational Health required? If yes, please complete the relevant referral form and send it to Occupational Health	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Details of support offered to employee (actions agreed, including timescales)				
Please include any additional information discussed at the return to work interview				
I understand that this information will be used for the purposes of recording and monitoring sickness absence.				
Signed Employee				Date
Signed Manager				Date

ABSENCE MANAGEMENT PROCESS

Triggers: 4 episodes of absence or a total of 10 days' short-term sickness absence within any period of 12 months.





**DRAFT MINUTES OF THE TOWN MATTERS COMMITTEE
THURSDAY 21ST MARCH 2019 AT THE GUILDHALL TOTNES**

Present: Councillors J Sweett (Chair), J Hodgson, P Paine, B Piper, R Vint and L Webberley.

Apologies: Cllrs R Hendriksen, M Parker and K Sermon.

Not Present: Cllr G Allen.

In Attendance: One member of the public and Sara Halliday (Committee and Cemetery Administrator).

No	Subject	Comments
1	To receive apologies and to confirm that any absence has the approval of the Council.	It was resolved to accept the apologies.
	<i>The Committee will adjourn for the following items:</i>	
	A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Committee or other items that affect Totnes.	A member of the public explained the decision to end the use of the Totnes Pound (£) on 30 th June 2019, due to the reduced use of cash and the inability to give Totnes £s as change. An event will be held at the Royal Seven Stars on 4 th April to celebrate the scheme.
	<i>The Committee will convene to consider the following items:</i>	
2	To update on any matters arising from the minutes of 21 st February 2019. (Note: already agreed through Full Council.)	<p>Item 2.4.5 – An update was given on the condition of 39 High Street which inspectors have assessed as in need of work but not presenting any immediate danger, and the property owner has been contacted. High visibility tape had been put up by the Town Ranger as agreed by Full Council but had been removed.</p> <p>Item 2.4.7 – There has been no update from Mr Black about resolving the issue of use of the footbridge connecting to South Devon Railway as part of the cycle path.</p> <p>Item 2.8 – Fairtrade signs have been erected below the 'Welcome to Totnes' road signs. It is hoped that stickers showing the Fairtrade logo will soon be added.</p>
3	<p>To note or make recommendations on the following tree works orders:</p> <p>Works to Trees in a Conservation Area:</p> <p>3a) 0173/19/TCA – T1: Eucalyptus – Crown height reduction by up to 3m, lateral reduction by up to 2m on all sides, crown raise to 3m from ground level. To ensure overhead service lines are clear from moving branches and bring the tree to a safe size. 3 Baring Cottages, Weston Lane, Totnes, TQ9 5AP.</p>	<p>To note: decision notices for both applications have already been issued.</p> <p>No objections.</p>

