



AGENDA FOR THE MEETING OF TOTNES TOWN COUNCIL

MONDAY 4TH JULY 2022 IN THE GUILDHALL

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

There are stairs to the Council Chamber but if any member of the public has mobility issues the Council can relocate to the lower Guildhall.

You are hereby **SUMMONED** to attend the Annual General Meeting of the Council, on **Monday 4th July 2022** at **7.00pm** for a maximum of 120 minutes the purpose of transacting the following business:

1. WELCOME TO ALL ATTENDING AND OBSERVING

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 120 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.

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 document.
- b. District Cllr Birch – document attached.
- c. District Cllr Rose – no document.
- d. District Cllr Sweett – no document.

The Council will convene to consider the following items:

3. CONFIRMATION OF MINUTES

To approve and sign the minutes of the following Meeting:

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

- a. Full Council 6th June 2022 – document attached.

To note the following minutes:

- b. Council Matters 13th June 2022 – document attached.
- c. Planning Committee 20th June 2022 – document attached.

4. CONSIDERATION OF ANY MATTERS ARISING REQUIRING A DECISION

To consider any matters arising from the Minutes and to approve any recommendations from Committees (document enclosed):

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

- a. Full Council 4th June 2022.
- b. Council Matters 13th June 2022.
- c. Planning Committee 20th June 2022.

5. TO APPOINT A RECESS COMMITTEE

To consider appointing the Mayor, Deputy and Chairs of Committee as the Recess Committee for August 2022. This group will have delegated authority to make decisions on behalf of the Town Council in the case of an emergency decision being required. This committee will only be convened by the Clerk if necessary. No document.

6. ARTS AND EVENTS GRANT

To consider an application from the Elizabethan Society for a grant to cover the road closure costs for the Orange Races in August. Document attached.

7. PLANNING APPLICATIONS

To:

- a. Review the Planning Committee's standing objection to application 1078/22/FUL (Development of a bat house - Land at the former Dairy Crest Site, Totnes) based on information subsequently received. Document attached.
- b. Consider granting the Clerk delegated authority to respond to non-contentious planning applications in August 2022. No document.

8. COMMITTEE MEMBERSHIP

To consider Cllr Allen's resignation from the Council Matters Committee and any new members to this Committee. No document.

9. LIST OF MEETING DATES

To note a list of upcoming meeting dates. Document attached.

10. NEXT MEETING

To note the next meeting date of Monday 5th September 2022, 6.30pm public session, 7.00pm formal meeting in the Guildhall.

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.

11. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing Item)

To consider any recommendations or matters arising that are considered confidential in nature. No document.

12. CHRISTMAS FESTIVAL CONTRACT TENDER

To consider the applications received to tender for running the three Christmas Festival nights in December 2022 (commercially sensitive). Document to follow.

13. STAFFING REVIEW

To consider:

- a) the Terms and Conditions of the Green Travel Co-ordinator, Community Co-ordinator and TMO positions (personnel). Document to follow.
- b) A review of the overall staffing structure and pay scales. Document to follow.
- c) A change to the allocation of hours for opening and closing of the Civic Hall and Council buildings. Document to follow.

Agenda produced by:

Catherine Marlton

Town Clerk

29th June 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.

John Birch
SHDC Member for Totnes

Report to the Totnes Town Council
meeting to be held on Monday 4 July 2022.

I report on the following matters.

EV Charging Points

I report on the arrangements for the proposed EV charging point installation in the Heaths Nursery, Victoria Street and Pavilions car parks in Totnes .

Work is now commencing with Scottish Power in terms of the civil works associated with installing the EV charging units. The first part of the process is that the unit is installed within the parking bay and then covered over to mark as not in use. SHDC then wait for Western Power Distribution to do the DNO works to bring the power into the charging units. There is currently a significant wait for Western Power to carry out these works and there are some associated wayleaves that have to be agreed prior to works taking place. Scottish Power is chasing WPD on a weekly basis and SHDC is updated weekly on work dates. Scottish Power then returns to commission the machines, the bays are painted and marked up as EV bays and then a go live date is set.

