

AGENDA FOR THE MEETING OF TOTNES TOWN COUNCIL

MONDAY 5TH OCTOBER 2020 – HELD REMOTELY USING ZOOM

MEETING LINK: <https://zoom.us/j/91769544343?pwd=YlJLZWVhQThoeGF5TWESY0xMb0NMZz09>

MEETING ID: 917 6954 4343

PASSWORD: 862147

Please note that public question time will be held prior to Full Council from 6.30pm

PLEASE NOTE THAT MEMBERS OF THE PUBLIC WILL BE KEPT IN THE
WAITING ROOM FACILITY IN ZOOM UNTIL THE MEETING COMMENCES.

You are hereby **SUMMONED** to attend a Meeting of the Council, which is to be held using remote meeting service Zoom on **Monday 5th October 2020 at 7pm** for the purpose of transacting the following business:

1. WELCOME TO ALL ATTENDING AND OBSERVING

2. APOLOGIES FOR ABSENCE AND DECLARATION OF INTERESTS

To receive apologies and to confirm that any absence has the approval of the Council. The Mayor will request confirmation that all Members have completed or made any necessary amendments to their Declaration of Interests.

The Committee will adjourn for the following items:

Reports from County and District Councillors.

- a. County Cllr Hodgson – no documents.
- b. District Cllr Birch – document enclosed.
- c. District Cllr Rose – no documents.
- d. District Cllr Sweett – no documents.

The Council will convene to consider the following items:

3. CONFIRMATION OF MINUTES

To approve and sign the minutes of the following Meetings:

(Please note confidential minutes can be agreed but any discussion must be held in Part 2)

- a. Full Council 7th September 2020 – document enclosed.
- b. Council Matters Committee 17th September 2020 – document enclosed.
- c. Planning Committee 21st September 2020 – document enclosed.
- d. Town Matters Committee 21st September 2020 – document enclosed.

4. CONSIDERATION OF ANY MATTERS ARISING REQUIRING A DECISION

To consider any matters arising from the Minutes and to approve any recommendations from Committees:

(Please note confidential minutes can be agreed but any discussion must be held in Part 2)

- a. Full Council 7th September 2020 – document enclosed.
- b. Council Matters Committee 17th September 2020 – document enclosed.
- c. Planning Committee 21st September 2020 – document enclosed.
- d. Town Matters Committee 21st September 2020 – document enclosed.

5. STANDING ORDERS AND COMMITTEE STRUCTURE

To consider a revision to Standing Orders and a revised Committee structure for implementation from 1st January 2021. Document enclosed.

1

6. CORONAVIRUS

To note the update from Devon County Council regarding recent local case increases.
<https://www.devon.gov.uk/coronavirus-advice-in-devon/coronavirus-data/>

7. ROAD CLOSURE

To consider the decision of Devon County Council for a four-week temporary road closure on Saturday mornings until 10th October 2020. Verbal update Town Clerk.

8. SOCIAL DISTANCING IN TOTNES

To note the concerns raised about social distancing enforcement in the town centre. Verbal update Town Clerk.

9. LICENSE APPLICATION APPEAL BY MORRISONS

To note the appeal by Morrisons in relation to alcohol sales at the supermarket and petrol station and nominate a representative of the Town Council to attend. Document enclosed.

10. ELECTION OF MAYOR AND COMMITTEE CHAIRS

To note that the election of the Mayor, Deputy and Chairs of Committee will be held during the December Full Council meeting on Zoom. No document.

11. NEXT MEETING

To note the next meeting date of Monday 2nd November 2020, 6.30pm public session, 7.00pm formal meeting.
No document.

*The Council will be asked to RESOLVE to exclude the press and public "by reason of the confidential nature of the business" to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960.
Councillors will be asked to log out of the Zoom meeting and back into a separate secure meeting link.*

12. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing item)

To consider any recommendations or matters arising that are considered confidential in nature (staffing/legal/commercial sensitivity) from the Council Matters Committee.
No document.

Agenda produced by:

Catherine Marlton

Town Clerk

30th September 2020

USE OF SOUND RECORDINGS AT COUNCIL & COMMITTEE MEETINGS

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

John Birch
SHDC Member for Totnes

Report for Totnes Town Council
meeting to be held on Monday 5 October 2020

I report on the following matters;

Climate Change

At a meeting of the Full Council of SHDC I put forward the following recommendations.

1. The Council's Climate Change and Biodiversity Working Group draw up proposals to bring about a marked improvement in the energy efficiency of the domestic buildings in South Hams. Only 36% of the properties registered for EPC certificates are rated at category C or above. Further it is estimated that there are about 6,000 properties rated at categories F&G. Such properties are highly energy inefficient and are prohibited from being let out.
2. The Council's Climate Change and Biodiversity Working Group put forward proposals on the expenditure of £400,000 set aside for climate change and biodiversity projects. The monies are in the 2020/21 budget and yet no proposals have come forward as to its expenditure.

The proposals I put forward were seconded by Cllr Joseph Rose and were supported by all Opposition Members. When put to the vote all the Conservative Members voted against and the two proposals were defeated.

Earlier this year I had proposed that a sum of £400,000 be included in the 2020/21 budget to enable SHDC to implement its climate change proposals that were emerging in its Action Plan. This proposal was supported by the majority of councillors and was included in this year's budget.

In putting forward the proposal concerning the expenditure of the £400,000 I expressed concern at the lack of action being taken by the Council in coming forward with Climate Change and Biodiversity projects. I made the point that the public welcomed the Council declaring a Climate and Biodiversity Emergency last year and were heartened by the subsequent allocation of £400,000 for Climate Change projects. The fact that the Council had not brought forward plans for its expenditure gave the impression it was rowing back on its commitment.

The Conservative councillors votes against putting forward proposals for the expenditure of the £400,000 effectively puts on hold any Climate Change and Biodiversity projects. There is a real fear this money could be lost.

It now looks that Climate Change is slipping down the priority list at SHDC and certainly devalues and makes a mockery of the climate emergency declared by the Council in July 2019

Applications by Morrisons to extend hours for sale of alcohol

As previously reported the two Morrison applications heard on 12 August 2020, in which it sought to extend hours for the sale of alcohol from midnight to 6.00am at both the filling station and supermarket, were refused.

Morrisons has appealed both decisions and the hearing of the appeals will come before the Magistrates Court within the next six months. I have offered to give evidence in opposition to the appeals. I believe it would be helpful for a member of the Town Council to also provide evidence should it wish to continue its opposition to the applications.

