



AGENDA FOR THE MEETING OF COUNCIL MATTERS MONDAY 11TH APRIL 2022 AT 6.30PM IN THE GUILDHALL

You are hereby SUMMONED to attend the Council Matters Committee on Monday 11th April 2022 at 6.30pm in the Guildhall for the purpose of transacting the following business:

Committee Members: Councillors E Price (Chair), M Adams, J Hodgson, P Paine, B Piper, N Stopp, V Trow.

1. WELCOME AND APOLOGIES FOR ABSENCE

The Chair will read out the following statement:

Welcome to everyone attending and observing the meeting.

A reminder that open proceedings of this meeting will be video recorded. If members of the public make presentations, they will be deemed to have consented to being recorded. By entering the Council Chamber attendees are also consenting to being recorded.

This meeting is limited to 90 minutes and therefore members are asked to raise their points succinctly and not repeat the same view expressed by colleagues if it does not add to the debate.

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

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.

The Committee will convene to consider the following items:

2. CONFIRMATION OF MINUTES

To approve the minutes of 14th March 2022 and update on any matters arising. Document attached.

3. FINANCIAL RISK ASSESSMENT

To review the Financial Risk Assessment. Document attached.

4. YEAR END TIMELINE

To note the year end timeline for financial year 2021/22. Document attached.

5. EARMARKED RESERVES

To review the earmarked reserves. Document attached.

6. COUNCIL ASSETS AND PUBLIC REALM WORKING GROUP

To consider the actions from the Council Assets and Public Realm Working Group held on 16th March 2022. Document attached.

7. SECTION 137 FUNDING

To note the S137 value for 2022/23. Document attached.

8. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 16th May 2022 at 6.30pm in the Guildhall. No document.

*The Committee 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. (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)*

9. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

To consider the bank statements and reconciliations. Documents to follow.

10. STAFFING UPDATE (Standing Item)

For any general or urgent updates that required confidential sharing with Councillors. No documents.

11. STAFF ATTENDANCE

To note sickness and overtime balances. Verbal update.

Catherine Marlton

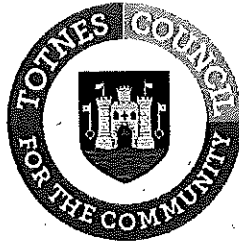
Town Clerk

6th April 2022

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.



DRAFT MINUTES OF THE MEETING OF COUNCIL MATTERS MONDAY 14TH MARCH 2022 AT 6.30PM IN THE GUILDHALL

Present: Councillors E Price (Chair), M Adams, J Hodgson (joined at 18.50), P Paine, B Piper, N Stopp and V Trow.

In Attendance: Cllr Cummings, C Marlton (Town Clerk) & C Bewley (Finance, HR and Lettings Manager).

1. APOLOGIES FOR ABSENCE

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

Cllr Price read out a statement about how the meeting would be conducted and recorded.

The apologies were accepted.

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 in attendance.

The Committee reconvened.

2. CONFIRMATION OF MINUTES

To approve the minutes of 14th February 2022 and update on any matters arising.

The minutes were approved as an accurate record of proceedings. There were no matters arising.

3. BUDGET MONITOR

To consider the Budget Monitor.

The Clerk explained that overspends are shown in red and underspends in green. It was **AGREED** by majority to accept the overspend on the Mayoral Allowance. It was unanimously **AGREED** to accept the budget monitor.

4. DEVON COUNTY COUNCIL PENSION SCHEME

To consider a request to Devon County Council to divest from fossil fuel investments which form part of the pension scheme for Council Officers.

To **RECOMMEND** to Full Council that the Town Council formerly requests that:

- a. Devon County Council's pension scheme investments in unsustainable and environmentally damaging businesses are urgently sold and investments switched to sustainable projects such as

renewable energy that will help society address and mitigate the Climate and Ecological Emergency; and

b. In addition to this request, the Devon Pension Fund Board is urged to carry out a poll of its members (pension fund holders) to seek their views on the investments made on their behalf.

5. MAYOR'S ENGAGEMENTS AND BUDGET

To consider the Mayor's engagements since December 2021 and the current budget.

Noted.

6. E-BIKE TRIAL

To consider running an e-bike trial with South Hams District Council and Co-bikes in 2022.

It was **AGREED** by majority that the Green Travel Co-ordinator allocates time to progress this trial and funding opportunities. Once the details of the trial are determined, any match funding implications will need to come back to Committee for consideration.

7. CYCLE TO WORK SCHEME

To consider introducing a cycle to work scheme for Council officers.

It was **AGREED** by majority to offer the scheme to Council officers.