Members will begin to see some bays being coned off in preparation for the first part of the civil works in the car parks.

KEVICCs and Dart Valley Learning Trust

I sent an email to Alan Salt, the head of KEVICCs, following the public meeting held on Friday 17 June to address the issue of the proposed sale of the 14 acres of land at KEVICCs by Dart Valley Learning Trust, the owners of the property.

I have yet to receive a response. The email reads as follows.

It was good to share a platform with you last Friday and I am sure your attendance was appreciated by the many who attended. Towards the end of the meeting Dart Valley Learning Trust's involvement in the sale of the property was mentioned and you sought to clarify its role. I still not sure as to how it is proposed this company will proceed in respect of the decision-making process in respect of the sale of the land.

The Trust's objects set out in Part 3 of its Articles of Association states: '... to advance the education of the pupils at the Schools ... (and) ... other members of the community, and **otherwise to benefit the community** ...' (my emphasis). The words 'otherwise benefit the community' will justify a land transaction that has real community benefit such as a sale of the Lower Field to the Totnes Town Council and not just a sale to the highest bidder.

You mentioned at the meeting that the decision relating to the sale will be made by the eight trustees of DVL T. This gives rise to the following queries.

1. There are only four named on the Company House entries. Part 14 of Articles requires two trustees to be appointed by the Forum, one from Transition Town and one from the Co-operative Movement and yet these four do not appear in place. Do you agree such appointments will need to be made prior to any decision regarding a sale.
2. Part 16 of the Articles requires the trustees to have regards to the views of the Forum in exercising its powers. Will the trustees be seeking the views of the Forum in respect of the sale of the land?
3. In any event the Articles do not provide the trustees with the exclusive power to sell the land. This is a decision to be made by the membership of the Trust at a general meeting. Will there be such a meeting?

By reference to the school's website, it appears that DVL T may not have been administered and/or operated in accordance with its Articles of Association and this gives rise to concerns.

DVL T is a private company that was incorporated in July 2011. Its accounts filed at Company House for 2021 states its assets total £10,194 and yet the Land Registry states that the value of the property held by the company is over £1 million. I was not convinced by the explanation you provided for this discrepancy at the meeting.

The Articles of Association require it to have as its members a cross section of the community such as pupils, parents, staff and community members and organisations. Is this happening? There should be a register of members. Is there a register and is it available for inspection?

DVL T should hold annual general meetings after giving notice to members. Does it? When was its last meeting?

It should hold a forum of its members at least three times a year for the purpose of holding the trustees to account and making recommendations. Does it meet?

Why are there only two sets of minutes for the DVL T on the KEVICC website bearing in mind the Trust has been established for 11 years?

I will be happy to meet with you to discuss the above and hopefully you will be able to assure me that DVLT will follow the correct procedures in dealing with the sale of the land and in particular the offer made by the Town Council.

SHDC Waste collection – 100,000 Misses

During week commencing 20 June 2022 FCC, the Council's waste collection contractor, scored a thousand centuries of misses. Since Easter, just over 9 weeks away, it missed over 100,000 brown bin collections throughout South Hams.

Further it continues to fail to collect food waste in separate containers from 22,500 homes and 8,000 homes remain on the old blue/clear sack system with no glass and plastics collection.

There is no sign of any improvement by FCC and yet the Council's administration is failing to take any effective action to remedy this unacceptable situation.

It recently reported it had sent a letter to FCC but that appears to be about all it has done. Most SHDC councillors are being kept in the dark and that being the case it is to be assumed the Conservative administration has nothing of note to report.

FCC is not up to providing a waste collection service residents expect and deserve. I along with other opposition councillors are calling for the service to be brought back in-house.

The Conservatives' waste privatisation scheme is in ruins and it's time they admit they made a mistake and set about sorting the problem out.

Wildanet

I have received an email from a company known as Wildanet who state that it intends to start construction of a fibre optic internet network for Totnes. I presume this is in addition to the installation works carried out by Airband.

