

## AGENDA FOR THE MEETING OF TOTNES TOWN COUNCIL TUESDAY 14<sup>TH</sup> APRIL 2020 – HELD REMOTELY USING ZOOM

Please note that public question time will be held prior to Full Council from 6.30pm  
PLEASE CONTACT THE TOWN CLERK ON [CLERK@TOTNESTOWNCOUNCIL.GOV.UK](mailto:CLERK@TOTNESTOWNCOUNCIL.GOV.UK)  
TO RECEIVE THE MEETING LINK AND PASSWORD AT LEAST TWO HOURS PRIOR TO THE MEETING.

You are hereby SUMMONED to attend a Meeting of the Council, which is to be held using remote meeting service Zoom on **Tuesday 14<sup>th</sup> April 2020 March at 7pm** for the purpose of transacting the following business:

No	Subject	Comments
1	To receive apologies and vote on whether to agree.	
2	The Mayor will request confirmation that all Members have completed or made any necessary amendments to their Declaration of Interests.	
3	To consider adopting the protocol for remote meetings	Enclosure
4	It is <b>RECOMMENDED</b> : A) that Working Groups and Committees temporarily cease and urgent matters only will be considered by a monthly Full Council meetings until meetings in person are permitted. Should the restriction to 'in person' meetings surpass the August recess this decision should be reviewed. B) for all planning recommendations to SHDC, the Council should delegate authority for the Clerk and the Administrator to circulate planning applications to the Planning Committee and submit those recommendations where majority agreement can be reached by Committee members using email. Committee members will be given five days to reply and on the sixth day a non-reply would constitute an abstention. (the day the email is sent out will be included in the five days). Contentious applications will be considered by Full Council during this emergency period.	
5	Due to the change in national legislation it is <b>RECOMMENDED</b> : A) That the Mayor, Deputy, Chairs of Committee and committee membership continue unchanged. B) That the Annual Town and Annual General meetings be cancelled for 2020.	Enclosure
6	To note the resignation of Cllr Vint and to note that the 3 Councillor vacancies do not require an election. The co-option process will be held once meetings in person are allowable. <b>Expressions of interest are invited until 1<sup>st</sup> May 2020.</b>	Enclosure
7	<i>The Council will adjourn for the following items:</i>  <u>Reports from County and District Councillors</u>  <u>Police Report (if present)</u>	Enclosure – Cllr Sweett

	<i>The Council will convene.</i>	
8	<p>To approve and sign the Minutes of the following Meetings:  <i>(Please note confidential minutes can be agreed but any discussion must be held in Part 2):</i></p> <ol style="list-style-type: none"> <li>Full Council 2<sup>nd</sup> March 2020</li> <li>Council Matters 9<sup>th</sup> March 2020</li> <li>Planning March 16<sup>th</sup> March 2020</li> <li>Town Matters 16<sup>th</sup> March 2020</li> </ol>	<p>Enclosure  To follow  Enclosure  Enclosure</p>
9	<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"> <li>Full Council 2<sup>nd</sup> March 2020</li> <li>Council Matters 9<sup>th</sup> March 2020</li> <li>Planning March 16<sup>th</sup> March 2020</li> <li>Town Matters 16<sup>th</sup> March 2020</li> </ol>	<p>Enclosure  To follow  Enclosure  Enclosure</p>
10	<p>Planning applications and tree works for consideration:</p> <p>0891/20/FUL - Amendments to planning approval reference 56/1847/08/F to include revised window openings, additional rooflights, use of roof space for additional dwelling space and inclusion of solar panels (Resubmission of 4160/19/FUL). Bridge Court Totnes TQ9 5DB</p> <p>0852/20/HHO &amp; 0853/20/LBC – Householder application and Listed Building Consent to rebuild collapsed section of stone wall and buttressing of leaning section beyond it. 11 Cistern St, TQ9 5SP</p> <p>0813/20/TCA - T1 &amp; T2: Elderberry - Dismantle; T4, T4, T5 &amp; T6: Ash - Dismantle. Stump grind all stumps out. WH Smith Staff Car Park, Mill Lane Tail, TQ9 5HN</p>	<p>Applications available on the SHDC website – <a href="http://www.southhams.gov.uk">www.southhams.gov.uk</a></p>
11	<p>To consider the following statement in relation to the Churchill (4198/19/FUL) site:</p> <p>Totnes Town Council have concerns about the progression of such a significant application at the current time when site meetings are not possible due to the COVID-19 restrictions.</p>	<p>Applications available on the SHDC website – <a href="http://www.southhams.gov.uk">www.southhams.gov.uk</a></p>
12	<p>To consider the Tree Protection Order on the Redwood on the edge of Budgens Carpark:</p> <p>South Hams District Council No. 1009 Tree Preservation Order 2020  Station Road, Totnes, TQ9 5RW</p> <p>I enclose for your information a copy of the above Tree Preservation Order which has been served. The reasons for serving the Order are:-</p> <ol style="list-style-type: none"> <li>In the interests of preserving the exceptionally high public visual amenity benefits of the subject tree to the character and appearance of the Conservation Area.</li> <li>T1 is a purposefully planted and retained example of the early fashionable Victorian planting of Giant Redwood trees and as such is historically</li> </ol>	<p>Enclosure</p>

	<p>important as a link to the previous landscape and its original setting out.</p> <p>3. T1 is a well formed and readily visible specimen of the species locally given its size and the paucity of blocking features, serving to soften the existing built form, amplified by the low numbers of mature trees locally.</p> <p>There is a 28 day period in which objections or representations can be made about the Order. I would welcome any comments you might have on whether this Order should be confirmed as served or with any modifications by <b>29 April 2020</b></p>	
13	To note any update on the NP (standing item).	Verbal update Cllr Luker
14	To consider starting an essential Food Market in the Market Square to replace the larger market cancelled by South Hams District Council	To follow
15	<p>To review the Town Council's Earmarked Reserves:</p> <ul style="list-style-type: none"> <li>• £6,000 under Administration to cover interim staffing should the Town Clerk or senior officer become incapacitated</li> <li>• £7,000 under Highways to contribute to a shared space project for the Town Centre</li> </ul>	
16	To consider the Town Council's Financial Risk Assessment	Enclosure
<p><i>The Council will be asked to <b>RESOLVE</b> to exclude the press and public "by reason of the confidential nature of the business" to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960.</i></p> <p><b><i>The recording function of Zoom will be disabled and non Councillors asked to leave the meeting.</i></b></p>		
17	To discuss any confidential items from committee minutes ( <i>CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council</i> ).	
18	To consider and agree the bank and petty cash reconciliations. ( <i>CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council</i> )	Enclosure circulated to Councillors by secure email
19	To receive an update on the 2020/21 staffing budget. ( <i>CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council</i> )	Verbal update Town Clerk
20	To note the date and time of the next meeting: <b>Monday 18<sup>th</sup> May 2020. Public session from 6.30pm in <u>The Guildhall.</u></b>	

Catherine Marilton



Town Clerk

#### USE OF SOUND RECORDINGS AT COUNCIL & COMMITTEE MEETINGS

The open proceedings of this Meeting will be audio recorded. If members of the public make a representation, they will be deemed to have consented to being audio recorded. By entering the Council Chamber, attendees are also consenting to being audio recorded.

Televised, vision and sound recordings or live broadcastings by members of the press or public at Council or Committee debates are permitted and anyone wishing to do so is asked to inform the Chairman of the respective Committee of their intention to record proceedings.

## ITEM 3 – MEETING PROTOCOL

### APRIL 2020 - Totnes Town Council Formal Meetings Protocol - Zoom

#### 1. Introduction

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations permit remote attendance in Local Authority meetings.