Proposed Churchill Retirement Home

Churchill has lodged an appeal against SHDC planning decision to refuse permission for the development of retirement apartments on the old Co-op site. I understand that Churchill may be considering putting forward an amended scheme. I will report back on any further developments.

GOVERNMENT PLANNING PROPOSALS - A DISASTER FOR SOUTH HAMS

The Government's proposed planning reforms, if implemented, will result in an outbreak of additional housing developments across the district.

Under the current approved Joint Local Plan the South Hams district is required to deliver 324 new houses each year. The JLP allocates the location of all developments to satisfy this requirement up until 2034.

The Government's new planning proposals require the annual allocation of 324 to be more than doubled to 769. In other words SHDC will have to find space for another 5,800 houses between now and 2034 over and above the current allocation of 4,200. As widely reported the Government's proposal is based on an algebraic formula.

The Government claims that there has not been enough house building and yet in South Hams there are planning permissions for 6950 dwellings that have not yet been implemented.

These are my headline notes arising out of the internal meeting at SHDC at which planning officers gave their view on the proposed planning reforms.

1. Government aims to have 300,000 houses per year built and to achieve that they have come up with a formula as to how it can be achieved.
2. To be implemented before the end of this year.
3. JLP annual figure is 324. Under formula will be increased to 769. This will result in JLP authorities having to find location for additional 10,000 dwellings over plan area
4. JLP may provide a temporary shield against increased development in the short term but subject to review in 2024. Officers not confident this will be the case.
5. Increased level of development proposed in South Hams due to "affordability" and this is a key part of new formula. Theory is build more houses and house prices will come down making them affordable
6. Planning reforms will dilute the effectiveness of Neighbourhood Plans.
7. Need for new local plan to be in place within 30 months. It will set rules rather than policies. Sanction for not meeting deadline
8. There are two consultations. There is no guidance as to how the two proposed reforms can be integrated.
9. AONB area in South Hams will be afforded protection in respect of development. The pressure will be on A38 corridor. Ivybridge under threat as far as future development is concerned.
10. There will be a period of time when developments will be exempt from including affordable housing
11. New local plans will have three zones. GROWTH (outline consent automatic) - RENEWAL (light touch, small scale development) - PROTECTED (open countryside)
12. System will become digitalised and more automated.
13. Plans must meet a "sustainability" test
14. Local Plan production timetable - 1. Public involvement (6 months) 2. LA draws up plan (12 months) 3. Submission to S of S and consultation (6 weeks) 4. Examination by Inspector (9 months) 5. Inspector's report which is binding 6. LA to enforce (6 weeks)
15. No solution to the problem of developers hoarding land with the benefit of

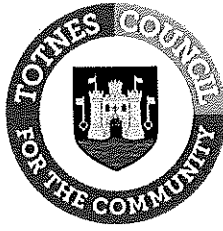
planning permission. Outstanding planning permission numbers in SHDC for dwellings totals 6,950.

This is a matter the Town Council may wish to take up the local MP

Cllr John Birch

SHDC Member for Totnes

28 September 2020



DRAFT MINUTES FOR THE MEETING OF TOTNES TOWN COUNCIL

MONDAY 7th SEPTEMBER 2020 HELD REMOTELY USING ZOOM

Present: Councillors J Hodgson (Chair), P Paine, V Trow, M Adams, E Price, C Allford, D Matthews, G Allen, C Luker, B Piper, S Collinson, P Allford, S Skinner, L Webberley and R Hendriksen.

Apologies: Councillors A Galvin.

In Attendance: C Marlton (Town Clerk), C Bewley (minutes), District Councillor Rose, District Councillor Birch, and 23 members of the public.

1. WELCOME TO ALL ATTENDING AND OBSERVING

2. APOLOGIES FOR ABSENCE AND DECLARATION OF INTERESTS

To receive apologies and to confirm that any absence has the approval of the Council. The Mayor will request confirmation that all Members have completed or made any necessary amendments to their Declaration of Interests.

Apologies were received from Cllr A Galvin. The reason for the absent was given by the Clerk and accepted by the Chair.

Cllr C Allford declared a non-pecuniary interest in agenda item 18.

The Committee will adjourn for the following items:

Reports from County and District Councillors.

- a. County Cllr Hodgson – no documents.
- b. District Cllr Birch – documents enclosed.
- c. District Cllr Rose – no documents.
- d. District Cllr Sweett – no documents.

It was RESOLVED to suspend standing orders.

- a. C.Cllr Hodgson advised she has sent out her report this afternoon.
- b. D.Cllr Birch provided a written report. He indicated that he has received overwhelming support for the Saturday morning traffic restrictions. Cllr Adams raised her concerns about the lack of social distancing at the markets and D.Cllr Birch confirmed that he would speak to the SHDC officer to address the problem.

- c. D.Cllr Rose gave a verbal report. He advised that he had attended a members workshop looking at the recovery plan. He and other members wants to steer it in line with the climate and biodiversity strategy. Next step is to prioritise all the input from members and once a plan is agreed it will hopefully be shared next month. He has taken on chairing a Task & Finish Group looking at community consultation and engagement. Will be looking at Best Practice examples. Cllr Luker asked whether SHDC could supporting local businesses by reducing parking charges and having zero or lower parking fees in the winter. D.Cllr Rose explained that parking fees are an important source of income for the Council.
- d. D.Cllr Sweett sent out a written report this afternoon. She is not present to take questions.

The Council reconvened.

3. CONFIRMATION OF MINUTES

To approve and sign the minutes of the following Meetings:

(Please note confidential minutes can be agreed but any discussion must be held in Part 2)

- a. Full Council 20th July 2020 – document enclosed.
- b. Planning Committee 27th July 2020 – document enclosed.
- c. Town Matters Committee 27th July 2020 – document enclosed.
- d. Extra Full Council 30th July 2020 – document enclosed.

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

- a. Full Council 20th July 2020.
- b. Planning Committee 27th July 2020 subject to a correction under item 7 where it should say Planning Committee instead of Town Matters Committee.
- c. Town Matters Committee 27th July 2020.
- d. Extra Full Council 30th July 2020.

4. CONSIDERATION OF ANY MATTERS ARISING

To consider any matters arising from the Minutes and to approve any recommendations from Committees:

(Please note confidential minutes can be agreed but any discussion must be held in Part 2)

- a. Full Council 20th July 2020 – document enclosed.
- b. Planning Committee 27th July 2020 – document enclosed.
- c. Town Matters Committee 27th July 2020 – document enclosed.
- d. Extra Full Council 30th July 2020 – document enclosed.

- a. Full Council 20th July 2020.