	<p>3b) 0578/19/TCA – T1: Lawson’s Cypress – Lateral reduction by 1.5m away from property and shape top. T2: Walnut – Crown lift by a 1.5m lateral reduction over highway. Mixed species hedge – reduction by 2.5m. Chy Vean, Priory Avenue, Totnes, TQ9 5HR.</p>	<p>No objections.</p> <p>It was AGREED that a comment will be passed to the Tree Officer that it would be helpful if the applications stated the overall height of the tree, as this would provide context for how the proposed works will affect the size and shape of the tree.</p>
<p>4</p>	<p>To make recommendations on the following planning applications:</p> <p>4a) 0694/19/FUL – Erection of 2 detached dwellings with associated parking. Follaton Farm Barns, Plymouth Road, Totnes, TQ9 5NA.</p> <p>4b) 0611/19/OPA – Erection of dwelling (outline with all matters reserved). 5 Redworth Terrace, Redworth Terrace and Radnor Terrace Access Road, Totnes, TQ9 5JN.</p> <p>4c) 0549/19/HHO – Householder application for proposed rear extension, conversion of garage and erection of new detached garage. Coleridge, Jubilee Road, Totnes, TQ9 5BP.</p> <p>4d) 0510/19/HHO – Householder application for proposed side extension, and front and rear dormers. The side extension is over the existing garage and is a proposed staircase to allow access to the attic. 52 Denys Road, Totnes, TQ9 5TL.</p> <p>4e) 0444/19/ARC – Application for approval of details reserved by conditions 3 and 4 of Listed Building Consent 4109/18/LBC. 57 High Street, Totnes, TQ9 5NS.</p> <p>4f) 0488/19/ARC & 0364/19/ARC – Application for approval of details reserved by conditions 3 (Canopies), 4 (Rooflights) and 6 (Windows) of planning consent 3688/18/LBC and 3376/18/LBC. Bull Inn, High Street, Totnes, TQ9 5SN.</p> <p>4g) 0669/19/VAR – Application for variation of conditions 4 and 5 of planning permission 56/1355/12/RM. Follaton Oak, Plymouth Road, Totnes.</p>	<p>Objection. The Committee is concerned that the rear boundary is too close to the Plymouth Road and it should be put back to potentially allow space for a footpath and to improve visibility for vehicles at this narrow point on the road (the proposed planting will impair visibility over time).</p> <p>Agree in principle, but the Committee would wish a conservation officer to advise on the proposed removal of the wall.</p> <p>No objection.</p> <p>No objection.</p> <p>No objection.</p> <p>No objection.</p> <p>Objection, as this is a reduction in amenities being provided. The Committee would wish to see some play equipment retained near the existing oak tree, and clarification of the surface of the land at the bottom right hand corner of the plan, previously identified for play/trim trail equipment. A map showing the location of the site in relation to the main roads would have been helpful.</p>
<p>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.</p>		

5	To make recommendations on the following planning application from Devon County Council: Retention of 5 modular classroom block (17, 36, 37, 42, 44) for 15 years at King Edward VI College, Ashburton Road, Totnes, TQ9 5JX.	No objection. It was AGREED that the new Council will ask KEVICC for an update to Committee on their future plans.
6	To consider a new premises licence application from Gather Restaurants Ltd for 50 Fore Street.	No objection.
7	To discuss the Totnes and District Traffic and Transport Forum scoring of the proposed schemes in the draft Totnes Town Council Transport Policy and Strategy.	The Totnes and District Traffic and Transport Forum (TDTTF) have now completed the prioritisation of the schemes and this information has been passed to South Hams District Council (SHDC) for use in the Air Quality Action Plan (AQAP). The priorities are footpaths on the Plymouth Road and a pedestrian crossing at Follaton. It was AGREED to invite the SHDC Officer to update on the AQAP to a future Committee. To RECOMMEND to Full Council that the TDTTF schemes are presented at the Annual Town Meeting and comments are invited from the public. These comments and the schemes will then be reviewed by the Town Matters Committee in June and a recommendation made to Full Council in July 2019.
8	To consider a Devon Authorities Strategic Waste Committee consultation on the review of the Reuse Credit Scheme [ReFurnish, Totnes].	The Committee agreed that the good work of ReFurnish Totnes should be supported as it benefits both those wanting to donate items and those on limited incomes wishing to purchase goods. To RECOMMEND to Full Council that TTC: <ul style="list-style-type: none"> • Replies to the consultation supporting Option 3 – Continue to fund the Reuse Credit Scheme under current arrangements; and • Writes to the Devon Authorities Strategic Waste Committee expressing concern about the running down of recycling schemes by DCC.
9	To note the notification of tree works (sycamore to be pollarded) opposite Shute Road.	Noted. It was observed that the tree is hollow and it was AGREED that DCC should be asked to review the overall safety of the tree when pollarding.
10	To note the following upcoming events requests to SHDC: 9a) Artisan Market (commercial event), the Rotherfold between 10am-4pm on Saturday 22 nd June 2019. 9b) Dragon Boat Festival (charity event), Longmarsh green space and car park between 10am-6pm on Sunday 14 th July 2019.	Noted. Noted.
11	To note the date of the next meeting of the Town Matters Committee, if required – Thursday 25th April 2019 at 7.00pm in the Guildhall.	Noted. The Administrator will speak with the Chair week commencing 15 th April to determine if a Committee is required on 25 th April 2019.