Remote attendance is permitted as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting (in line with the public participation scheme). A visual solution is preferred, but audio is sufficient.

This also relates to members of the public attending the meeting also being heard.

The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

#### 2. Zoom

Zoom is the system recommended for hosting remote / virtual meetings. It has functionality for audio, video, and screen sharing. <https://zoom.us/>

#### 3. Access to documents

Town Clerk will publish the agenda and papers on the Council's website and will notify councillors by email in line with usual practice. Paper copies of agendas will only be made available to those who have previously requested this and also the Chair of a virtual meeting. If any other Member wishes to have a paper copy, they must notify the Town Clerk before the agenda is published.

Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

#### 4. Setting up the Meeting

This will be done by the Town Clerk. They will share the Zoom link, meeting ID and password. This effectively enables them to be the 'host' and gives them slightly more functionality than other participants. This will be used to support the Chair of the meeting.

#### 5. Including external participants

External participants can join the meeting using the publicised link. There is also provision for a conference call number and ID to be given to external people who are calling in, which is another mechanism for them to join the meeting. Participants must request a password to access the meeting no later than 2 hours prior to the start time from – [clerk@totnestowncouncil.gov.uk](mailto:clerk@totnestowncouncil.gov.uk)

#### 6. Joining the Meeting

Councillors are encouraged to join the meeting promptly (i.e. at least three minutes before the scheduled start time) in order to avoid disrupting the meeting.

## **7. Starting the Meeting**

At the start of the meeting, the Town Clerk will check all required attendees are present.

The Town Clerk will also note members of the public attending and / or press. The public and press will be notified via the meeting information on the website that they will need to contact the Town Clerk to obtain the link or password for the meeting.

The Chair will ask all Members and Officers to **turn off all unnecessary microphones**, unless they are speaking. This prevents background noise, coughing etc which is intrusive and disruptive during the meeting. The Town Clerk will also keep a watch on this and will be able to turn off participant mics when they are not in use. Members would then need to turn their microphones back on when they wish to speak.

The Chair will also ask all participants to **turn off all unnecessary video**. It cannot be stressed enough how important it is to turn off the video (unless you are the Chair or speaking). This helps with call quality and avoids anyone being filmed/recorded without realising. The Chair should keep their video on at all times.

Full Council meetings will be recorded. Participants must only turn on their mic and video **when they speak**.

## **8. Public Participation**

Participation by members of the public will continue from 6.30pm – 7pm as per previous practice.

This can include speaking and / or asking questions and / or making representations.

Members of the public can listen to or observe the proceedings of Full Council subject to them having the link and password in advance of the meeting.

Both they and the Town Clerk will need to ensure their microphone is enabled so the meeting can hear them. If they have video capability on their laptop / device, then they should turn this on so the Councillors can see them.

It must be switched off again after they have spoken.

## **9. The Meeting and Debate**

Councillors who wish to speak on a particular agenda item must indicate their wish to speak by raising their hand and waiting to be asked by the Chair.

The Town Clerk will take note of the order of requests to speak and advise the Chair.

The chat function should not be used during the meeting unless by the Town Clerk as a point of order.

When referring to reports or making specific comments, Councillors should refer to the report and page number so that all Members have a clear understanding of what is being discussed at all times.

If the debate appears to be coming to an end, the Chair may ask if any other Member wishes to speak before concluding the debate.

When you speak, remember to switch on your mic and video, refer to any relevant page numbers and speak clearly.

### **10. Meeting Etiquette Reminder**

- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Only speak when invited to do so by the Chair.
- Speak clearly (if you are not using video then please state your name)
- If you're referring to a specific page, mention the page number.
- Switch off your video and microphone after you have spoken.
- The only person on video will be the Chair and the one other person speaking.
- Members should upload their photographs to 'Teams' for easy identification of persons in the meeting space.

### **11. Voting**

A raising of hands either in 'real' terms or using the website 'thumbs up' icon should be used. For those Councillors joining the meeting by audio they will be asked to say their name and their vote. 'All those in favour' then those in favour of the proposal should use the 'thumbs up' icon or raise a hand, the same call will then be made for 'all those against' and then 'any abstentions'.

### **12. Part 2 Reports and Debate**

There are times when council meetings are not open to the public, when confidential, or "exempt" issues – as defined in Schedule 12A of the Local Government Act 1972 – are under consideration. It is important to ensure that there are no members of the public at remote locations able to hear or see the proceedings during such meetings.

Any Councillor in remote attendance who fails to disclose that there are fact persons present, such as those who may be able to see and/or hear the meeting, who are not entitled could be in breach of the Council's Code of Conduct.

If there are members of the public and press listening to the open part of the meeting, then the Town Clerk will, at the appropriate time, remove the participant from the meeting.

It would be good practice to turn off smart speakers such as Amazon Echo (Alexa), Google Home or smart music devices. These could inadvertently record phone or video conversations, which would not be appropriate during the consideration of confidential items.

### **13. Interpretation of standing orders**

Where the Chair is required to interpret the Council's existing standing orders in light of the requirements of remote participation, they shall take advice from the Town Clerk prior to making a ruling. However, the Chair's decision shall be final.

### **14. Disorderly Conduct by Members**

In line with the Town Council Code of Conduct, if any Councillor behaves in anything but a professional manner (persistently ignoring or disobeying the ruling of the Chair or behaving irregularly, improperly or offensively or deliberately obstructs the business of the meeting), any other Councillor may move 'That the member named be not further heard' which, if seconded, must be put to the vote without discussion.

If the same behaviour persists, Motion is approved 'that the member named do leave the meeting', then they will be removed as a participant by the Town Clerk.

### **15. Disturbance from Members of the Public**

If any member of the public interrupts a meeting the Chair will warn them accordingly.

If that person continues to interrupt or disrupt proceedings the Chair will ask the Town Clerk to remove them as a participant from the meeting.

### **16. After the meeting**

At the conclusion of the meeting, the audio recording of the meeting will be shared publicly. It will not be live at the time of the meeting, but will be available as soon as possible after the meeting is held.

### **17. Technical issues**

In the event that the Chair or Town Clerk identifies a failure of the remote participation facility, the Chair should declare a recess while the fault is addressed.

If it is not possible to address the fault and the meeting becomes inquorate through this fault, the meeting will be abandoned until such time as it can be reconvened. If the meeting is quorate, then it should continue.

Those attending remotely would be aware and accept that the meeting would continue and a vote would be taken without their attendance.

If the meeting was due to determine an urgent matter or one which is time-limited and it has not been possible to continue because of technical difficulties, the Town Clerk, in consultation with the Chair and Chairs of committee, will have delegated authority to make the decision. The Town Clerk's decision shall be final.

### **18. Disability**

It is also important for authorities to ensure that the needs of any disabled members are taken into account when considering the practicality of a remotely attended meeting.

## ITEM 5 – NEW LEGISLATION

**The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020** came into force on 4<sup>th</sup> April 2020.

The regulations are made by the Secretary of State for Housing, Communities and Local Government, in exercise of the powers conferred by section 78 of the Coronavirus Act 2020(1) and paragraph 36(1)(b) of Schedule 6 to the Police Reform and Social Responsibility Act 2011(2).

The Regulations apply to local authority meetings that are required to be held, or held, before 7th May 2021.

In the Regulations, “the 1972 Act” means the Local Government Act 1972 and “local authority” includes a County Council, Principal Authority and Town/Parish Councils.

Regulation 6(c) removes the requirement for a town/parish council to hold an annual meeting in May 2020. This is the meeting which usually takes place in May at which you appoint the chairman for the following 12 months. The current chairman can continue in post until next May next year.