None.

- b. Planning Committee 27th July 2020.

Item 4 – It was **RESOLVED** to approve the recommendation.

- c. Town Matters Committee 27th July 2020.

Item 3 – It was **RESOLVED** to approve the recommendation.

Item 4 – Cllr Paine raised his concerns that they have not been offered training on using iPads. The Clerk confirmed that she can arrange this for anyone who wants it. It was **RESOLVED** to approve the recommendation.

d. Extra Full Council 30th July 2020.

None.

5. TRAFFIC AND TRANSPORT FORUM

To consider any proposals from the Traffic and Transport Forum held on 26th August 2020.

This has been covered in Cllr Hodgson's District Councillors report. Cllr Paine is concerned that there is no sign to the carparks from the top of town. The next meeting will be held on the last Wednesday of the month and anybody can attend.

6. PLANTERS IN THE TOWN CENTRE

To consider an updated proposal for Planters located in the Town Centre and to vote on delegated authority for the Clerk to make minor amendments to said proposal when getting authorisation from Devon County Council for installation.

The Clerk explained that the proposal is for smaller planters, a smaller number of planters than the original plan and to fill them with shrubs rather than trees to help with visibility.

Cllr Adams raised concerns about a needle stick incident involving one of the new planters outside the Guildhall.

Cllr Hodgson requested an additional planter is placed on the roundabout over the main bridge where traffic comes in from Newton Abbot.

The Clerk confirmed that we now have permission in principle from DCC but they now need to see the details.

Cllr Collinson raised concerns over reduced space on the pavements for pedestrians and wheel chairs. It was **RESOLVED** to give the Clerk delegated authority to take the proposal forward as outlined in the proposal in the meeting papers, with the flexibility to authorise additional minor amendments to locations when negotiating with Devon County Council.

7. ROAD CLOSURE

To review the temporary Saturday morning road closure (ends 12th September) and vote on what to do next.

Motion from Cllr Collinson to be read out.

Cllr Collinson declared an interest as Chair of Inclusive Totnes.

Cllr Allen declared an interest as a resident of the High Street.

Cllr Adams declared an interest as a blue badge holder.

Cllrs discussed the problems with social distancing in the main street if the temporary road closure arrangement was to end. There were concerns that the Disability Rights Act would be breached if the closure were not extended while social distancing was in place.

Cllr Collinson put forward the motion that Totnes Town Council recommends to DCC Highways that the temporary closure of Fore Street, High Street and the Narrows to traffic for 4 hrs on Saturday mornings should be continued whilst government social distancing guidelines remain in place to enable social distancing, pedestrian safety and accessibility during the COVID-19 pandemic.

Cllr Trow proposed an amendment to the motion that Totnes Town Council **RECOMMENDS** to Devon County Council that the temporary closure of upper Fore Street (from the access only signage opposite the King William) and the High Street and the Narrows to traffic for 4 hours on Saturday mornings be continued whilst Government social distancing guidelines remain in place to enable social distancing, pedestrian safety and accessibility during the COVID pandemic.

A recorded vote was requested by Cllr Adams and was as follows:

Cllr Hodgson – for
Cllr Adams – against
Cllr Allen – for
Cllr Paine – for
Cllr Collinson – for
Cllr Hendriksen – for
Cllr Matthews – for
Cllr Luker – for
Cllr Price – for
Cllr Piper – for
Cllr Skinner – for
Cllr Trow – for
Cllr Webberley – for
Cllr C Allford – for
Cllr P Allford – for

It was **RESOLVED** to agree the amended motion. He Town Clerk will send this recommendation to Devon County Council for consideration.

8. INDEPENDENT SURVEY

To agree the outline brief for a professional independent survey of the town and surrounding parishes.
Motion from Cllr Price to be read out.

Cllr Price put forward the motion to begin the processes via the Town Matters Committee of putting together a survey of the opinions of residents, traders and visitors from surrounding parishes on the Saturday morning road closures. Concern was raised on the possible delay caused by discussing the brief in committee.

Cllr Allen proposed an amendment to include investigating shared space measures and any other measures through the survey as well.

Following a vote it was **RESOLVED** that the Town Clerk would draft a brief for a survey asking:

- a) The opinion on the temporary Saturday morning road closures, and
- b) Asking for ideas to feed into the longer term Shared Space project.

This brief will be circulated to Mayor and Chairs for agreement prior to being sent out. The funds are already authorised under the previously agreed Public Realm budget.

9. NEIGHBOURHOOD PLAN

To consider the revised draft and supporting papers for the Totnes Neighbourhood Plan; Regulation 15 submission to South Hams District Council; and ensure that all relevant documents are hosted on the TTC website.

See attached document or http://www.totnestowncouncil.gov.uk/Neighbourhood_Plan_626.aspx

Cllr Luker explained that the draft plan is now ready to go to SHDC and then it will go to the Independent Examiner and then to a referendum. He proposed the Town Council approves and submits the draft plan to SHDC.

The Clerk advised that the Neighbourhood Plan website will now be closed as it is not accessibility compliant and all the documents will be moved across to the Town Council website.

Cllr Allen raised concerns that the draft plan does not include any requirement to prevent second home owners from buying properties on new developments. She was unhappy that this had been included originally and taken out at some point. She requested the process be stopped to amend the draft plan to include it. Cllr Luker explained that any amendments at this stage would delay the process of approving the plan by several months.

Following a vote it was **RESOLVED** to agree Cllr Luker's proposal and also to close the website as suggested.

10. PARKING PERMIT CONSULTATION

To consider the South Hams District Council consultation on amendments to the parking permit and charging scheme.

SHDC are considering whether to reduce the number of residents parking permits by increasing the price as they believe it is detrimental to businesses in the town, and they feel there are already a large number of resident only parking zones.

Cllr Collinson expressed concern that many residents will not be able to afford the increased prices under the current economic circumstances with the pandemic.

It was **AGREED** that Cllr Collinson's comments should be submitted to SHDC in response to their consultation.

11. REMEMBRANCE DAY 2020

To note the request from the Royal British Legion regarding the 2020 Remembrance Day and consider a response.

The Clerk advised that the Royal British Legion will be running the Remembrance Day event this year with restricted numbers but will not be running the event from 2021 onwards.
This was noted.

12. CLIMATE AND ECOLOGICAL BILL

To consider signing the Climate & Ecological Emergency Bill as a Town Council.