Consultation - Review of the Reuse Credit Scheme (RCS)

The Reuse Credit Scheme (RCS) is a joint funded Devon Authorities Strategic Waste Committee (DASWC) initiative which pays a discretionary financial 'credit' to 14 registered groups for furniture and other items recovered from the domestic waste stream for redistribution.

This review recognises the positive contribution that individual groups have made since the launch of the RCS twenty-two years ago. However, in October 2018, DASWC noted that consideration was being given to the continued allocation of RCS joint funding to ensure the committee continued to fulfil its more strategic purpose within a limited budget.

This project review was prompted by a recognition that partner authorities are increasingly supporting a wider range of community-based reuse activities at a time when additional obligations are being placed on authorities through National and partner-wide strategies.

A desk-based review of the RCS was carried out during November 2018, resulting in the consultation options below;

Option 1. (Proposed)

Discontinue the RCS through a phased reduction in allocation as follows; 2019/20 - £49,000, 2020/21 - £25,000 (furniture only), 2021/22 - £0.

Note: Payments for 'furniture only' (2020/21) returns claim eligibility to the original intent of the RCS and will ensure that groups continue to receive funding for furniture items.

Option 2.

Continue to fund the RCS, with modifications (please indicate suggested modifications).

Option 3. (no change)

Continue to fund the RCS under current arrangements.

Retained funding would potentially be used to support emerging strategic DASWC objectives subject to member agreement.

For further information see: Reuse Credit Scheme Impact Assessment: <https://new.devon.gov.uk/impact/reuse-credit-scheme/> (<https://new.devon.gov.uk/impact/reuse-credit-scheme/>).

If you need this consultation in an alternative format, please contact waste@devon.gov.uk (<mailto:waste@devon.gov.uk>) or 0345 155 1010

This consultation will close on the 5th April 2019.

* Required

1. In your view, what are the main benefits of the Reuse Credit Scheme?

For example, environmental / financial / other benefits

Enter your answer

2. Do you currently use RCS funded projects? *

NEIGHBOURHOOD PLAN UPDATE

I met with Councillors ON Wednesday 20th March 2019 to take stock of work carried out by the Neighbourhood Plan Task and Finish Group and to determine where we are before the current council ends on 1st May. From the updates by Task and Finish Group members Cllr Allen and Claire Alford it is clear that a lot of work has been carried out to review some of the 12 policies identified back in January 2018 as needing re-work following the public consultation in Summer 2017, but that these various inputs need to be pulled together and collated into the draft NP document. It was agreed that the following steps will be taken:

- Collation of all sub-group work into the draft document. Task and Finish Group members to send their work to the Senior Administrator (Committees) who will carry out this task and identify any gaps.
- Professional advice to review the collated document and advise on whether the policies and narrative 'fit for purpose', help identify areas that need revising to meet the requirements before further public consultation leading to formal submission.
- 13 May - Full Council will consider an amended version of the Standing Orders, which includes a NP Working Group. Councillor membership of this group will be ratified at the Mayoral Choosing on 16th May. The NP working Group will concentrate on filling the gaps and identifying members of the public to be part of the group, likely including those involved in the current Task and Finish Group should they be willing.
- Annual Town Meeting on 23rd May, present the collated document in its rough draft format , which will restart the community engagement process and show that some of the concerns raised have been addressed

In attendance: Cllrs Allen, Piper, Price (Chair), Sweett, Vint, Whitty, Claire Alford (Bridgetown sub-group of the Task and Finish Group, Town Clerk and Senior Administrator (Committees).

Apologies: Cllrs Hendriksen, Webberley and Westacott.

Current 18/19 allocated budget = £12517

Current 18/19 expected year end spend = £11586

This figure includes the previously agreed expenditure for Green Infrastructure, Ecology and Mapping costs currently being undertaken by agreed professionals.