8. PROTOCOL ON THE DEATH OF A SENIOR NATIONAL FIGURE

To review the protocol on the death of a senior national figure (updated to remove references to the late Duke of Edinburgh and that the proclamation will be made from the Brutus Stone).

The revisions to the protocol were **AGREED**.

9. SOUTH HAMS DISTRICT COUNCIL HOMELESSNESS STRATEGY CONSULTATION

To consider the South Hams District Council Homelessness Strategy consultation and agree a response (consultation closes on 23rd March).

The draft comments below were **AGREED** as the Council's response to the South Hams District Council consultation:

- Continue to work closely with partner agencies to enable early identification of housing issues. **Strongly Agree.** Comment: The work the homelessness team at SHDC does, is appreciated by the Council.
- Address issues of housing quality and suitability to ensure homes are fit for purpose. **Strongly Agree**
- Address issues of affordability with focussed financial advice. **Strongly Agree**
- Provide quality temporary housing to limit the impact of homelessness on health. **Strongly Agree**
- Identify and access support to address the underlying issues contributing to homelessness. **Strongly Agree**
- Work in partnership with support services and achieve high referral rates between organisations to identify and address issues impacting on home management. **Strongly Agree.** Comment: The Council notes that the number of rough sleepers according to SHDC figures has gone down and are very pleased to hear that - it would be good to hear more of an analysis as to why that might be and as to what has been successful.
- Provide focussed medium term support to rough sleepers to successfully sustain accommodation long term. **Strongly Agree.** Comment: The Council would like to see the reopening of the homelessness shelter on the industrial estate to include hot food and a place for people to socialise. We need to approach the housing crisis with as much flexibility, initiative and imagination as possible.

- Work with local private landlords to expand the number of homes rented through SeaMoor Lettings to local people at an affordable rent. **Strongly Agree**
- Expand housing management service offers to increase availability of different types of accommodation. **Strongly Agree**

10. FUTURE FORUM

To note an update on the Future Forum.

Noted. The Clerk commented that the suggestion that finding out the ownership of all listed building is a large and potentially expensive task which could soon be out of date.

11. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 11th April 2022 at 6.30pm.

Noted.

*The Committee 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. (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)*

12. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

To consider the bank statements and reconciliations.

These were reviewed and **AGREED** unanimously.

13. STAFFING UPDATE (Standing Item)

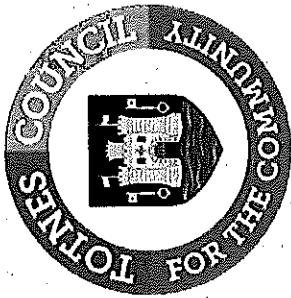
For any general or urgent updates that required confidential sharing with Councillors.

A verbal update was noted, no decisions were required.

14. LEGAL CLAIM

To note an update on a legal claim.

Noted, no decision needed.



TOTNES TOWN COUNCIL

FINANCIAL RISK ASSESSMENT

COMPLETED BY:	Catherine Marilton & Christina Bewley
DATE:	April 2022
REVIEW DUE:	April 2023

Area	Risk(s) Identified	Risk Level	Potential Impact	Management/Control of Risk	Action Required	Responsibility and due date	Completed
Assets Insurance	Inadequate cover or over insurance increasing costs unnecessarily.	Low	High	Insurance cover reviewed annually with brokers. Buildings reinstatement survey carried out July 2013 which removes under-insurance clause on buildings. Annual review of asset register.	Maintain existing procedures.	N/A	N/A
Security of buildings/property	Vandalism, theft, fire, flood, leaks, weather and accidental damage.	Medium	High	All buildings/properties and contents are insured. Insurance is reviewed annually. Buildings secured outside working hours. Burglar alarm systems for Guildhall. Fire alarm systems in all properties. Regular fire alarm checks carried out. Annual servicing of fire extinguishers	Maintain existing procedures.	N/A	N/A
Maintenance of assets.	Inadequate maintenance of buildings etc.	Low	Low	Buildings conditions survey carried out in January 2018 and all appropriate recommendations have been actioned. A project to renovate the older annexe of the Civic Hall has been approved and will begin in 2022.	Continue to monitor the conditions of the buildings and consider the need for a new conditions survey in 2023	Clerk & TMO	Ongoing.