[https://d3n8a8pro7vhmx.cloudfront.net/ceebill/pages/10/attachments/original/1597739010/Climate_and Ecological Emergency Bill %2814 August%29.pdf?1597739010](https://d3n8a8pro7vhmx.cloudfront.net/ceebill/pages/10/attachments/original/1597739010/Climate_and_Ecological_Emergency_Bill_%2814_August%29.pdf?1597739010)

This item was deferred to the next Full Council meeting.

13. VISIT TOTNES

To consider a proposal for additional support for local businesses and the knock on impact on the Visit Totnes annual budget.

The Clerk gave a brief overview of the documents provided and explained that the plan will give free advertising to local businesses on the Visit Totnes website and a hard copy guide will not be produced for 2021, instead left over guides from this year will be distributed.

It was **RESOLVED** to agree the proposal.

14. LONGMARSH ISSUES

To consider complaints from residents and consider a response – Cllr Hodgson.

It was **AGREED** to refer this item to the Town Matters Committee.

15. NEXT MEETING

To note the next meeting date of Monday 5th October 2020, 6.30pm public session, 7.00pm formal meeting.

Noted.

*The Council **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.*

Councillors logged out of the Zoom meeting and back into a separate secure meeting link.

16. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing item)

To discuss any recommendations or matters arising that are considered confidential in nature (staffing/legal/commercial sensitivity).

None.

17. STAFFING SECONDMENT

To consider a staffing secondment.

It was unanimously **RESOLVED** to allow the Community Fundraiser to undertake additional work with Caring Town on a temporary secondment.

18. LEGAL MATTER

To consider any update on a legal matter.

The update and meeting date was noted.

19. STAFFING UPDATE

To consider a staffing update from the Town Clerk.

Noted.

20. ELECTRIC VEHICLE

To consider options and costings for an electric vehicle for the Town Maintenance Officer duties – commercially sensitive.

It was unanimously **RESOLVED** to purchase a second hand vehicle. The total expected expenditure for the vehicle, insurance, maintenance in 2020/21 financial year should not exceed £19,250.

21. RECRUITMENT

To note the Green Travel Coordinator recruitment timeline.

Noted. It was suggested that the interview panel should be agreed by Council Matters.

Jacqi Hodgson

Mayor



DRAFT MINUTES OF THE MEETING OF COUNCIL MATTERS THURSDAY 17TH SEPTEMBER 2020 AT 7PM – HELD REMOTELY USING ZOOM

Present: Councillors E Price (Chair), M Adams (Deputy Chair), C Allford, J Hodgson, C Luker, P Paine, B Piper (joined at 7.17pm) and V Trow (joined at 7.26 for Part II).

In Attendance: C Marlton (Town Clerk).

1. APOLOGIES FOR ABSENCE

To receive apologies and to confirm that any absence has the approval of the Committee.

The Committee will adjourn for the following items:

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.

There were no members of the public present.

The Committee reconvened.

2. CONFIRMATION OF MINUTES

To update on any matters arising from the minutes of July 2020. (Note: already agreed through Full Council.)

No matters arising. The minutes have already been ratified by Full Council.

3. BUDGET MONITOR

To consider the current year's budget allocations, budget monitor, balances and forecast.

Noted and agreed.

4. NEIGHBOURHOOD PLAN

To receive an update on the Neighbourhood Plan (standing item).

Cllr Luker updated that the Totnes Neighbourhood Plan and supporting documents have been submitted to South Hams District Council who will check that they have all the required documents and confirm if a Strategic Environment Assessment or Habitat Regulations Assessment is required.

5. ECONOMY WORKING GROUP

To consider restarting the Economy Working Group.

It was **AGREED** that the next Councillor Strategy session should discuss the scope and remit of this group, as well as an alternative name, as part of a wider review of working groups and their administration.

6. VENUES WORKING GROUP

To consider the notes of and any expenditure from the Venues Working Group.

Noted. A planning application has been submitted for the automatic doors in the Civic Hall which have received grant funding. These will be ordered and installed as soon as permission is granted by SHDC.

7. STRATEGY SETTING

To note the draft notes of the Strategy setting session and decide on next steps.

Noted. The notes circulated will be turned into a document for further discussion at the Councillor Strategy session on 28th September 2020 at 6.30pm.

8. FUNDING UPDATE

To note updates on funding for the Town Centre improvements.

Noted. The Clerk is awaiting information from South Hams District Council about the future high streets fund. Costs associated with the Saturday morning road closures (traffic management and Bob the Bus hire) is included in the Covid-19 line on the current budget monitor.

9. GREEN TRAVEL

To note an update on the Green Travel Coordinator recruitment.

Noted. Advertisement for the vacancy has gone out and has been placed with specialist recruitment agencies, reflecting the skills that will be required for the position. Recruitment costs will come from the S106 funding. The interview panel will consist of the Clerk, Cllr Hodgson, Cllr Allen.

10. EXTERNAL AUDIT

To note the completion of the external Audit.

Noted. The audit process has been satisfactorily completed.

*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. (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)*

11. STAFF BUDGET

To consider and sign (Clerk and Chair) the 2020/21 staffing budget (updated).

The updated Staffing budget was unanimously **AGREED**. Cllr Price will receive a hard copy to sign in the next week.

12. STAFF UPDATE

To note a general staff update.

The verbal update from the Town Clerk was noted.

13. BANK RECONCILLATION

To consider and agree the bank and petty cash reconciliations.

These documents were considered and unanimously **AGREED**.

14. STAFFING PROPOSAL

a) Town Maintenance Officer recruitment

b) Events Officer

The resignation of the Town Maintenance Officer and the absence of the Events Officer was noted. It was **AGREED** that any recruitment should be postponed until the proposed staffing review was completed.

The confidential staffing proposal was considered and received support from all Councillors present.

following recommendations were made:

- **Delegated authority to the Town Clerk to administer the restructure process. RECOMMENDED TO FULL COUNCIL**
- **Agreement of the proposed structure, timeline and process. RECOMMENDED TO FULL COUNCIL**
- **Agreement of spend on professional HR support to advise during said process (if required) RECOMMENDED TO FULL COUNCIL**

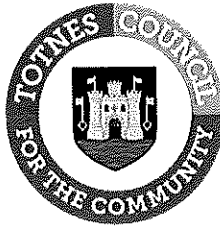
15. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 12th October at 7.00pm.

Noted.

Catherine Marlton

Town Clerk



DRAFT MINUTES FOR THE PLANNING COMMITTEE

MONDAY 21ST SEPTEMBER 2020 - HELD REMOTELY USING ZOOM

Present: Councillors G Allen (Chair), R Hendriksen, J Hodgson, C Luker (left the meeting at 12.00pm) and P Paine.