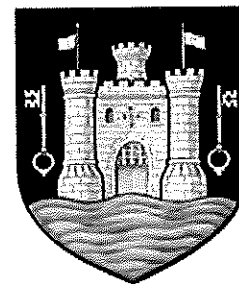
2019/20 budget agreed = £13088

1950	To commence from 1st April 2019, 6 months (26 weeks) funding for internal admin support of 5 hours a week
8400	Professional Planning Policy Support
1000	Final design and layout works
1000	Printing
750	Consultation events and promotion

TOTAL = £13100

Officer recommendations:

1. That Council RESOLVES to allocate existing officer time to the NP coordination and that a transfer equivalent to 5 hours a week plus associated on costs be vired from Neighbourhood Planning to the Staffing budget.
2. That Council RESOLVES to delegate authority to the Town Clerk to appoint a planning professional to undertake a review of the document once all the parts have been collated and suggested amendments made by the internal administrative support. Once complete the collated document and report from the review will be presented to the new NP group for progress.



STANDING ORDERS

TOTNES TOWN COUNCIL

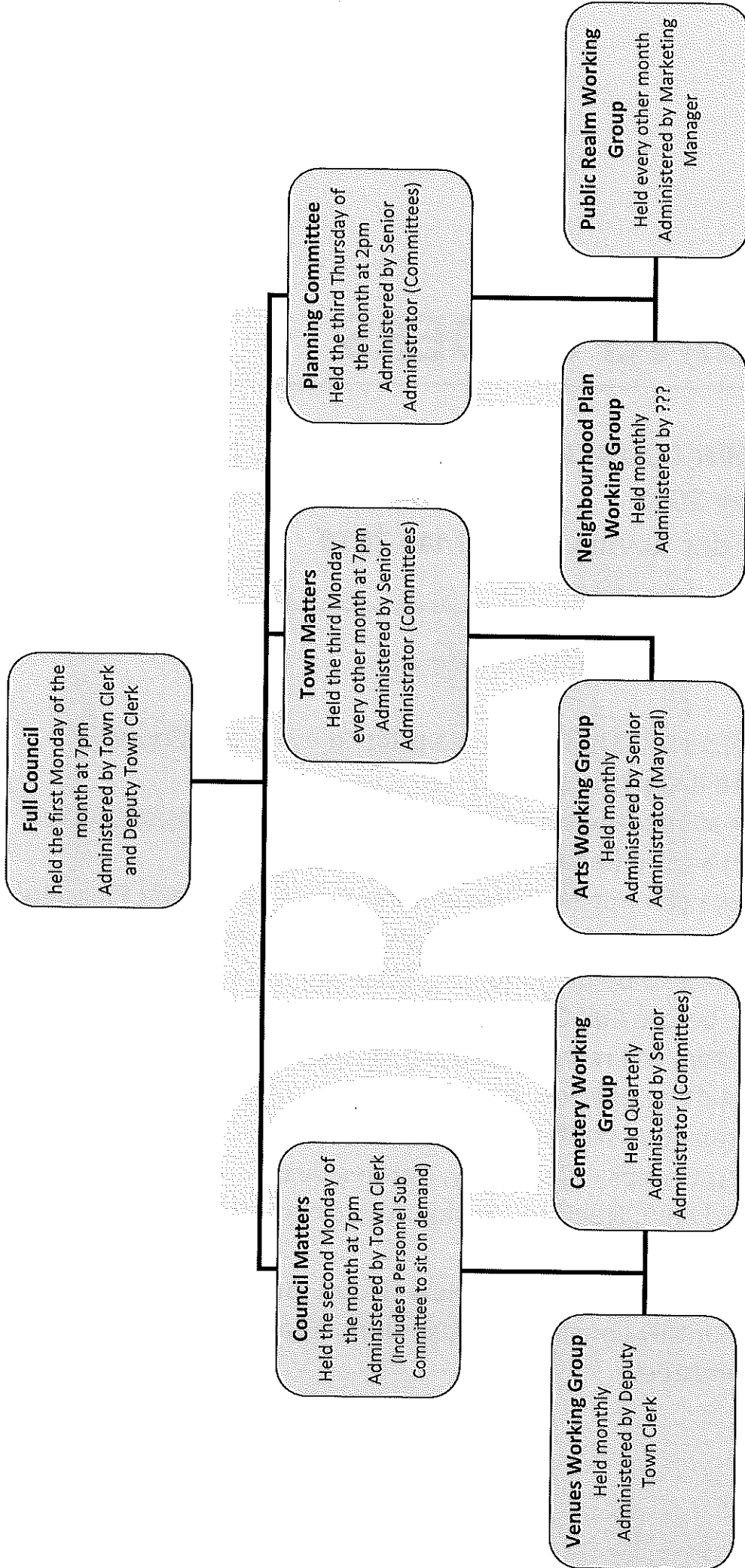
Adopted May 2018

Currently under Review Feb – May 2019

General suggested amendments received:

1. Public participation for 30 minutes prior to every Full Council meeting before it starts in an informal setting.
2. Quorum for all meetings – Full Council and committees suggested as no less than a third (legal minimum is 3).
3. Town Matters committee to cover community issues and Planning split out into a separate committee. Town Matters to be held 2 monthly. Planning to be held monthly (mid-month) with any urgent items to come before Full Council.
4. Council Matters will remain covering Finances, general operation updates and staffing policies. A sub-committee of this committee will be set up for sensitive staffing matters
5. Five Working Groups – Cemetery, Venues, Arts, Public Realm and Neighbourhood Plan. Need to consider the remit for these groups as they are non-decision making.