**No regulations have been made for the Annual Parish Meeting.** Under the current circumstances, it would be impossible to call an Annual Parish Meeting and comply with public health guidance. Therefore the meeting should be cancelled. There is no requirement to reschedule such meeting.

Regulation 4 (2) carries the current appointment of chairman on until the Annual Meeting in May 2021 although councils may elect a chairman at earlier meeting should they wish to.

Regulation 5 covers remote attendance; extending the definition of “place” to include more than one location and including electronic, digital or virtual locations. It goes on to set out all the conditions that must be complied with, making sure the member attending remotely can be heard and where possible seen by other members and by the press and public and can hear and preferably see the other members. To be clear, the above caveats (in relation to Members of the authority and the public) includes a person who is attending by remote access.

Regulation 13 modifies the Public Bodies (Admission to Meetings) Act 1960 allowing for remote attendance by the press and public. The requirement for a paper copy of an agenda to be displayed has been removed, so publishing on the website only is acceptable.

The provision in the Regulation overrides provisions in existing standing orders or rules governing the meeting.

The Regulations clarify that a meeting being “open to the public” includes access to the meeting through remote means (video conferencing, live webcast, interactive streaming). Where a meeting is accessible to the public through such remote means the meeting is deemed open to the public whether or not members of the public are able to attend the meeting in person.

**Remote meetings need only be quorate .** Whilst every effort should be made to ensure all members can participate, as long as the meeting is quorate, essential decisions can be made.

But don't forget the 6-month rule for councillors (just in case this goes on for a little while). Remote meetings do count as attendance, if you have councillors unable to attend they must have their apologies approved, in the usual way, prior to the 6 months expiring.



## CO-OPTION OF COUNCILLORS TO TOTNES TOWN COUNCIL

Totnes Town Council is seeking up to three dedicated and motivated persons to fill upcoming vacancies as a Town Councillor.

The Council meets on the first Monday of each month from 6.30pm, in the Guildhall, with additional committee meetings held throughout the year.

This role is voluntary, with a contribution towards allowable expenses.

Further details are available from the Town Clerk on 01803 862147.

Letters of application, outlining your experience, how you would help the local community and why you would like to be a town councillor, should be sent to: The Town Clerk, Totnes Town Council, The Guildhall Offices, 5 Ramparts Walk, Totnes, TQ9 5QH or emailed to [clerk@totnestowncouncil.gov.uk](mailto:clerk@totnestowncouncil.gov.uk).

Closing date for applications is midday on Friday 1<sup>st</sup> May 2020

**Your application will form part of the decision-making process for co-option at a Full Council meeting, when face to face meetings are allowable. Please be aware that your application will form part of the public agenda packs but with personal contact information redacted.**

### Eligibility Criteria

To qualify as a candidate a person must be 18 years of age and a Commonwealth citizen, citizen of the Republic of Ireland or a citizen of another Member State of the European Union and either:

- (a) be registered as a local government elector within the electoral area; or
- (b) have occupied as owner or tenant any land or other premises within the electoral area during the whole of the previous twelve months; or
- (c) his/her principal or only place of work during the previous twelve months has been in the area of the electoral area; or
- (d) You have lived in the parish/community area or within 4.8km (three miles) of it during the whole of the 12 months preceding appointment.

A person is disqualified for being elected as a local councillor or being a member of a local council if:

- (a) You are employed by the parish/community council or hold a paid office under the parish/community council (including joint boards or committees).
- (b) You are the subject of a bankruptcy restrictions order or interim order.
- (c) You have been sentenced to a term of imprisonment of three months or more (including a suspended sentence), without the option of a fine, during the five years before polling day.
- (d) You have been disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices and offences relating to donations). The disqualification for an illegal practice begins from the date the person has been reported guilty by an election court or convicted and lasts for three years. The disqualification for a corrupt practice begins from the date a person has been reported guilty by an election court or convicted and lasts for five years.

## ITEM 7 – DISTRICT COUNCILLORS

### Cllr Jo Sweett

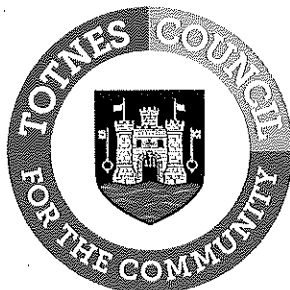
After the initial 1st week shock and panic of lockdown this past week has been a lot about helping businesses that don't fit the criteria of the governments packages, certain charities and high street business who are not in retail, tourism or leisure. MP Anthony Mangal has been very easy to contact and helpful where he can but in some instances the government just hasn't put the support in place... yet. SHDC and West Devon councils have paid £9.2 million in business support cash grants so far.

We are so lucky in Totnes and district to have such a coordinated " team" of charities and volunteers groups to assist and support our most vulnerable residents. Totnes Caring, Caring Town, Food in the Community, local Church are all doing a fantastic job identifying and supporting the range of families and individuals in need of help, food etc at this unprecedented time. The central hub of this work is via the Totnes Food Bank at the Totnes Connection Hub whom I'm in constant contact with, you are all doing amazing work and I applaud you along with our key workers in the NHS and all the front line workers and volunteers! Its a real privilege to support and connect with them over the years, now and into the future. We have a local team group of SHDC officers and Totnes and West Dart Councillors do have a pretty good network to link between SHs and the Community.

SHDC officers, although many have switched roles to support the Ward in different ways they still have their " day jobs" do to speak. The planning department is still operational so keep an eye on the SHDC website if there's any applications that concern you and contact us District Councillors if you need to. As I mentioned last week I'm delighted to have organised the tree protection order the the Giant Redwood , Wellingtonia on Station Road now owned by Churchill Retirement living.

Parks and open spaces remain open, we are so incredibly lucky to live where we do especially in this glorious weather so stay on the case with the social distancing. I'm in communication with our local policing team and feel very reassured they are working within capacity.

Waste collections are as normal with recycling and brown bins this week and DCC bottle banks are still open. Another applause fir those working to collect our waste!  
The Totnes town council's emergency number is 07961897244 or email me if you have a concern or query large or small. [Cllr.jo.sweett@southhams.gov.uk](mailto:Cllr.jo.sweett@southhams.gov.uk)



ITEM 8A

**DRAFT MINUTES FOR THE MEETING OF TOTNES TOWN COUNCIL**  
**MONDAY 2<sup>nd</sup> MARCH 2020 AT THE GUILDHALL TOTNES**

Present: Cllr J Hodgson (Chair), Cllr Paine, Cllr Luker, Cllr Price, Cllr Matthews, Cllr Vint, Cllr Trow, Cllr Piper, Cllr Allford, Cllr Adams, Cllr Hendriksen, Cllr Webberley and Cllr Skinner.

Apologies: Cllr Allen, D.Cllr Birch and D.Cllr Rose

In Attendance: Catherine Marlton (Town Clerk), Christina Bewley (minutes), Peter Bethel (Town Sergeant), Soundart Radio x 1, D.Cllr Sweett, Press x 1 and 8 members of the public.