Apologies: Councillors S Collinson.

Not Present : Councillor V Trow

In Attendance: Two members of the public and S Halliday (Committee and Cemetery Administrator).

1. APOLOGIES FOR ABSENCE

To receive apologies and to confirm that any absence has the approval of the Council.
It was resolved to accept the apologies.

PUBLIC QUESTION TIME

A member of the public spoke about the condition of the Malt Mill warehouses on Lower Collins Road. These are listed buildings and deteriorating in terms of crumbling masonry, cracks in the stonework and lintels failing. The member of the public believes work is required to prevent their collapse but in correspondence with South Hams District Council has been informed by enforcement officers that the grounds have been tidied up and the case is therefore closed. Councillors are requested to look into the matter.

Councillors agreed to look into the background of this case. As this is a matter of safety, to **RECOMMEND** to Full Council that it writes to South Hams District Council with concerns about the state of repair of the building.

The Committee reconvened.

2. CONFIRMATION OF MINUTES

To update on any matters arising from the minutes of 27th July 2020.

The minutes of the meeting have been agreed by Full Council on 7th September 2020.

Item 4 – Full Council resolved the proposed comment to the pre-consultation Dartington Neighbourhood Plan and these were emailed on 31st July 2020.

3. TREE WORKS APPLICATIONS

To make recommendations on the following tree works applications:

Note: Cllr Hodgson observes and does not vote on any applications which would potentially be discussed at a Development Management Committee meeting at SHDC.

3a) 2604/20/TCA – T1: Ornamental Cherry – crown height reduction by 1.2m and lateral reduction by 1.75m on all sides. 10 West Hill House, Leechwell Street, Totnes, TQ9 5SY.

Support.

3b) 2673/20/TCA – T499: Ash – fell and remove; T969: Ash – Fell and Remove. Endsleigh, Jubilee Road, Totnes, TQ9 5BP.

Support, although the Committee would request that replacement trees are planted elsewhere on the site.

3c) 2651/20/TCA – T1: London Plane – Crown height reduction by 3m and lateral reduction by 2.5m on all sides, tree is outgrowing surrounding area and causing excessive shading. Open Paved Area, Symons Passage, The Plains, Totnes.

Support, although the Committee would support the pollarding of the tree.

3d) 2853/20/TCA - T1: Blue Atlas Cedar – Fell and replace with Rowan within 5m; T2: Leyland Cypress – Fell and replace with fruiting Cherry; T3: Beech – Fell and replace with Magnolia; T4: Apple – crown height and lateral reduction on all sides by up to 1m to manage regrowth and clean crown. Glebe Coach House, Manor Way, Totnes, TQ9 5HP.

The Committee decided that a site visit was required to view the trees and address the concerns raised during discussion. Comments following the site visit are to be provided to the officer by 1st October.

4. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

Note: Cllr Hodgson observes and does not vote on any applications which would potentially be discussed at a Development Management Committee meeting at SHDC.

4a) 2510/20/FUL – Construction of new 3 bed dwelling with parking. Development site at Sx 814 606, Jubilee Road, Totnes.

The Committee accepts the installation of a new property on this land but has continued concerns about:

- The design of the property where they would expect to see a higher level of sustainability in the design; and
- Drainage and connecting to the main sewer.

4b) 2740/20/FUL – Proposed construction of new dwelling. Land opposite 2 and 3 Argyle Terrace, Argyle Terrace, Totnes.

Cllr Hodgson declared a personal interest.

Object for the following reasons:

- Overdevelopment of the site.
- Increase in traffic levels that an additional dwelling will bring onto a congested residential road and out onto Station Road.
- Concerns about drainage and flooding in this area next to the railway line.
- The design is not in keeping with the properties in Argyle Terrace.

4c) 2643/20/HHO – Householder application for alterations and extension of existing dwelling to provide first floor accommodation and garden office (resubmission of /045/19/HHO). Hillcrest, Blackpost Lane, Totnes, TQ9 5RF.

There are no objections to the proposed extension to the main house, but the Committee has concerns about the proposed size and height of the garden office over massing the garden.

4d) 2383/20/HHO – Householder application for double storey side extension and single storey rear extension and loft conversion to existing property. 8 Sparrow Road, Totnes, TQ9 5PR.

Support.

4e) 2686/20/HHO – Householder application for proposed rear extension. 9 Priory Avenue, Totnes, TQ9 5HR.

Support.

4f) 2775/20/HHO – Householder application for conversion of part of the ground floor garaging to a utility room/study, to include replacing one of the two garage doors with windows. 2 Sparkhayes Drive, Totnes, TQ9 5LD.

Support.

4g) 2723/20/HHO – Householder application for addition of single storey glass room to rear elevation of property. 5 Follaton Rise, Totnes, TQ9 5FX.

Support, but the Committee has concerns about the expanse of glass being a hazard to birds flying into it.

4h) 2386/20/HHO – Householder application for demolition and reconstruction of 1930's outhouse on larger footprint. 6 Cherry Cross, Tree Tops, Totnes Down Hill, Totnes, TQ9 5EU.

Support.

4i) 2612/20/LBC – Listed building consent for removal of cement tiles from roof and replacement with natural slate, insertion of additional rooflight, alteration of downpipe between number 2 and number 4. 2 Fore Street, Totnes, TQ9 5ST.

Support.

4j) 2794/20/ARC – Application for approval of details reserved by condition 3 of planning consent 1929/20/LBC. 3a Fern Cottage, South Street, Totnes, TQ9 5DZ.

Support. However, it would have been helpful if the application had submitted a drawing or image of the proposed door.

5. CONSULTATION ON CHANGES TO THE CURRENT PLANNING SYSTEM

To consider the Government consultations 'Changes to planning policy and regulations' and 'Planning for the Future' and their potential impact on Totnes, and to make any recommendation to Full Council in how to respond.

All Councillors spoke of their concerns about some of the proposed changes to the planning system. It was **AGREED** that Cllrs Allen and Hodgson would draft a proposed response to the consultation's questions which would be circulated to Planning Committee members for comment before going to Full Council as a recommendation. The recommendation would include copying the response to South Hams District Council, writing to the local MP and neighbouring towns and villages for information.

Cllr Luker left the meeting at 12.00pm

6. UPDATED LOCAL FLOOD RISK MANAGEMENT STRATEGY CONSULTATION

To consider the updated Devon Local Flood Risk Management Strategy which is being consulted on by Devon County Council, and to make any recommendation to Full Council in how to respond before the consultation deadline of 15th October 2020.