6. Formalisation of a Council Overview Group (previously Mayors and Chairs) held monthly consisting of the Clerk, Chair of the Council and Chairs of Committee.

STRUCTURE



MEETING DATES START OF 2019 – DRAFT ONLY

Meeting	Date	Location
Full Council	Monday 13 th May at 7pm	The Guildhall
Mayoral Choosing/AGM	Thursday 16 th May during the day	The Guildhall
Council Matters	Monday 20 th May at 7pm	The Guildhall
Council Overview Group	Monday 20 th May at 2pm	Guildhall Offices
Planning Committee	Thursday 23 rd May at 2pm	The Guildhall
Annual Town Meeting	Thursday 23 rd May at 6.30pm	The Civic Hall
Town Matters	Tuesday 28 th May at 7pm (Monday is a B/H)	The Guildhall
Neighbourhood Plan Working Group	TBC	The Guildhall
Full Council	Monday 3 rd June at 7pm	The Guildhall
Arts Working Group	Tuesday 4 th June at 1pm	Guildhall Offices
Venues Working Group	Thursday 6 th June at 1pm	Guildhall Offices
Council Overview Group	Monday 10 th June at 2pm	Guildhall Offices
Council Matters	Monday 10 th June at 7pm	The Guildhall
Public Realm Working Group	Wednesday 12 th June at 10am	Guildhall Offices/On site
Planning Committee	Thursday 20 th June at 2pm	The Guildhall
Neighbourhood Plan Working Group	TBC	The Guildhall
Cemetery Working Group	TBC	Guildhall Offices/On site

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7. Code of Conduct
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9. Minutes
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13. Proper Officer
14. Financial Matters
15. Financial controls and procurement
16. Accounts and accounting statements
17. Annual budget and precept
18. Execution and sealing of legal deeds
19. Allegations of Breaches of the Code of Conduct
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21. Requests for information
22. Relations with the press/media
23. Communicating with District and County Councillors
24. Restrictions on Councillor activities
25. Standing Orders generally
26. Committee Terms of Reference
27. Link Councillors