No	Subject	Comments
1	To receive apologies and vote on whether to agree.	Apologies were received from Cllr Allen. The reason given was read out by the Clerk.  It was <b>RESOLVED</b> to accept the apologies.
2	The Mayor will request confirmation that all Members have completed or made any necessary amendments to their Declaration of Interests.	Confirmed.
3	To note the resignation of Cllr Simms.	Noted.
4	At the request of Cllr's Price, Piper and Luker - To revisit the Cemetery Working Group (and Council Matters) decision not to plant wildflowers on the Follaton Cemetery roundabout. This exception to the 6 month rule in Standing Orders is allowable as 3 formal requests in writing were received by the Town Clerk.	Cllr Price spoke about the background to the decision. It was noted that Cllrs Allford and Hodgson also agreed with the wildflower planting as discussed at the Council Matters meeting. The Clerk detailed the areas that had been agreed for planting. Cllr Hodgson gave her support to include the grassed area in the middle of the roundabout for planting. Cllr Paine felt there should be a public consultation on it. Cllr Piper acknowledged that there are concerns over the potential for the Cemetery to become overgrown. Cllr Price reported that there is a lot of support on Facebook for allowing more wildflowers areas in the Cemetery and the only concern was that graves should not get overgrown. Cllr Luker felt the Cemetery should be attractive to all the community. It was proposed that the cultivation of the grassed are in the middle of the roundabout in the Cemetery should be allowed for growing wildflowers and that the Contractor planting the wildflowers should also be responsible for maintaining the wildflower areas. It was noted that Cllrs Allford and Hodgson also agreed with the wildflower planting as discussed at the Council Matters meeting. It was <b>RESOLVED</b> to agreed the proposal.
5	To consider the following requests from Transition Town Totnes:	Cllrs Hodgson and Vint declared a personal interest.

	<p>a) Totnes Town Council partners on a funding bid to develop the draft Totnes Community Climate Change Action Plan.</p> <p>b) Totnes Town Council helps support Transition Town Totnes by means of a grant towards core costs. <i>(CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council)</i></p>	<p>a) It was <b>RESOLVED</b> to agreed the proposal.</p> <p>b) Covered in part II.</p>
6	<p><i>The Council will adjourn for the following items:</i></p> <p><u>Reports from County and District Councillors</u></p> <p><u>Police Report (if present)</u></p> <p><i>The Council will convene.</i></p> <p style="font-size: 48px; opacity: 0.5; text-align: center;">D R</p>	<p>It was <b>RESOLVED</b> to suspend standing orders</p> <p>a) D.Cllr Sweett provided a written report. She reported good news with a funding boost that has come through to support 3 outreach worker posts working with rough sleepers. They will also work with the travelling community. Fusion came to the SHDC Overview and Scrutiny meeting to give their annual report. A Task &amp; Finish group was set up in response to Fusion going cashless. D.Cllr Sweett raised the issue with the Fusion Manager about anti-social behaviour in the town and that the introduction of the cashless system would marginalise the perpetrators of that behaviour. There is a 1.5 million planned for the Pavilion to include a new café and the cashless system might deter young people who would like to use the new facilities. D.Cllr Sweett asked for TRESOC to be consulted as part of the assessment SHDC is carrying out on their sports centres for suitability for solar panels. Fusions and SHDC are currently looking at 3 options for this. Cllr Piper suggested graffiti boards should be re-installed to try to combat the anti-social behaviour. Cllr Webberley advised that TRESOC have been contracted about coming to a TADPOOL meeting.</p> <p>b) C.Cllr Hodgson handed out her written report. An outline of the County Council budget is included. The core budget from central government has increased by 1.36%. Band D council tax is to increase by the maximum amount of 3.99%. All the core services have had an increase in their budgets. It also included an allocation for Climate Emergency spending. The Littlehempston cycle path is still in progress. At County it is going to cabinet and will come back to Full Council in May. It would be helpful to have a letter of support from the Town Council. It was agreed Cllr Hodgson would draft a letter to go to the next Council Matters Committee meeting. The Gypsy &amp; Travellers Forum meeting was very productive. County Council officers and District Council officers are now working together on the issue. With regards to Great Court Farm, C.Cllr Hodgson made a formal complaint to Highways about Weston Lane which is very dangerous. There has been around £30k paid out in compensation by the Council for claims due to damage to</p>

		<p>vehicles. She has received a response saying it is being resurfaced in the next couple of weeks by Bakers.</p> <p>The County Council Investments and Pensions Fund strategy is starting to look at divestment and it could be a model we look at for our own Town Council Investment Policy.</p> <p>Cllr Piper raised his concerns about the proposed change of law to the rights of access to land and how this would affect the right to ramble.</p> <p>Cllr Henriksen questioned whether we have work in progress in relation to the railway restoration proposal. Cllr Hodgson believes the Totnes Railway Group are working on it.</p> <p>The Police could not attend and have sent a report which has been circulated by e-mail.</p> <p><i>The Council reconvened.</i></p>
7	<p>To approve and sign the Minutes of the following Meetings:  <i>(Please note confidential minutes can be agreed but any discussion must be held in Part 2):</i></p> <ul style="list-style-type: none"> <li>a. Full Council 3<sup>rd</sup> February 2020</li> <li>b. Council Matters 10<sup>th</sup> February 2020</li> <li>c. Planning 17<sup>th</sup> February 2020</li> </ul>	<p>It was <b>RESOLVED</b> to approve and sign the Minutes of the following meetings :</p> <ul style="list-style-type: none"> <li>a. Full Council 3<sup>rd</sup> February 2020</li> <li>b. Council Matters 10<sup>th</sup> February 2020</li> <li>c. Planning 17<sup>th</sup> February 2020</li> </ul>
8	<p>To consider any matters arising from the Minutes and to approve any recommendations from Committees  <i>(Please note confidential recommendations can be agreed but any discussion must be held in Part 2):</i></p> <ul style="list-style-type: none"> <li>a. Full Council 3<sup>rd</sup> February 2020</li> <li>b. Council Matters 10<sup>th</sup> February 2020</li> <li>c. Planning 17<sup>th</sup> February 2020</li> </ul>	<p>The following matters arose:</p> <ul style="list-style-type: none"> <li>a. <u>Full Council 3<sup>rd</sup> February 2020</u></li> </ul> <p>Item 3 – the Air Quality monitoring event has been postponed until April or May due to lack of funding in the current financial year.</p> <p>Item 7 – a draft action plan has been sent out by Cllr Hodgson.</p> <p>Item 9 – Cllr Hodgson reported that this was a successful event.</p> <ul style="list-style-type: none"> <li>b. <u>Council Matters 10<sup>th</sup> February 2020</u></li> </ul> <p>Item 5 – The wording of the last sentence of the recommendation was amended to say ‘The letter should include reference to the Traffic and Transport Forum overseeing the output and direction for the role via the Council Matters Committee and the Town Clerk to be the line manager.’ It was <b>RESOLVED</b> to accept the amended recommendation.</p> <p>Item 6 – this was <b>AGREED</b> temporarily until an alternative use for the Chapel was identified through the Cemetery Working Group and Council Matters. Budget has been pencilled into the 3 year forecast for this project in 2021/22.</p> <p>Item 7 – Cllr Vint was added to those who would identify the</p>

D R

best options. It was **RESOLVED** to accept the recommendation.

Item 9 – The project was explained by the Clerk. It was **RESOLVED** to accept the recommendation.

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

Item 12 (a) – It was **RESOLVED** to accept the recommendation.

Item 12 (b) – It was **RESOLVED** to accept the recommendation.

Item 22 – Cllr Vint and Cllr Webberley expressed their support for the Museum. Cllr Piper raised the issue of how the Town Council can help all the heritage sites in the Town in a strategic way. He suggested forming a Heritage Working Group. The Clerk advised that Council Matters have discussed this and concluded that a community run group or forum would be preferable. Cllr Hodgson suggested a community run Heritage Forum. Cllr Luker confirmed a meeting was coming up to try to formulate a community run group which could apply for heritage funding.

The Chairman suspended standing orders to allow Tony Whitty to speak on the issue.

Tony Whitty explained that the Museum Trust just requires funding to be able to open in April. They are only asked for help with the essential work and they plan to seek grants and funding elsewhere for the non-essential work that also needs doing.