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

Security of Funds at Bank	Failure of bank	Low	High	The Council's Bankers should have the minimum credit rating specified in the Financial Regulations and should be covered by the FSCS Compensation Scheme.	Banking arrangements have been reviewed and alternative investment options will be pursued once the Civic Hall annexe renovation project has been completed.	Clerk & Finance Manager. When CH annexe renovation completed.	
Investments	No Council investment policy exists	Low	Medium	The Council approved an Investment policy in October 2015.	The policy should be reviewed and updated where necessary.	Finance Manager. By end of April 2022.	
Banking	Bank errors and/or inadequate checks leading to financial irregularities.	Low	High	Bank reconciliation completed each month by the Finance Manager and are reviewed by the Clerk. They are submitted to the Council Matters Committee meetings and are signed as reviewed by the Committee Chair quarterly. Primary User (Clerk) and Secondary User (Finance Manager) set up on internet banking with appropriate authorities. Suitable controls established for the Debit card use.	Maintain existing procedures.	N/A	N/A

Financial controls and records	<p>Inadequate records leading to financial irregularities. Loss through theft or dishonesty. Payments for good not received. Unauthorised payments. Income due to the Council not collected or banked.</p>	Low	Medium	<p>Annual Internal Audit of controls carried out by Independent firm.</p> <p>Clerk appointed as the Proper Financial Officer. Financial Regulations adhered to and reviewed annually. Annual Internal Audit of controls carried out by Independent firm. Bank reconciliation completed each month by the Finance Manager and are reviewed by the Clerk. They are submitted to the Council Matters Committee meetings and are signed as reviewed by the Committee Chair quarterly. Budget monitor report reviewed by Clerk monthly and by the Council Matters Committee at each meeting. Invoices raised monthly and receipts issued for all cash income. Cash donations/collections counted by two staff. Petty cash float counted monthly by two staff.</p>	Maintain existing procedures.	N/A	N/A
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Computer records	Loss of data through system failure or theft.	Low	High	Finance and Payroll packages backed-up to server on completion of each input session. Sever backed-up daily to icloud. Anti-virus software installed on server. Contractor used for all hardware and software issues.	Establish written terms of service with IT support contractor.	Clerk & Finance Manager. By end of Aug 2022.	
Quotes and Tenders	Best value not achieved. Breach of the Public Contracts Regulations.	Low	Low	Financial regulations detail procedures to be followed. Annual Internal Audit of controls carried out by Independent firm.	Maintain existing procedures.	N/A	N/A
Salaries	Incorrect payments to staff. Incorrect deductions made. Non-compliance with Pension Regulations. Payments not made to HMRC.	Low	Medium	SAGE payroll calculates wages and deductions monthly. Full payment submission to HMRC made monthly via SAGE. BACS payments of wages processed by Secondary User and checked and authorised by Primary User. Annual Internal Audit of controls carried out by Independent firm. Pensions Auto-enrolment rules adhered to.	Maintain existing procedures.	N/A	N/A
Election Costs	Inability to meet costs	Low	Low	Provision made in budget annually. Sufficient reserves	Maintain existing procedures.	N/A	N/A

VAT	Errors in calculation. Payments not made/claimed to/from HMRC. Wrong treatment of VAT resulting in a fine or liability.	Medium	Medium	held to cover any costs in excess of the budget allocation.	Compliance with HMRC regulations. Professional advice sought where correct VAT treatment is not known. Input VAT only claimed where proper VAT invoices are held. Clerk and Finance Manager have attended training. Quarterly returns made. RBS Software used to compile returns. Returns reviewed by Internal Audit.	Maintain existing procedures.	N/A	N/A
Annual Return	Not submitted on time. Incorrectly completed.	Low	Medium		Clerk/RFO aware of date. Clerk and Finance Manager have attended training. Accounts prepared by RBS Software Accounts. Annual Return must be signed off by the Internal Auditor.	Maintain existing procedures.	N/A	N/A
Liability Health and Safety of Staff, Visitors and Contractors	Liability incurred if Council found to be at fault.	Medium	Medium		Public Liability insurance in place (limit of indemnity £10m). Insurance cover reviewed annually with brokers. Health & Safety Policy and Lone Working Policy in place.	Maintain existing procedures.	N/A	N/A

Compliance with Employment Law	Acts outside the Employment Law could lead to financial liability.	Medium	Medium	<p>Risk assessment programme in place and risk assessments are completed for all events put on by the Council.</p> <p>All new staff and Councillors are issued with an Induction booklet and relevant policies. H&S and risk assessment requirements included in facilities bookings terms and condition which are on the Council's website.</p> <p>Fire instructions for Civic Hall users are on the Council's website.</p> <p>PAT testing carried out annually.</p> <p>Asbestos register in place.</p>	Maintain existing procedures.	N/A	N/A
Ensuring the Council acts within its legal powers.	Ultra Vires Acts incurring financial liability.	Medium	Low	<p>Employer Liability insurance in place (limit of indemnity £10m). Insurance cover reviewed annually with brokers.</p> <p>Contract held with South West Councils to provide HR support and advice.</p> <p>Clerk to verify legal position for any new proposal.</p> <p>Use of advice from NALC/DALC/SLCC.</p> <p>Members Code of Conduct in place and reviewed regularly.</p>	Legal advice to be sought where required.	Clerk Ongoing.	N/A