Text in bold is required by statute

1. Meetings

- a) Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
- b) The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- c) Councillors are expected to attend meetings.
- d) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- e) Members of the public may make representations, raise questions, give evidence during a 30 minute open and informal session prior to Full Council.
- f) Any items raised by members of the public that require a decision will be referred by the Chair to the relevant committee for consideration by the usual committee process. Questions requiring a factual answer may be answered by the Chair or be referred by the Chair to the Clerk or a relevant Councillor.
- g) Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted for non-confidential items.
- h) The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- i) Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by the Chair of the Council may in their absence be done by the Deputy Chair.
- j) The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Deputy Chair, if present, shall preside. If both the Chair and the Deputy Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- k) All questions at a meeting shall be decided by a majority of the Councillors present and by voting thereon.
- n) The Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.
- l) Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave their vote for or against that question.
- m) The minutes of a meeting shall record the names of the Councillors present or if late time of arrival or leaving prior to the end.
- n) The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting (Appendix A).
- o) An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at the meeting shall be recorded in the minutes.
- p) A Councillor with voting rights who has a disclosable pecuniary interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.
- q) No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.

r) If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned.

2. Ordinary Council meetings

a) In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.

b) In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.

c) If no other time is fixed, the annual meeting of the Council shall take place at 7.00pm.

d) In addition to the annual Town Council meeting of the Council, at least three other ordinary meetings shall be held on such dates and times as the Council directs.

e) The election of the Chair and Deputy Chair of the Council shall be the first business completed at the annual meeting of the Council.

f) The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.

g) The Deputy Chair of the Council, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.

h) In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.

i) In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a successor Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.

j) Following the election of the Chair of the Council and Deputy Chair of the Council at the annual meeting of the Council, the order of business shall be as follows:

i. In an election year, delivery by Councillors of their declarations of acceptance of office forms and to grant permission for absent Councillors to sign their declarations in the presence of the Clerk outside of the Annual Meeting.

ii. In a non-election year, delivery by the Chair of their acceptance of office form.

i. Review delegation arrangements to committees and sub-committees and make appointments where appropriate;

v. Review terms of reference for committees;

vi. Appointment of members to existing committees;

vii. Approve the Council's Standing Orders;

viii. Set the dates, times and place of ordinary meetings of the Council and any committees and sub-committees agreed for the year ahead.

3. Extraordinary meetings of the Council

a) The Chair of the Council may convene an extraordinary meeting of the Council at any time.

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

4. Committees, sub-committees and working groups

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

5. Motions

- a) No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least three clear working days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- b) If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting, or the Councillors that have convened the meeting, to consider whether the motion shall be included or rejected.
- c) Subject to Standing Order above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- f) The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. to appoint a person to preside at a meeting;
 - ii. to approve the absences of Councillors;
 - iii. to approve the accuracy of the minutes of the previous meeting;
 - iv. to dispose of any business remaining from the last meeting;
 - v. to alter the order of business on the agenda;
 - vi. to proceed to the next business on the agenda;
 - vii. to close or adjourn debate;
 - viii. to move to a vote;
 - ix. to defer consideration of a motion;
 - x. to require a written report;
 - xi. to extend the time limits for speaking;
 - xii. to exclude the press and public for all or part of a meeting;
 - xiii. to silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend any Standing Order except those which are mandatory by law;**
 - xvi. to appoint representatives to outside bodies and to make arrangements for those representatives to report back;
 - xvii. to adjourn the meeting;
 - xviii. to close a meeting.

6. Rules of debate at meetings

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

7. Code of Conduct

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

EXPLANATION OF PECUNIARY INTEREST TAKEN FROM CODE OF CONDUCT

Disclosable Pecuniary Interests

7. *The interests you must register are:*

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

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

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

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

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

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

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

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

(1) the landlord is the Council; and

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

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

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

(2) either:

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

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

b) Unless they have been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.

c) Unless they have been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.

d) **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

e) A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.

f) A dispensation request shall confirm:

i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;

iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and

iv. an explanation as to why the dispensation is sought.

h) A dispensation may be granted in accordance with Standing Order 7(e) above if having regard to all relevant circumstances the following applies:

i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business; or

ii. granting the dispensation is in the interests of persons living in the Council's area; or

iii. it is otherwise appropriate to grant a dispensation.