The meeting was reconvened.

It was **RESOLVED** to accept the recommendation for up to £8,000 remedial action, managed and instructed by the Town Council.

Item 24 - It was **RESOLVED** to accept the recommendation.

c. Planning 17<sup>th</sup> February 2020

Item 5 – It was **RESOLVED** to accept the recommendation.

9 To appoint the Mayor Elect (to take office in May) for 2020/21. Each candidate will need a proposer and a seconder.

Councillors are reminded that the Mayor has the authority to appoint and announce the Deputy Mayor at their discretion.

To note that Mayor Choosing will take place on Thursday 21<sup>st</sup> May 2020 in the Guildhall.

Cllr Luker was nominated by Cllr Matthews and Cllr Webberley. Cllr Vint was nominated by Cllr Hendriksen and Cllr Adams. Both candidates gave a briefing on how they envisage leading the Council.

A vote was taken and the results were:  
Cllr Luker – 6, Cllr Vint – 7.

Cllr Vint was elected as Mayor Elect for 20/21.

Noted.

Cllr Adams left the meeting.

10 To review the Working Group membership lists

Venues Working Group – Cllr Price & Cllr Luker joined.

	and consider the remit of each.	Public Realm Working Group – Cllr Luker, Price & Cllr Hodgson joined. Cemetery Working Group – Cllr Paine resigned. Cllr Skinner, Vint and Cllr Trow joined. Climate Emergency Working Group – Cllr Vint has taken over as Chair. Cllr Skinner joined.  It was <b>RESOLVED</b> to agree these changes.
11	To consider: a) reviewing the Link Councillor listing; and  b) the request from Totnes Community Development Society for two Link Councillors.	Totnes Traffic and Transport Forum – Cllr Trow joined. Cllr Hodgson to Chair. TADPOOL – Cllr Skinner joined. Totnes Chamber of Commerce – Cllr Allford replaces Cllr Simms. Museum Trust – Cllr Allford resigned. Inclusive Totnes – Cllr Allford joined. Totnes Carnival Committee – Cllr Allen & Cllr Hodgson resigned. Cllr Piper, Cllr Skinner & Cllr Hendriksen joined.  Cllr Vint, Cllr Trow, Cllr Webberley and Cllr Allford volunteered.  It was <b>RESOLVED</b> to agree these changes.
12	To note any update on the NP (standing item).	Cllr Luker reported there is no update at present are they are awaiting SHDC's comments on the draft Plan.
13	To consider a request from Totnes Museum for financial assistance with buildings maintenance.	Covered in Item 8.
14	To note that the deadline for Councillor Allowance claim forms is 6th March 2020.	Noted.
<i>The Council did not asked to <b>RESOLVE</b> to exclude the press and public "by reason of the confidential nature of the business" to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960.</i>		
15	To discuss any confidential items from the Council Matters minutes ( <i>CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council</i> ).	None.
16	To discuss any confidential items in relation to the funding request from Transition Town Totnes in item 5b above ( <i>CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council</i> ).	It was <b>RESOLVED</b> to agreed the proposal.
17	To discuss any confidential items in relation to the funding request from Totnes Museum in item 13 above ( <i>CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council</i> ).	None.

18.	To note the date and time of the next meeting: <b>Monday 6<sup>th</sup> April 2020. Public session from 6.30pm in The Guildhall.</b>	Noted (meeting subsequently cancelled due to the COVID-19 pandemic).
-----	---	--

Ended

Catherine Marlton  
Town Clerk



DRAFT





**DRAFT MINUTES OF THE PLANNING COMMITTEE  
MONDAY 16<sup>TH</sup> MARCH 2020 AT THE GUILDHALL TOTNES**

Present: Councillors G Allen (Chair), R Hendriksen (left at 11am), J Hodgson (arrived at 10.15am), C Luker, and P Paine.

Apologies: Cllr Trow.

In Attendance: Two members 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 from Cllr Trow.
<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.	<p>A member of the public presented the plans for a new dwelling in the garden of Foxgloves on Sharpham Drive (the application is not yet submitted), which aims to address the concerns raised in a previous application that was rejected.</p> <p>The Chair of Bob the Bus spoke about the Churchill Retirement Ltd application and the lack of information that the travel plan contains about local public transport links, and the inaccuracy of what information is included. He would like the developer to make a commitment to the community bus service, which will be available for residents to use to get around the town and will stop on Fore Street adjacent to the entrance to the proposed apartments. He requested that the Town Council supports this position.</p>
<i>The Committee will convene to consider the following items:</i>		
2	To update on any matters arising from the minutes of 17 <sup>th</sup> February 2020. (Note: already agreed through March 2020 Full Council.)	<p>Item 2.7 – The electric vehicle charging point meeting planned for 16<sup>th</sup> March has been postponed due to the ill health of the company representative.</p> <p>Item 5 – Resolved by Full Council. Cllr Hodgson updated that she has raised the issue at South Hams District Council and Devon County Council HATOC (Highways and Traffic Orders Committee).</p>
3	<p>To make recommendations on the following tree works orders:</p> <p>3a) 0627/20/TCA – T2: Giant Redwood – Stabilisation of deadwood, crown lift existing canopy to establish 4m clearance above car park area, pruning of canopy extents (limited to tertiary branches and foliage only) on southern canopy extents to establish 2m clearance between foliage and The Coach House,</p>	<p>The Committee requests a site visit with the South Hams District Council (SHDC) tree officer and chair of the local tree warden group, as the Committee has concerns about the protection of the tree's roots and the 4m clearance quoted in the application.</p>

	<p>installation of Cobra tree bracing system to establish flexible control to movement extents of primary lateral branches in close proximity to The Coach House. Former Budgens, Stations Road, Totnes, TQ9 5RW.</p> <p>3b) 0687/20/TPO – T1: London Plane – lateral reduction by 1-2m on north side due to proximity to newly built neighbouring property. Reduction of 2 x branches at 3m from ground level on west side by 2-3m to allow more light to new properties. Land adjacent to 19 Paige Adams Road, Totnes, TQ9 5LL.</p>	<p>The Committee will organise a site visit to view the tree's proximity to neighbouring properties and report back to the officer.</p>
<p>4</p>	<p>To make recommendations on the following planning applications:</p> <p>4a) 4198/19/FUL - Demolition of existing building and redevelopment of the site to form 2 no retail units, public car park and 41 retirement apartments including communal facilities, access, car parking and landscaping. Former Budgens Store, Fore Street, Totnes, TQ9 5RW.</p> <p>4b) 0350/20/HHO – Householder application for demolition of first floor conservatory and construction of new sun room. Demolition of rear porch. Change of roof on existing rear extension from pitched to flat and construction of raised</p>	<p>The Committee requests a site visit with the SHDC Planning Officer and a representative of Churchill Retirement Ltd to discuss the following questions:</p> <ul style="list-style-type: none"> <li>• Does the residents car park contain a pick up and drop off point(s) (it is unclear from then plans). These are useful for relatives as well as community groups such as Totnes Caring.</li> <li>• There is insufficient space for the community bus to pick up residents.</li> <li>• There do not appear to be any disabled parking bays shown in the residents or public car parking areas.</li> <li>• There are no EV charging points shown in the residents or public car park – designs should be future proofing for this.</li> <li>• Why are the recommendations from the design consultation not being followed more closely?</li> <li>• There does not appear to be any internal storage and a charging area for mobility scooters owned by the residents.</li> <li>• There are no PV panels shown on the roof design yet they are mentioned in the energy strategy.</li> <li>• Given the proximity of the development to the conservation area, timber framed rather than uPVC windows would be more appropriate.</li> <li>• The revised height of the development is an improvement on previous designs.</li> </ul> <p>Clr Hendriksen left the meeting at 11.00am as he was unwell.</p> <p>Support.</p>