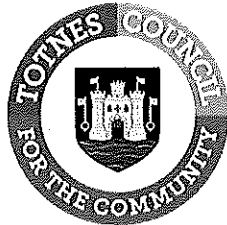
Wildanet appears to have a business connection with Devon County Council as it reports that the authority wishes it to consult and engage with all local stakeholders and residents prior to construction starting. Wildanet states it is holding a series of events in Totnes in July. There will be a late afternoon/early evening event on the 14th July in the Civic Hall, and a breakfast event on the 15th July at the same venue. Presumably these events are for the purposes of consulting with the public.

Wildanet states that it is its intention to use existing infrastructure to build the network and it will not be installing any new poles or similar. If the use of poles is required Wildanet has a pole sharing agreement with Openreach. It states it

wants to work with stakeholders and residents to keep disruption to an absolute minimum, as it would like the people who live and work in the area to be its future customers.

I am in the process of seeking further information and will report back.

Cllr John P Birch
SHDC Member for Totnes
28 June 2020.



ITEMS 3A + 4A

DRAFT MINUTES FOR THE MEETING OF TOTNES TOWN COUNCIL

MONDAY 6TH JUNE 2022 IN THE GUILDHALL

Present: Councillors E Price (Chair), M Adams, G Allen, T Bennett, S Collinson, J Cummings, J Hannam, J Hodgson, P Paine, B Piper, V Trow and L Webberley.

Apologies: Cllrs Hendriksen, Oliver and Skinner, and District Cllrs Birch, Rose and Sweett.

Not present: Cllr Stopp.

In Attendance: Members of the press and public, C Marlton (Town Clerk) and S Halliday (Governance and Projects Manager).

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 apologies were received and accepted.

3. CHAIRS OF COMMITTEES

To ratify the election of Chairs to Committees and note deputies.

The following elections were **RESOLVED** unanimously:

Council Matters Committee – Chair: Cllr Piper, Deputy: to be confirmed.

Planning Committee – Chair: Cllr Allen, Deputy: Cllr Paine.

Town Matters Committee – election postponed until July.

The Committee will adjourn for the following items:

Reports from County and District Councillors.

- a. County Cllr Hodgson
- b. District Cllr Birch
- c. District Cllr Rose
- d. District Cllr Sweett

*It was **RESOLVED** to suspend standing orders.*

- a. County Cllr (C Cllr) Hodgson updated on: the Devon County Council (DCC) annual meeting; a request to DCC Education Services to support the Town Council's bid to purchase the KEVICC lower field site; the effect of COVID restrictions on the mental health of young people; distance problems between Gold buses passing on Higher Westonfields which should result in a review of the timetable; and the use of flooding data.
- b. District Cllr Birch was not present and no report had been received.
- c. District Cllr Rose was not present and no report had been received.
- d. District Cllr Sweett was not present and no report had been received.

The Council reconvened.

4. CONFIRMATION OF MINUTES

To approve and sign the minutes of the following Meeting:

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

- a. Full Council 9th May 2022.

It was **RESOLVED** to approve and sign the Minutes.

To note the following minutes:

- b. Council Matters 16th May 2022.

Noted.

- c. Planning Committee 23rd May 2022.

Noted.

- d. Town Matters Committee 30th May 2022.

Noted.

5. 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 9th May 2022.

No matters arising.

- b. Council Matters 16th May 2022.

No matters arising.

- c. Planning Committee 23rd May 2022.

6 - Traffic Calming Survey. It was **RESOLVED** that:

- a. An independently facilitated stakeholder meeting is held to create a prioritised list of options (as has been requested by Devon County Council);
- b. More affordable and less drastic options are considered first (for example, improved signage, clearer road markings, better enforcement of access only and improving travel infrastructure); and
- c. Impacts on accessibility need to be fully considered before taking any action.

7 - Restrictions of vehicle access on Kingsbridge Hill. Cllr Collinson declared a personal interest. It was **RESOLVED** that the Council supports the proposal from the Kingsbridge Hill Residents' Association that Kingsbridge Hill be made into a 'No Through Road' by the inclusion of a 'No Entry' sign southbound above "Windrush" (the final dwelling on the top of the hill) and that County Cllr Hodgson takes this proposal to the HATOC committee.