To **RECOMMEND** to Full Council that: Totnes Town Council supports the series of principles for flood management set out in the Local Flood Risk Management Strategy, and is pleased to see that the threat of surface water flooding in Totnes has been recognised by Devon County Council.

7. ROAD RESTRAINT SCHEME WORKS ON WESTERN BYPASS (A381)

To note road restraint works that will be carried out on the Western By-pass (A381) near the Collapark Bridge starting in November 2020 and expected to last 16 weeks.

Noted. Cllr Hodgson will clarify whether the works will also include resurfacing of the highway.

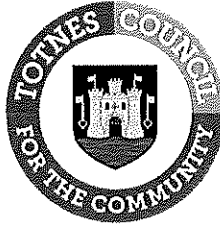
8. DATE OF NEXT MEETING

To note the date of the next meeting of the Planning Committee – Monday 19th October 2020 at 10.00am.

Noted.

Sara Halliday

Committee and Cemetery Administrator



DRAFT MINUTES FOR THE TOWN MATTERS COMMITTEE

MONDAY 21ST SEPTEMBER 2020 – HELD REMOTELY USING ZOOM

Present: Councillors B Piper (Chair), G Allen, P Allford (left the meeting at 7.55pm), R Hendriksen, D Matthews, P Paine, S Skinner, V Trow and L Webberley.

Apologies: None.

Not Present: Councillor A Galvin.

In Attendance: Councillors J Hodgson and E Price, three members of the public and S Halliday (Committee and Cemetery Administrator).

1. APOLOGIES FOR ABSENCE

To receive apologies and to confirm that any absence has the approval of the Council.

No apologies had been received.

The Committee will adjourn for the following items:

PUBLIC QUESTION TIME

A member of the public introduced the idea of setting up an urban farming initiative in Totnes to help people's emotional and financial situation through food growing as a co-operative. The produce would be shared amongst the growers with any surplus donated to the food bank or sold to local shops. They proposed that the Town Council sets up a voluntary programme with various local groups such as Incredible Edible and Totnes Allotments. The Committee **AGREED** that this idea should be passed to the Climate Change Working Group to investigate.

Two members of the public spoke about the clamp down by South Hams District Council towards campervans parking overnight in Longmarsh car park [note: the signage clearly says no overnight parking]. They explained how the presence of campervans helps deter anti-social behaviour and keep the area free of drugs. They requested that a dedicated traveller area is required in Totnes for those who choose to live in vans, and disputed the idea that rubbish and human waste is left by van owners. Cllr Hodgson said the matter of a site is a shared South Hams District Council and Devon County Council issue and a meeting is planned in the future to discuss this requirement.

The Committee reconvened.

2. SOUTH HAMS DISTRICT COUNCIL RECYCLING SYSTEM

To receive an update from a South Hams District Council Officer about the new recycling system that will be introduced in 2021.

A presentation on the new recycling system being introduced in Spring 2021 was given by a South Hams District Councillor Senior Specialist (Waste). The new system will bring the South Hams into line with other areas of Devon, thereby making it easier for people to understand requirements in the different districts of the county. Most houses in Totnes will see collection days change from Thursday/Friday to Monday/Tuesday - letters are being sent out to households. It will introduce more kerbside recycling, including weekly collections of a food caddy and recycling to include a wider range of plastics, glass and clothing, and continued weekly alternate collection of household waste and garden waste (black and brown bins). The attached link gives more information about where the recycling goes for processing <https://www.southhams.gov.uk/WhereDoesRecyclingGo>

3. CONFIRMATION OF MINUTES

To update on any matters arising from the minutes of 27th July 2020.

The minutes of the meeting have been agreed by Full Council on 7th September 2020.

Item 3 – Resolved by Full Council and the Town Council's comment was formally submitted as part of the consultation process on 16th September 2020.

Item 4 – The Devon Local Council Association advice is for council meetings to remain being conducted remotely where members of the public can participate.

4. ARTS WORKING GROUP

To note any update from the Arts Working Group on 17th September 2020.

Noted. Cllr Piper gave an update on the last Arts Working Group, including ideas for a Halloween events, a 'Window Wonderland', Christmas – lights switch on, and markets.

Cllr Allford left the meeting at 7.55pm (retained fire fighter call out).

5. CLIMATE EMERGENCY WORKING GROUP

To note any update from the Climate Change Working Group on 15th September 2020.

Noted. Cllr Allen gave an update that the action plan was discussed and ideas shared with councils from across the county and beyond. There is a requirement for a dedicated web page to work through the actions in the plan and record progress. It was **AGREED** that the Climate Emergency Working Group would set out the website requirements, what information or pages need to be included and share this with Council officers so that the requirement can be discussed as part of the new own Council's website development.

6. LICENSING POLICY CONSULTATION

To consider the draft Licensing Policy which is being consulted on by South Hams District Council, and to make any recommendation to Full Council in how to respond before the consultation deadline of 15th October 2020.

To **RECOMMEND** to Full Council that Totnes Town Council welcomes the strengthening of safeguards, particularly concerning the protection of young people, and the Council supports the strengthening of measures that protect residents from the anti-social behaviour problems that some licensing applications might potentially attract.

7. SOUTH HAMS DISTRICT COUNCIL PLAYING PITCH STRATEGY

To consider how to respond to the South Hams District Council Playing Pitch Strategy and the specific questions about the use of Borough Park and longer term aspirations.

It was **AGREED** to seek a meeting (Council attendees to be confirmed) with KEVICC before the next Committee to understand their plans for the Elmhirst site and how it could be utilised by sports groups in the town. It was **AGREED** to bring this item back to the next meeting.

8. STEAMER QUAY CARAVAN SITE LONG LEASE

To consider whether the Town Council would support a request to South Hams District Council for a long lease for the Steamer Quay Caravan Site.

To **RECOMMEND** to Full Council that the Town Council writes to the Steamer Quay Caravan Site and Caravan Club to encourage them to negotiate a long lease with South Hams District Council which would attract investment and all year round use, which the Town Council is supportive of.

9. STEAMER QUAY AND LONGMARSH CAR PARK ISSUES

To consider the problems of overnight camping in the Steamer Quay and Longmarsh car parks and the resultant issues of rubbish and human waste.

The Committee was reminded that the town's boundary ends in Longmarsh car park, not in the park land area. A number of ideas were discussed, including composting toilets. It was **AGREED** to approach Berry Pomeroy Parish Council about the issues of rubbish and human waste in Longmarsh to prevent a public health issue developing, to see if there is a common concern to take the issue jointly to South Hams District Council.