	<p>walkway. Marbrey, Kingsbridge Hill, Totnes, TQ9 5TA.</p> <p>4c) 0585/20/FUL – Subdivision of cottage into two flats, loft conversion, roof lights, dormer and balcony. 2 Hancocks Cottages, Fore Street, Totnes, TQ9 5TT.</p> <p>4d) 0443/20/HHO – Householder application for proposed first floor extension over footprint of existing ground floor extension and other minor internal alterations (resubmission of 4207/18/HHO). 27 Bridgetown, Totnes, TQ9 5AD.</p> <p>4e) 0613/20/FUL - Demolition of existing garage block and erections of a block of 6No covered car ports. 37 Fore Street, Totnes, TQ9 5HN.</p> <p>4f) 0464/20/HHO – Householder application for loft conversion. 4 Lower Collins Road, Totnes, TQ9 5PS.</p> <p>4g) 0211/20/HHO &amp; 0212/20/LBC – Householder application and listed building consent for renovations including reordering kitchen/dining area, refurbishing accessible roof terrace with removal of external steps, reordering second floor bathroom. 3 Plymouth Road, Totnes, TQ9 5PH.</p> <p>4h) 3824/19/FUL – Readvertisement (amended ownership certificate received) Alterations to 1 and 2 Steamer Quay to include works within boundaries to demolish existing dividing wall and create car parking for both units, remove and replace existing fences together with replacement automatic sliding gate. 1 &amp; 2 Steamer Quay Wharf, Steamer Quay Road, Totnes, TQ9 5AL.</p> <p>4i) 0162/20/LBC – Listed building consent to replace one front window. 29 High Street, Totnes, TQ9 5NP.</p>	<p>Support.</p> <p>Support.</p> <p>Support. However, the car ports should be future proofed by including EV charging points.</p> <p>Support.</p> <p>Support.</p> <p>Support</p> <p>Support.</p>
<p><b>NOTE: Cllr JH observes and does not vote on any applications which would potentially be discussed at a Development Management Committee meeting at SHDC.</b></p>		
5	<p>To consider a new premises licence application from Eversfield Organic for 3-6 The Plains.</p>	<p>No objection.</p>
6	<p>To consider the following transport issues:</p> <p>6a) how to progress two schemes identified in the Totnes Town Council Transport Policy and Strategy: reducing the speed limit through Totnes to 20mph; and install a speed indicator sign on the Plymouth Road.</p> <p>6b) A request from several members of the public for grit bins to be installed at Smithfield and</p>	<p>a. The Devon Highways Community Officer has been asked for advice on how to proceed with the speed limit reduction and speed indicator sign – advice would be shared when received.</p>

	Collapark.	b. Cllr Hodgson will take the request for a grit bin to Devon County Council.
7	To note the serving of Tree Preservation Order Parish of Totnes No 1005 for 5 Redworth Terrace, Totnes, TQ9 5JN.	Noted.
8	To note the following event requests received by SHDC:  8a) Pony Club Triathlon – Running Phase on 11 <sup>th</sup> April from 1000-1430hrs in Borough Park.  8b) Totnes Pride on Saturday 5 <sup>th</sup> September from 0800-1630hrs in Heath’s Garden.	Noted.  Noted.
9	To note the date of the next meeting of the Planning Committee – <b>Monday 20<sup>th</sup> April 2020 at 10.00am.</b>	Noted. [ <i>Post Committee Note: this date will be kept under review given the current Covid-19 restrictions in place and measures taken to restrict the spread of the virus by the Council Offices and in holding Council meetings.</i>

DRAFT



**DRAFT MINUTES OF THE TOWN MATTERS COMMITTEE  
MONDAY 16<sup>TH</sup> MARCH 2020 AT THE GUILDHALL TOTNES**

Present: Councillors B Piper (Chair), P Paine, S Skinner, V Trow and L Webberley.

Apologies: Councillors G Allen, R Hendriksen and D Matthews.

In Attendance: 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.	There were no members of the public present.
<i>The Committee will convene to consider the following items:</i>		
2	To update on any matters arising from the minutes of 20th January 2020. (Note: already agreed through Full Council.)	<p>Item 5 – Complete. The Community Engagement Plan was emailed to Councillors on 6<sup>th</sup> February.</p> <p>Item 7 – The ‘Equality Framework for Local Government’ workshop was organised for 19<sup>th</sup> March but is now postponed until further notice.</p> <p>Item 8 – Resolved by Full Council. The petition has been signed, and the Clerk sent a letter on 19<sup>th</sup> February to the Minister for Business, Energy and Clean Growth.</p> <p>Item 9 – Resolved by Full Council. All officers have read the advice on the signs of dementia.</p> <p>Item 10 – Resolved by Full Council. The ‘Information for Hirers’ document for the Civic Hall has been updated to encourage hirers to use Fairtrade products at events.</p> <p>Item 11 – Resolved by Full Council. Articles have been drafted for inclusion in the next ‘Totnes Matters’ insert.</p>
3	To note any update from the Arts Working Group on 5th March 2020 (standing item).	<p>Cllr Piper updated on ideas for future events such as an open-air cinema on Vire Island, and the purchase of head microphones for the Civic Hall to increase the range of equipment available for prospective hirers.</p> <p>It was <b>AGREED</b> that the officer would circulate the note of the working group meeting.</p>
4	To note any update from the Climate Change Working Group (standing item).	There was discussion about the requirement for this Working Group and possibly combining some of its

		<p>more strategic outputs with that of the regular Saturday morning climate meetings in order to minimise duplication.</p> <p>It was <b>AGREED</b> that the idea of the existing community climate change group becoming an advisory body to the Council should be discussed at the next Working Group and when Standing Orders are reviewed by Full Council.</p>
5	To note any update from the Community Engagement Working Group (standing item).	It was <b>AGREED</b> that Cllr Webberley will organise a Doodle poll for a meeting date once the Covid-19 restrictions are lifted.
6	To note any update on the homelessness.	The Caring Town meeting note was welcomed, as was evidence of the joined up working between various organisations. The Committee were pleased to learn that South Hams District Council has secured outreach funding for homelessness assistance but is disappointed that is still no temporary housing provision available in Totnes.
7	To note updates from the Traffic and Transport, and Environment and Sustainability Link Councillors.	It is hoped that the Green Travel Co-ordinator role can go out for recruitment soon.
8	To consider the condition of the River Footpath between the railway bridge and the town bridge.	<p>Cllr Trow updated on the erosion of the path at several sections between Bulliver Bridge and the Town Bridge, which has been highlighted to the Footpaths/Rights of Way officers at Devon County Council and South Hams District Council.</p> <p>The potential of installing a board walk to provide access for all was discussed, with the Parish Paths Partnership being a potential source of grant funding. Staverton Parish Council will be contacted about the design, construction methods, and costs of their recently installed board walk to get ideas.</p> <p>Cllr Webberley left the meeting at 8pm.</p>
9	To note the latest statistics from the Connection Hub for November/ December 2019 and January 2020.	Noted.
10	To note the minutes of the Totnes Supporting Fairtrade meeting on 20th February 2020.	Noted.
11	To note the date of the next meeting of the Town Matters Committee – <b>Monday 18th May 2020 at 7.00pm in the Guildhall.</b>	Noted. This date will be kept under review given the current Covid-19 restrictions in place and measures taken to restrict the spread of the virus by the Council Offices and in holding Council meetings.

TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012

South Hams District Council
No: 1009 Tree Preservation Order 2020
Site: Station Road, Totnes, TQ9 5RW

South Hams District Council, in exercise of the powers conferred on them by section 198, of the Town and Country Planning Act 1990 hereby make the following Order

Citation

1. This Order may be cited as South Hams District Council No:1009 Tree Preservation Order 2020

Interpretation

2. (1) In this Order "the authority" means South Hams District Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

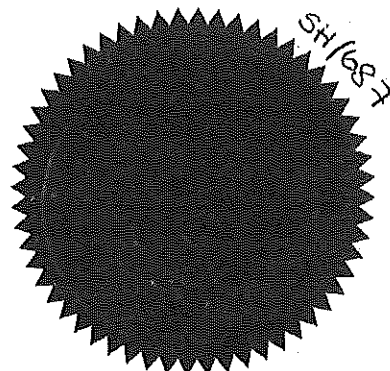
3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation Orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall -

- (a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order, except with the consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Dated this 1st day of April 2020

The common seal of the SOUTH HAMS DISTRICT COUNCIL was affixed to this Order in the presence of



Authorised by the Council to sign in that behalf

Handwritten signature: Bunnia

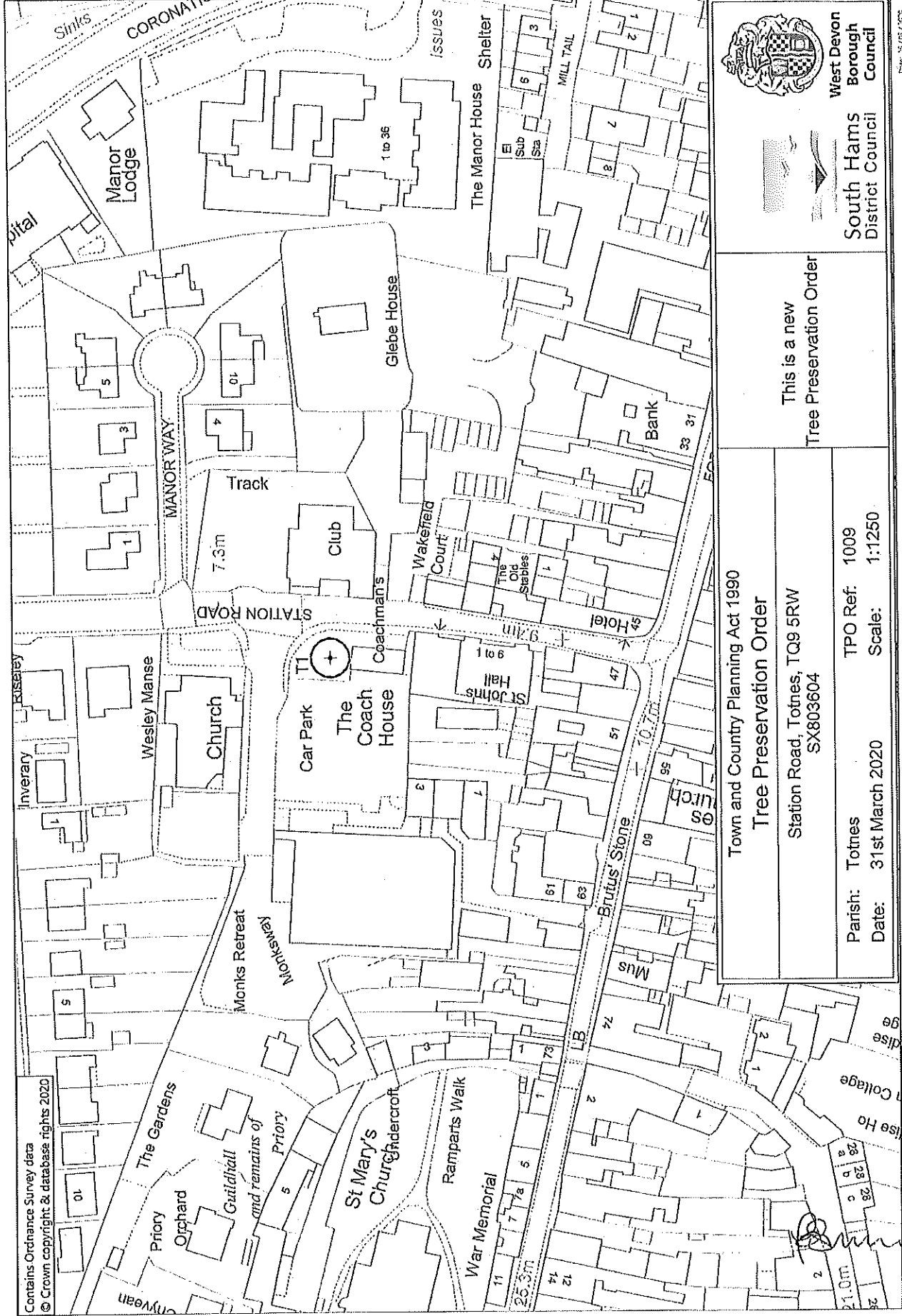
**SCHEDULE 1**

**SPECIFICATION OF TREES**


**Trees specified individually**  
(encircled in black on the map)

Reference on map	Description	Situation
T1	Giant Redwood, <i>Sequoiadendron giganteum</i>	See plan ref:1009






Contains Ordnance Survey data  
 © Crown copyright & database rights 2020



West Devon  
Borough  
Council



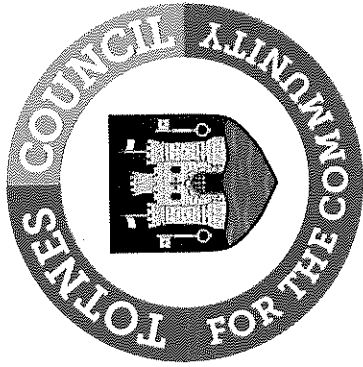
South Hams  
District Council

This is a new  
Tree Preservation Order

Town and Country Planning Act 1990  
**Tree Preservation Order**  
 Station Road, Totnes, TQ9 5RW  
 SX803604

Parish: Totnes      TPO Ref: 1009  
 Date: 31st March 2020      Scale: 1:1250

*B. B. B. B.*



TOTNES TOWN COUNCIL

## FINANCIAL RISK ASSESSMENT

COMPLETED BY:	Catherine Marilton & Christina Bewley
DATE:	April 2020
REVIEW DUE:	April 2021

Area	Risk(s) Identified	Risk Level	Potential Impact	Management/Control of Risk	Action Required	Responsibility and due date	Completed
<b>Assets</b>							
Insurance	Inadequate cover or over insurance increasing costs unnecessarily.	Low	High	Insurance cover reviewed annually with brokers. Buildings reinstatement survey carried out July 2013 which removes under-insurance clause on buildings. Annual review of asset register.	Maintain existing procedures.	N/A	N/A
Security of buildings/property	Vandalism, theft, fire, flood, leaks, weather and accidental damage.	Medium	High	All buildings/properties and contents are insured. Insurance is reviewed annually. Buildings secured outside working hours. Burglar alarm systems for Guildhall. Fire alarm systems in all properties. Regular fire alarm checks carried out. Annual servicing of fire extinguishers	Maintain existing procedures.	N/A	N/A
Maintenance of assets.	Inadequate maintenance of buildings etc.	Low	Low	Buildings conditions survey carried out in January 2018 and all appropriate recommendations have been actioned. A project to renovate the older annexe of the Civic Hall has been approved and will be in 2020.	Continue to monitor the conditions of the buildings and consider the need for a new conditions survey in 2023	Clerk & Deputy	Ongoing.