11 - Totnes Neighbourhood Plan. To be consider under item 15 in Part 2.

d. Town Matters Committee 30th May 2022.

4 - Buskers Code of Practice. It was **RESOLVED** unanimously that:

a. Part 1 of the 'Buskers' Code of Practice' is amended as follows (new text underlined): 'Music or voice shall not be at a level or be so loud, that it can be heard at a distance of 50 metres. No Considerate amplification - mains or generator powered - is permitted but we ask that you are considerate of residents and local businesses. Busking must not be intrusive or a nuisance in nearby premises (commercial or residential), or affect the use of the public telephones. If asked by a shop trader to stop busking in front of their premises, entertainers should do so.'

b. The Council writes to South Hams District Council to request that signage is put up in the Shady Garden that says 'no amplification from Sunday-Thursday' and to ask when the next Public Space Protection Order review is due.

c. The Council produces cards detailing the Buskers' Code that can be handed out and displays the information clearly on the website.

6 - A-Boards in Fore Street and High Street. It was noted that Cllr Paine had an innovative idea to address the signage problem on pavements. It was **RESOLVED** unanimously that the Council requests a meeting with Devon County Council (DCC) and that a DCC officer visits and meets with Cllrs Adams and Price and Inclusive Totnes to address the problem areas.

7 - Brown Bin Collection. It was **RESOLVED** unanimously that the Council writes to South Hams District Council to express its and residents' frustrations with the new refuse collection system, particularly brown garden waste bins.

8 - Rural Services Network. It was **RESOLVED** that the Council renews its membership for the coming year.

6. ST MARY'S CHURCHYARD PROJECT

To confirm the Council's support in principle for the St Mary's Churchyard project.

It was **RESOLVED** that the Council supports in principle the St Mary's churchyard project.

7. CHANGES TO BANK MANDATE

To consider changes to the bank mandate - removal for former Cllr David Matthews and the addition of Cllr Tim Bennett.

It was **RESOLVED** to change the bank mandate to remove former Cllr Matthews and to add Cllr Bennett.

8. INTERNAL AUDIT REPORT

To receive the Internal Audit Report for 2021/22, consider the findings and action plan.

It was **RESOLVED** unanimously to approve the Internal Audit Report for 2021/22.

9. ANNUAL GOVERNANCE STATEMENT

To:

- a. Approve the Annual Governance Statement for 2021/22 by resolution (document to follow); and
- b. Chair to sign the Governance Statement.

It was **RESOLVED** unanimously to approve the Annual Governance Statement for 2021/22, which was then duly signed by the Chair.

10. ACCOUNTING STATEMENT

To:

- a. Consider the Accounting Statement for 2021/22 (document to follow);
- b. Approve the Accounting Statement for 2021/22 by resolution; and
- c. Chair to sign the Accounting Statement for 2021/22.

It was **RESOLVED** unanimously to approve the Accounting Statement for 2021/22, which was then duly signed by the Chair.

11. E-BIKE TRIAL FUNDING

To consider allocating £2500 from the Climate Change budget towards an E-bike trial to assist in grant funding applications for the scheme.

It was **RESOLVED** unanimously to allocate £2500 from the Climate Change budget in pursuing grant funding for the trial scheme.

12. LIST OF MEETING DATES

To note a list of upcoming meeting dates.

Noted.

13. NEXT MEETING

To note the next meeting date of Monday 4th July 2022, 6.30pm public session, 7.00pm formal meeting in the Guildhall.

Noted. It was **RESOLVED** to return to holding Full Council in the Council Chamber, with information being put onto the website to say that the meeting can be relocated downstairs if people have mobility issues.

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.

14. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing Item)

To consider any recommendations or matters arising that are considered confidential in nature.

No matters arising.

15. NEIGHBOURHOOD PLAN

To consider the recommendation from the Planning Committee further to the legal advice received in relation to the Totnes Neighbourhood Plan (legal).

The officer: gave an update of a conversation with the examiner which had taken place after the Planning Committee recommendation; clarified that Policy C12 'Former Dairy Crest Site' makes no mention of a community right to build on the site; and highlighted the key points from the legal

advice received in relation to comments on Policy C12 and the potential risks of proceeding the with examination with the inclusion of Policy C12.