Administration	Incomplete register of interests. Failure to declare interests.	Medium	Low	Regular reminder to members. Standing agenda item for all meetings. Induction programmes in place for new Councillors.	Maintain existing procedures.	N/A	N/A
Councillor/staff propriety	Breach of confidentiality.	Medium	Medium	Code of Conduct in place. Data Protection Policy and Privacy Policy in place which all staff and councillors have been made aware of. Regular reminders issued to Councillors/staff. Included in new Councillors' Induction.	Maintain existing procedures.	N/A	N/A
Reports and records	Improper and untimely reporting of meetings via the minutes.	Medium	Medium	Full Council meetings monthly to receive and approve minutes of Committee meetings held in the interim. Minutes to be made available to press and public via the Council website within 5 working days of a meeting.	Maintain existing procedures.	N/A	N/A
Business continuity	Risk that Council business cannot operate due to fire, flood, extreme	Low	High	IT systems backed-up to i-cloud. IT support provided by contractor who would be able to reinstate systems. Insurance cover in place and reviewed annually.	Establish a Business Continuity Plan.	Clerk & Finance Manager. By end of Aug 2022.	

	weather event, power outage, act of terrorism, or any other significant event.			Internal staff cover arrangements identified. Written procedure documents established for financial processes and cemetery procedures.		
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ITEM 4 – YEAR END TIMELINE

3rd May 2022 – RBS year-end closedown of accounts.

26th May 2022 – Internal Audit:

End of May/early June – Internal Audit report received.

6th June 2022 FC meeting – Internal Audit report submitted, AGAR & Accounts approved.

Documents signed at meeting by Chair.

8th June 2022 – publish notice of the period for exercise of public rights.

8th June 2022 – submit signed AGAR and supporting paperwork to External Auditors

13th June 2022 – 22nd July 2022 – Period for exercise of public rights

By the 30th September 2022 (statutory deadline) – publish the final audited accounts and confirmation of conclusion of audit

Earmarked Reserves

<u>Account</u>	<u>Opening Balance</u>	<u>Net Transfers</u>	<u>Closing Balance</u>
315 CAPITAL FUND	0.00		0.00
320 ADMINISTRATION	0.00		0.00
321 BUILDINGS MAINTENANCE	0.00		0.00
322 HIGHWAYS	0.00		0.00
323 CASTLE MEADOW	0.00		0.00
324 BUS SHELTERS	0.00		0.00
325 CEMETERY	0.00		0.00
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>



**COUNCIL ASSETS & PUBLIC REALM WORKING GROUP NOTES
WEDNESDAY 16TH MARCH 2022 AT 12PM**

Present: Cllrs M Adams, B Piper, E Price, plus non-WG Cllrs Allen and Oliver; District Cllr Birch, Totnes Trust (x2) and Totnes Garden Trail Group (x1).
TTC Officers: Clerk, Finance HR and Lettings Manager, Communications and Marketing Manager, Governance and Projects Manager, Town Maintenance Officer (TMO), and Reception Administrator (notes).

1. To elect a Chair for the Working Group

Cllr Adams was elected as Chair of the Working Group.

2. Leechwell Gardens:

a. To consider signage and communications for Leechwell Gardens.

A request was made for Leechwell gardens to be included on wayfinding signage as people find the garden difficult to locate.

b. To consider positioning CCTV on Lamb and Leechwell Gardens.

The TMO updated on CCTV options for the town, the Leechwell Garden and the Lamb being the most difficult and expensive areas to cover. Work going to find cost-effective solutions.

3. To consider a proposal from the Totnes Trust regarding improvements of signage leading into Totnes.

Totnes Trust suggested that pictorial signs at the entrance points into the town (five roads) could enhance first impressions, and could make a contribution towards such a project but couldn't fund them all. It was suggested that any signage needs to be in the same style as the recently approved wayfinding project. It was **AGREED** that this idea would be considered as part of a future phase of the wayfinding project, subject to funding being identified in future years.

Community group representatives left the meeting.