Security of valuables and cash (e.g. civic regalia)	Loss or theft.	Medium	High	All valuables and cash are insured. Insurance is reviewed annually. Cash stored in locked strong room out of hours. Building alarmed.	Maintain existing procedures.	N/A	N/A
<b>Finance</b>							
Adequacy of Precept	Precept sum inadequate. Requirement not submitted in time.	Low	Medium	Budget and Precept considered by Council Matters Committee (formerly Operations Committee) in December and Full Council in January each year. Precept is set as a result of a full report detailing requirements for the forthcoming year has been reviewed by the Council Matters Committee (formerly Operations Committee). The precept deadline is noted and complied with by the RFO.  The adequacy of reserves are reviewed annually at year end.  Charges are reviewed annually.	Maintain existing procedures.	N/A	N/A
Budgetary Process	Inadequate budget preparation leading to inability to fulfil obligations.	Low	Medium	A 5 year rolling budget is considered by Council Matters Committee (formerly Operations Committee) and Full Council annually.	Maintain existing procedures.	N/A	N/A

Security of Funds at Bank	Failure of bank	Low	High	The Council's Bankers should have the minimum credit rating specified in the Financial Regulations and should be covered by the FSCS Compensation Scheme.	Banking arrangements have been reviewed and alternative investment options will be pursued once the Civic Hall annexe renovation project has been completed.	Clerk & Deputy By end of March 2021.
Investments	No Council investment policy exists	Low	Medium	Council should have an approved policy.	Council to agree an investment policy.	Clerk By end of 2020
Banking	Bank errors and/or inadequate checks leading to financial irregularities.	Low	High	Bank reconciliation completed each month by the Deputy Clerk and are reviewed by the Clerk. They and submitted to the Council Matters Committee meetings and are signed as reviewed by the Committee Chair quarterly. Primary User (Clerk) and Secondary User (Deputy Clerk) set up on internet banking with appropriate authorities. Suitable controls established for the Debit card use. Annual Internal Audit of controls carried out by Independent firm.	Maintain existing procedures.	N/A

Financial controls and records	<p>Inadequate records leading to financial irregularities. Loss through theft or dishonesty. Payments for good not received. Unauthorised payments. Income due to the Council not collected or banked.</p>	Low	Medium	<p>Clerk appointed as the Proper Financial Officer. Financial Regulations adhered to and reviewed annually. Annual Internal Audit of controls carried out by Independent firm. Bank reconciliation completed each month by the Deputy Clerk and are reviewed by the Clerk. They and submitted to the Council Matters Committee meetings and are signed as reviewed by the Committee Chair quarterly. Budget monitor report reviewed by Clerk monthly and by the Council Matters Committee at each meeting. Invoices raised monthly and receipts issued for all cash income. Cash donations/collections counted by two staff. Petty cash float counted monthly by two staff.</p>	Maintain existing procedures.	N/A	N/A
Computer records	<p>Loss of data through system failure or theft.</p>	Low	High	<p>Finance and Payroll packages backed-up to server on completion of each input session. Server backed-up daily to icloud. Anti-virus software installed on server.</p>	<p>Establish written terms of service with IT support contractor.</p>	<p>Clerk By end of Aug 2020.</p>	

					Contractor used for all hardware and software issues.				
Quotes and Tenders	Best value not achieved. Breach of the Public Contracts Regulations.	Low	Low	Low	Financial regulations detail procedures to be followed. Annual Internal Audit of controls carried out by Independent firm.	Maintain existing procedures.	N/A	N/A	N/A
Salaries	Incorrect payments to staff. Incorrect deductions made. Non-compliance with Pension Regulations. Payments not made to HMRC.	Low	Low	Medium	SAGE payroll calculates wages and deductions monthly. Full payment submission to HMRC made monthly via SAGE. BACS payments of wages processed by Secondary User and checked and authorised by Primary User. Annual Internal Audit of controls carried out by Independent firm. Pensions Auto-enrolment rules adhered to.	Maintain existing procedures.	N/A	N/A	N/A
Election Costs	Inability to meet costs	Low	Low	Low	Provision made in budget annually	Maintain existing procedures.	N/A	N/A	N/A
VAT	Errors in calculation. Payments not made/claimed to/from HMRC. Wrong treatment of VAT resulting in	Medium	Medium	Medium	Compliance with HMRC regulations. Professional advice sought where correct VAT treatment is not known. Input VAT only claimed where proper VAT invoices are held. Clerk and Deputy have attended training.	Maintain existing procedures.	N/A	N/A	N/A

	a fine or liability.				Quarterly returns made. RBS Software used to compile returns. Returns reviewed by Internal Audit.			
Annual Return	Not submitted on time. Incorrectly completed.	Low	Medium		Clerk/RF0 aware of date. Clerk and Deputy have attended training. Accounts prepared by RBS Software Accounts. Annual Return must be signed off by the Internal Auditor.	Maintain existing procedures.	N/A	N/A
<b>Liability</b> Health and Safety of Staff, Visitors and Contractors	Liability incurred if Council found to be at fault.	Medium	Medium		Public Liability insurance in place (limit of indemnity £10m). Insurance cover reviewed annually with brokers. Health & Safety Policy and Lone Working Policy in place. Risk assessment programme in place and risk assessments are completed for all events put on by the Council. All new staff and Councillors are issued with an Induction booklet and relevant policies. H&S and risk assessment requirements included in facilities bookings terms and condition which are on the Council's website.	Maintain existing procedures.	N/A	N/A



				Fire instructions for Civic Hall users are on the Council's website. PAT testing carried out annually. Asbestos register in place.					
Compliance with Employment Law	Acts outside the Employment Law could lead to financial liability.	Medium	Medium	Employer Liability insurance in place (limit of indemnity £10m). Insurance cover reviewed annually with brokers. Contract held with South West Councils to provide HR support and advice.				Maintain existing procedures.	N/A
Ensuring the Council acts within its legal powers.	Ultra Vires Acts incurring financial liability.	Medium	Low	Clerk to verify legal position for any new proposal. Clerk studying for CiLCA qualification. Use of advice from NALC/DALC/SLCC. Members Code of Conduct in place and reviewed regularly.				Legal advice to be sought where required.	Clerk Ongoing. N/A
<b>Administration</b>									
Register of Members' Interests	Incomplete register of interests. Failure to declare interests. Breach of confidentiality.	Medium	Low	Regular reminder to members. Standing agenda item for all meetings. Induction programmes in place for new Councillors.				Maintain existing procedures.	N/A
Councillor/staff propriety		Medium	Medium	Code of Conduct in place.				Maintain existing procedures.	N/A

				<p>Data Protection Policy and Privacy Policy in place which all staff and councillors have been made aware of. Regular reminders issued to Councillors/staff. Included in new Councillors' Induction.</p>			
<p>Reports and records</p>	<p>Improper and untimely reporting of meetings via the minutes.</p>	<p>Medium</p>	<p>Medium</p>	<p>Full Council meetings monthly to receive and approve minutes of Committee meetings held in the interim. Minutes to be made available to press and public via the Council website within 5 working days of a meeting.</p>	<p>Maintain existing procedures.</p>	<p>N/A</p>	<p>N/A</p>
<p>Business continuity</p>	<p>Risk that Council business cannot operate due to fire, flood, extreme weather event, power outage, act of terrorism, or any other significant event.</p>	<p>Low</p>	<p>High</p>	<p>IT systems backed-up to i-cloud. IT support provided by contractor who would be able to reinstate systems. Insurance cover in place and reviewed annually. Internal staff cover arrangements identified. Written procedure documents established for financial processes and cemetery procedures.</p>	<p>Establish a Business Continuity Plan.</p>	<p>Clerk &amp; Deputy By end of Aug 2020</p>	