8. Disorderly Conduct

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

9. Minutes

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

10. Voting on appointments

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

11. Previous resolutions

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

12. Handling confidential or sensitive information

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

13. Proper Officer

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

- ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
- xi. arrange for legal deeds to be executed;
- xii. arrange authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
- xiv. have overall managerial responsibility for the organisation, including staff;
- xv. implement the decisions of the Council via delegated authority;
- xvi. provide objective, professional advice on all matters.

14. Financial Matters

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

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

- i. the keeping of accounting records and systems of internal controls;
- ii. the assessment and management of financial risks faced by the Council;
- iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually; and
- iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments.

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

15. Financial controls and procurement

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

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

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
- ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
- iii. the invitation to tender shall be advertised on the Town Council website and Facebook page and must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

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

16. Accounts and accounting statements

a) "Proper practices" in Standing Orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).

- b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. The Council Matters Committee with a statement summarising the Council's receipts and payments for the last year to date for information; and
 - ii. to the Full Council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e) The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a year to 31 March.
- f) The annual return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

17. Annual budget and precept

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

18. Execution and sealing of legal deeds

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

19. Allegations of Breaches of the Code of Conduct

- a) On receipt of an alleged breach of the code of conduct by a Councillor, the Proper Officer shall report this to the Council.
- b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council and they shall nominate another staff member to assume the duties of the Proper Officer set out in the remainder of this Standing Order.
- c) The Council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint as required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- d) Upon notification by the District Council that a Councillor has breached the Council's code of conduct, the Council shall consider what, if any, action to take. Such action excludes disqualification or suspension from office.

20. Handling staff matters

- a) A matter personal to a member of staff that is being considered by a meeting of Council OR the Council Matters Committee is subject to Standing Order 12 above.
- b) In relation to matters of staff absence and sickness all staff will confirm to the Absence Management Policy adopted in April 2019. In the case of the Town Clerk (Proper Officer) being absent the Chair of the Council Matters Committee and a Councillor of the Proper Officers preference will undertake the management role and report back to the Council Matters Personnel Sub Committee.
- c) The Chair of the Council Matters Committee and a Councillor of the Proper Officers preference shall conduct a review of the performance and annual appraisal of the work of the Proper Officer. The appraisal will be written up and reported to the Council

Matters Personnel Sub Committee.

- d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee shall contact the Chair of the Council or in their absence, the Deputy Chair of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by the Council Matters Committee.
- e) Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Proper Officer relates to the Chair or Deputy Chair of the Town Council, this shall be communicated to another member of the Council Matters Committee which shall be reported back and progressed by resolution of the Council Matters committee OR the Town Council.
- f) Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g) The Council shall keep all written records relating to employees secure.
- h) Only persons with line management responsibilities shall have access to staff records referred to in Standing Orders 19(f) and (g) above if so justified.
- i) Access and means of access to records of employment referred to in Standing Orders 20(f) and (g) above shall be provided only to the Clerk and the Chair of the Council.

21. Requests for information

- a) Councillors and staff must comply with the new General Data Protection Regulations (GDPR) effective from 25th May 2018. The Deputy Town Clerk is the appointed Data Protection Officer for the Town Council.
- b) Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000, the Data Protection Act 1998 to be superseded by the GDPR.
- c) Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Council. The Town Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000. An admin fee may be applicable for these requests depending on the complexity, at the discretion of the Town Clerk.

22. Restrictions on Councillor activities

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

23. Standing Orders generally

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

24. Committee Terms of Reference

24.1 Council Matters Committee

1. Authority

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

A Personnel Sub-Committee will be formed, consisting of the Chair and 3/4 other elected members of the standing committee and will meet only when needed. For example; staffing appeals committee or for a complex staffing restructure. The quorum of this committee will be a third of the agreed membership.

2. Membership

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

The *quorum* will be a minimum of a third of the elected committee membership.

3. Responsibilities

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

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

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

4. Operating Principles

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

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

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

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

All committees, subcommittees and working groups are subject to the Town Council Standing Orders. The quorum for subcommittees and working groups would be a third of the agreed membership.