10. DATE OF NEXT MEETING

To note the date of the next meeting of the Town Matters Committee – Monday 16th November 2020 at 7.00pm.

Noted.

Sara Halliday, Committee and Cemetery Administrator

STANDING ORDERS

TOTNES TOWN COUNCIL

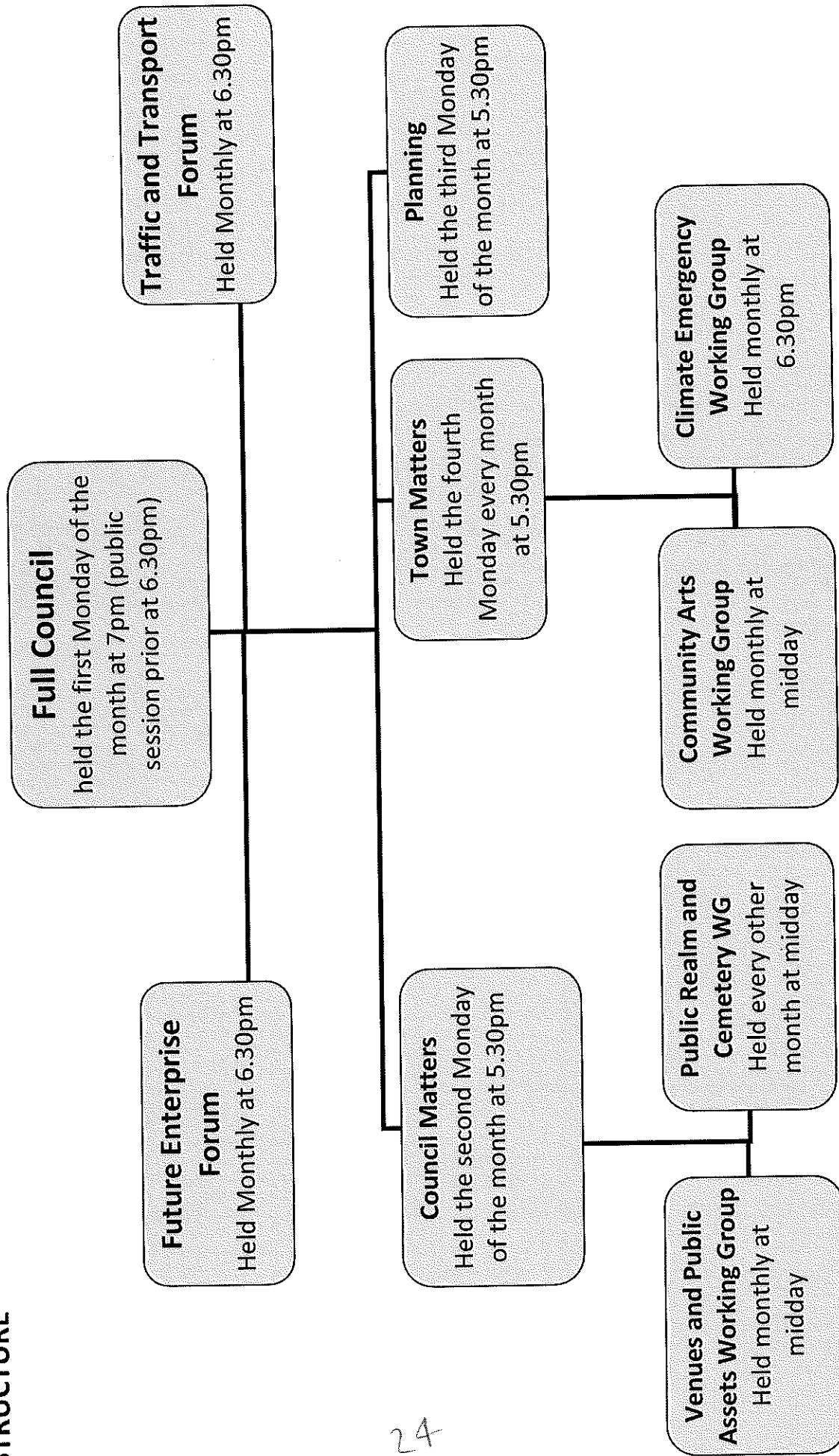
Last reviewed July 2019

Reviewed September 2020

AMENDMENTS

- Reviewed Committee/Working/Forum group structure including when meetings are held and how regularly
- Capping meeting time for Working Groups and Committees to 90 minutes
- Capping Full Council meetings to 2 hours
- Reduced minimum number of Councillors on meetings.
- Clarification on motions at meetings.

STRUCTURE



Contents

1. Meetings
2. Ordinary Council meetings
3. Extraordinary meetings of the Council
4. Committees, sub-committees and working parties
5. Motions
6. Rules of debate at meetings
7. Code of Conduct
8. Disorderly Conduct
9. Minutes
10. Voting on appointments
11. Previous resolutions
12. Handling confidential or sensitive information
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
20. Handling staff matters
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
28. Council Strategy Group
29. Nolan Principles

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.
- n) The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.
- 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.

s) Full Council meetings will not exceed 120 minutes in length unless there are exceptional circumstances, at which time Members vote by majority to extend the length of the meeting. Committee, Working Group and Foruym meetings should not exceed 90 minutes in length unless there are exceptional circumstances, at which time Members vote by majority to extend the length of the meeting.

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 appointment of the Deputy Chair of the Council shall be the first business completed at the annual meeting of the Council. The Mayor appoints a Deputy without the need for an election.

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 will include:

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, sub-committee or Working Group 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 and Standing Committees may appoint working groups without delegated powers comprising between a minimum of three Councillors and a maximum of nine Councillors with powers to co-opt non-Councillors on a nonvoting basis. The quorum of any working party must be at least three Councillors.
- g) Working groups do not have any delegated authority in terms of decision making or expenditure but instead are a way of discussing issues and projects informally and including members of the community.
- h) All non-Councillor members of a Working Group are allowed on a non-voting basis only and must agree to abide by the Town Council Code of Conduct.
- i) A Working Group must appoint a Chair and produce brief action notes to be fed back to the appropriate Council committee for further discussion and decision making.

5. Motions

- a) No motion may be moved at a meeting unless it falls under an item on the agenda. Best practice states that 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. Verbal motions will be allowed in exceptional circumstances at the discretion of the Chair.
- 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.
- j) If the Chair stands up during a meeting all discussion and debate shall cease.

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. All Councillors and Working Group members will adhere to the 7 Nolan Principles as outlined under section 29.

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. 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 A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 15(c) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).
- c) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.
- d) A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.
- e) 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 budget spreadsheet 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.
- 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 (Deputy Clerk in their absence).