4. To consider the St. Mary's Churchyard Project.

District Cllr Birch presented the proposed landscaping scheme for St Mary's Churchyard and is looking for the Council's support to take this forward to the Parochial Church Council and Diocese before a public consultation. No funding is requested at this stage.

To **RECOMMEND** to the Council Matters Committee that the Council supports the progression of the scheme subject to amendments to improve drainage and ensure the structural safety of the wall by ensuring no new trees are planted near it.

5. **To note the minutes of the last Venues and Assets Working Group and Public Realm and Cemetery Working Group.**

Noted.

6. **To consider issues with the bollard on the ramp to the Civic Hall.**

The Cllrs noted that some local companies are unhappy with the decision to put a bollard on the ramp to the Civic Hall however, the decision was well researched, emergency services had been informed of the placement of the bollard and it is a necessary requirement due to the need to ensure access to enter and evacuate the Civic Hall at all times.

7. CIVIC HALL

- a. **To consider the day and month for the Civic Hall markets to resume.**

To **RECOMMEND** to the Council Matters Committee that no Council-run markets in the Civic Hall are held in 2022 and that the Council looks to resume them in Spring 2023 (day to be decided).

- b. **To consider match funding the grant for a new lift, projector and screen for the Civic Hall.**

South Hams District Council have confirmed that they will fully fund the cost of the projector and screen.

- c. **To note Neil, Caretaker and Maintenance Assistant, is currently decorating the Civic Hall to improve appearance.**

Noted: It was **AGREED** that a solution to tidying up the back curtain is needed as it presents a trip hazard.

8. **To note the budget 2022/23 for certain areas within the CA&PR remit.**

The Clerk set out that a number of projects have been delayed this financial year so there will be an underspend, which is likely to see an overspend in FY 2022/23.

To **RECOMMEND** to the Council Matters Committee that:

- a. there is an anticipated overspend of £75k in financial year 2022/23; and
- b. the £40K allocated for ramp improvements into the Civic Hall are moved from the 'public realm' to the 'building improvements' budget line.

9. **Wayfinding update.**

The tender has been launched and enquiries have been received. Full Council will consider the tender applications on 4th April 2022.

10. **To consider a commemorative bench on Coronation Road.**

Totnes Gardens has requested permission from the Council to install a bench made from recycled materials on Coronation Road (opposite Totnes Hospital) in commemoration of the Platinum Jubilee. All costs will be met by Totnes Gardens.

To **RECOMMEND** to the Town Matters Committee to Full Council that the request is supported and welcome an additional bench in this area.

11. To consider the request for adding more greenery to South Street and other public spaces.

The wall is a listed building/monument. It was **AGREED** that the Council would reply to the resident suggesting that local residents may wish to set up a scheme to brighten their road and that funding could be available through the Community Grant Scheme.

12. To discuss the day of the week this meeting should take place to ensure regular attendance.

It was **AGREED** to move the meeting to a Tuesday to aid attendance.

13. CEMETERY

a. To consider moving the kerbstones in the cemetery away from the road to avoid damage to vehicles.

To **RECOMMEND** to the Council Matters Committee that the kerb sets are moved away from the road and are utilised in the new scattering of ashes area.

b. To consider building a sleeper wall for scattering of ashes in the designated area of the cemetery.

To **RECOMMEND** to the Council Matters Committee that an area under the oak trees near the current Garden of Rest becomes an area for scattering of ashes (as the ground cannot be used for any other form of interment). This would be surrounded on three sides by a low sleeper wall to which memorial plaques can be attached and fronted by the relocated granite kerb sets. The costs are estimated to be in the region of £600.

14. Date of the next meeting: Wednesday 18th May 2022, 12pm.

It was noted that following item 12, the date of the next meeting would be Tuesday 17th May at 12pm.

ITEM 6 – COUNCIL ASSETS AND PUBLIC REALM WORKING GROUP

Recommendations for consideration:

Community group representatives left the meeting.

4. To consider the St. Mary's Churchyard Project.

To **RECOMMEND** to the Council Matters Committee that the Council supports the progression of the scheme subject to amendments to improve drainage and ensure the structural safety of the wall by ensuring no new trees are planted near it.

7. CIVIC HALL

a. To consider the day and month for the Civic Hall markets to resume.

To **RECOMMEND** to the Council Matters Committee that no Council-run markets in the Civic Hall are held in 2022 and that the Council looks to resume them in Spring 2023 (day to be decided).

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ITEM 7 – SECTION 137 FUNDING

The Section 137 figure is £8.82 for England and Wales for the financial year 2022. With 6428 electors, this means that the S137 fund available for Totnes is £56,694.96.