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

5. Delegated Powers

The Council Matters Committee may approve the income and expenditure of the Council on behalf of the Council, within the remit of existing agreed Town Council financial regulations.

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

6. Records of Proceedings

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

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

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

7. Administrative Support

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

24.2 Town Matters Committee

1. Authority

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

Meetings of the Town Matters Committee will be held every 2 months on a set date.

2. Membership

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

The *quorum* will be a minimum of a third of the elected committee membership.

3. Remit

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

- The welfare of the elderly and vulnerable.
- Enrichment for children and young people
- Provision of social, leisure, sporting and recreational facilities.
- Provision of adult education, cultural and library services.
- Employment Strategy.
- Tourism Development.
- Crime and anti-social behaviour.

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

4. Operating Principles

The Town Matters Committee will meet every month to consider any significant issues in relation to its remit. The Town Matters Committee may consider any matter referred to it by a member of the public. The Committee will work in partnership with relevant organisations in the town and where necessary will seek to provide leadership or coordination for the activities of individuals or

organisations involved in quality of life issues. In issues in conjunction with outside groups and with a Council mandate it can act in an advocacy capacity to support specific issues.

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

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

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

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

5. Delegated Powers

The Committee does not have delegated authority, and will be expected to make recommendations to Full Council for consideration.

6. Records of Proceedings

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

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

7. Administrative Support

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

24.3 Planning Committee

1. Authority

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

Meetings of the Town Matters Committee will be held every month, mid month to allow any urgent planning applications to be considered by Full Council.

2. Membership

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

The *quorum* will be a minimum of a third of the elected committee membership.

3. Remit

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

- Lead responsibility for the development of the Neighbourhood Plan, with appropriate input to the NP Working Group (please note any financial matters in relation to the Neighbourhood Plan needs to be considered by the Council Matters Committee).
- Planning applications, tree orders etc

- Traffic and Transport.
- Public Realm and Open Space (where these areas concern assets and services specifically provided by the Town Council e.g. the cemetery or the Town Council controlled allotments, the Council Matters committee will deal with the issue).
- Housing.

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

4. Operating Principles

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

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

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

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

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

5. Delegated Powers

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

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

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

6. Records of Proceedings

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

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

7. Administrative Support

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

25. Terms of Reference for Link Councillors

1. Link Councillors

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

- Business and Employment
- Cultural Links
- Elderly and Vulnerable People
- Young People/Youth
- Heritage
- Arts
- Open Space
- Traffic and Transport
- Environment and Sustainability
- Open Space, Sports Provision and Leisure
- Disability
- Network of Wellbeing
- Police and Crime Commissioner Advocate
- Totnes Hospital League of Friends
- TADPOOL
- Totnes Allotments Association
- Vire Twinning Association
- Totnes Municipal Charities and Totnes Bounds Charity
- Parish Paths Partnership
- River Dart Non-Beneficiaries Group
- DALC County Committee
- DALC Larger Councils Committee
- Caring Town
- Bridgetown Alive
- Police and Crime Commissioner
- Totnes Fairtrade

Links on outside bodies

- Daisy and Rainbow Childcare
- Totnes Traffic & Transport Forum
- KEVICC Foundation Governors
- Totnes Chamber of Commerce

2. Aims

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

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

26. Terms of Reference for Advisory Bodies (Forums)

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

- The Traffic and Transport Forum

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

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

27 Terms of Reference for the Mayor and Deputy Mayor

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

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

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

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

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

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

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

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

28 Council Strategy Group

The Council Strategy Group (previously Mayors and Chairs) will consist of the Clerk, Chair of the Council, Chair of Town Matters, Chair of Council Matters and Chair of Planning.

The group will meet on the 2nd Monday of the month at 2pm in the Guildhall Offices. These meetings are not open to the public.

The quorum for this group will be half of the agreed membership and in no case less than 3.

This is an informal meeting to discuss current and upcoming issues within and impacting the Town Council and to review agenda items for consideration. This group is advisory only and does not have delegated authority to make decisions.