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 or by recommendation of the Town Clerk in relation to national best practice, to be considered by Full Council.
- 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. The quorum of this committee will be a third of the agreed membership.

2. Membership

The Committee will consist of no fewer than 6 elected Town Councillors and a maximum of 8, 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 (and have delegated authority) 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.

The Committee will consider action and expenditure from the notes of the Venues and Public Assets AND Public Realm and Cemetery Working Groups.

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 month on a set date.

2. Membership

The Committee will consist of no fewer than 6 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, excluding 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.
- Climate Emergency.
- Community Arts.

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 two months 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 Planning 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 Planning Committee will be held every month to allow any urgent planning applications to be considered by Full Council.

2. Membership

The Committee will consist of no fewer than 6 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 Planning 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.
- 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 Planning Committee will meet every month to consider any significant issues in relation to its remit e.g. planning. The Planning Committee will consider all but only matters referred to it by the Full Council by letter evidence. The Planning 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 Planning 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 Planning 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 Planning Committee meeting.

The minutes of any subcommittee will be included into the Planning 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:

- | | |
|--|--|
| <ul style="list-style-type: none">• Business and Employment• Cultural Links• Elderly and Vulnerable People• Young People/Youth• Heritage• Arts• Traffic and Transport• Environment and Sustainability• Open Space, Sports Provision and Leisure• Disability | <ul style="list-style-type: none">• 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• Totnes Carnival• Totnes Fairtrade |
|--|--|
- Links on outside bodies
- Daisy and Rainbow Childcare
 - Totnes Traffic & Transport Forum
 - KEVICC Foundation Governors
 - Totnes Chamber of Commerce
 - Network of Wellbeing

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)

Advisory:

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

- The Traffic and Transport Forum
- Future Enterprise 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
 - 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, Deputy Chair of the Council, Chair of Town Matters, Chair of Council Matters and Chair of Planning.

The group will meet once a fortnight. 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.

29 Nolan Principles

All Councillors will adhere to the 7 principles of public life:

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

ITEM 7 – ROAD CLOSURE

FULL STATEMENT FROM DEVON COUNTY COUNCIL

I have been considering the following proposal put forward by Totnes Town Council to Devon County Council
Totnes Town Council RECOMMENDS to Devon County Council that the temporary closure of upper Fore Street (from the access only signage opposite the King William) and the High Street and the Narrows to traffic for 4 hours on Saturday mornings be continued whilst Government social distancing guidelines remain in place to enable social distancing, pedestrian safety and accessibility during the COVID pandemic.

There has been clarification received that this means a ban on vehicular access, with the exception of Bob the Bus, and the Royal Mail.

Having considered the objections and support comments that I have received regarding this proposal, I have decided that:

DCC will implement the temporary closure as requested, but ONLY for the following 4 weeks (19 and 26th September, and 3 and 10th October).

I believe these measures to be both proportionate and reasonable and have reached my decision taking into account the following.

The country is in both a health and economic crisis.

I have received communications from a significant number of disabled people or their carers/representatives, about the benefits to them of the closures in terms of being more easily able to socially distance when there is no traffic on the road. I have also received some objections from disabled people regarding the closure on the grounds that there is no vehicular access to premises and/or that Saturday is the only day of the week that a carer or helper is available to assist. I have therefore taken a view that although there are some objections this can be balanced by the fact that the closure is not for the full day on Saturday.

The Chamber of Commerce does not support this extension, as the majority of their Members have stated that they are finding the closures detrimental to their business I also have had correspondence from a number of businesses objecting to the closures, not just about the economic impact of the closures, but also the problems associated with having no vehicular access to their properties for deliveries. I have taken these objections into account in coming to the decision that the restriction is for only 4 hours a week, and have also not permitted an indefinite period of time.

I have seen a petition containing approximately 1200 signatures of which the majority support the request for a 6 day (Mon to Sat) 4 hour closure. I appreciate that is not what the Town Council has asked, however I need to acknowledge that there is strong support in the wider community for greater restrictions. However the request does not appear proportionate, when balanced with the economic crisis and the views of the Chamber of Commerce.

Although Devon rates have been comparatively low so far, and are below the England average, with 6.1 per 100,000 compared to the England rate of 20.1, we have seen a significant rise in the number of confirmed cases in September. This is an important point as the guidance from the Government clearly states that the legislation that under pins the closure can only be used where there is a likelihood of danger to the public. Hence why I have restricted the time period for 4 weeks.

With regards,

Meg

Meg Booth
Chief Officer Highways Infrastructure Development and Waste
Devon County Council

ITEM 9 - LICENSE APPLICATION APPEAL BY MORRISONS

From: [REDACTED]
Sent: 25 September 2020 15:41
Cc: [REDACTED]
Subject: Morrisons Appeal
Importance: High

Dear Sir/Madam,

The Council has received notice of an appeal to the Magistrates Court in relation to the decision of the Council's Licensing Sub Committee to refuse applications by Morrison's to vary their premises licences at both the supermarket and petrol station.

This email is being sent to all of those who made a representation to the Council objecting to the applications.

As yet no date has been fixed for the Appeals however the Council solicitor is attending a Hearing on Monday afternoon (28 September) to agree a timetable with the Appellants and the Court at which time they will try to fix a date for the appeals.

It is very difficult to give any indication as to when the Court will be able to fix a date but because the Appellants have indicated they think it may require a three day hearing our best guess is it is unlikely to be until the New Year.

If the appeal is to proceed it is effectively a re-hearing of the applications considered by the Council and you would have the opportunity to attend as a Council witness. Both the Appellants and the Council will be represented by a Barrister. If you are interested in attending as a witness I would be grateful if you could let me and [REDACTED] (who is copied into this email) know, in which case, please also advise us of any dates within the next six months that you would not be available. These are dates in your diaries which it is not possible to alter, eg holidays or hospital appointments (both of which we appreciate are uncertain given the present situation).

Please be assured that if you did indicate that you wish to attend it is not a binding decision but one that will assist the Court in determining how much time may be required in order to hear the appeals properly, in the event that they are not withdrawn. Similarly if you are sure you would not wish to participate as a witness then it would be helpful to have that confirmed.

I am sorry about the short notice but if you could reply by noon on Monday it would be appreciated.

We will of course let you know the outcome of the Hearing and respond to any questions. However, please note at this time we are only at the initial stages of the process and will only be able to share limited information.

Kind regards

[REDACTED]

| Specialist – Licensing
South Hams District Council | West Devon Borough Council