It was **RESOLVED** that the Council proceeds with the Neighbourhood Plan examination and retains policy C12 Former Dairy Crest Site in the draft plan.

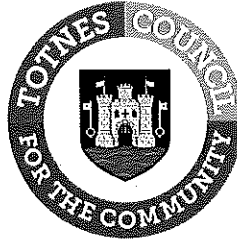
16. ELMHIRST PROJECT

To consider an update on the Elmhirst project and the delegation of costs associated with the bid process (commercially sensitive).

Councillors noted the balances spent to date on the legal advice, scoping and project management. The Clerk's delegated authority to spend on this professional support was increased from £55k to £60k.

Cllr Emily Price
Mayor

DRAFT



DRAFT MINUTES OF THE MEETING OF COUNCIL MATTERS MONDAY 13TH JUNE 2022 AT 6.30PM IN THE GUILDHALL

Present: Councillors B Piper (Chair), M Adams (joined at 6.36pm), J Hodgson (joined at 6.35pm), P Paine, and E Price.

Apologies: Councillor G Allen.

In Attendance: Two members of the public, 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 Piper read out a statement about how the meeting would be conducted and recorded.

The apologies were accepted. Cllr Allen's resignation from the Committee will go to Full Council in July.

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.

A member of the public raised: the need for a bus stop in Bridge Road, Follaton as accessibility ramps cannot unload passengers if the pavement area is blocked; a pedestrian crossing required near Follaton Gate to link the pavements on either side of the road and to help slow traffic; needing clarity from TRESOC on how many solar panels will produce the 250kwatt required for the 'Energy Local Totnes' scheme based on average PV panel output.

The Committee reconvened.

2. CONFIRMATION OF MINUTES

To approve the minutes of 16th May 2022 and update on any matters arising.

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

3. ELECTION OF DEPUTY CHAIR

To elect a deputy chair for the Council Matters Committee.

Cllr M Adams was elected as deputy chair.

4. BUDGET MONITOR

To consider the Budget Monitor.

The Clerk updated that there has been a significant increase in the insurance premium this year which is widespread across town councils and is exacerbated by the number of insurers no longer offering cover to parish and town councils. It was **AGREED** to accept the document. To **RECOMMEND** to Full Council that a 3-year fixed price contract for insurance is considered if following further officer investigation it is possible to do so on the current insurance policy.

5. MAYOR'S ENGAGEMENTS AND BUDGET

To consider the Mayor's engagements since March 2022 and the current budget.

It was **AGREED** to accept the Mayor's engagements and the budget.

6. VEXATIOUS BEHAVIOUR POLICY

To review the Vexatious Behaviour Policy.

It was **AGREED** to accept the revised Vexatious Behaviour Policy subject to amendments to be checked with DALC to see if wording can be extended to include reference to Councillors (in their Councillor role) as well as officers, and also for those who disrupt meetings.

7. COUNCIL ASSETS AND PUBLIC REALM WORKING GROUP

To consider the actions from the Council Assets and Public Realm Working Group held on 17th May 2022.

The following actions were considered:

Item 5. To consider the grass cutting and maintenance of Castle Meadow inc. the issue of dog littering.

It was **AGREED** to cut back grass once a year, with general maintenance like strimming of paths carried out by TMO, get costs for 3 picnic benches and the 'No Dogs' signs to remain as part of Phase One.

Item 6. To consider applying to the Community Payback scheme for weed clearance along St Mary's wall. It was **AGREED** that the Council applies for the project to be considered by the Community Payback scheme as detailed.

It was **AGREED** to contact the structural survey engineers to ask about drainage issues in the churchyard in extreme weather and the potential effects on the wall, and any advice for the removal of vegetation from the wall.

It was **AGREED** to include an item on the next Working Group agenda for ideas for the A381 roundabout.

8. TOWN MAINTENANCE OFFICER RECRUITMENT

To consider the recruitment timeline for the Town Maintenance Officer.

The recruitment timeline for the Town Maintenance Officer was **AGREED**.

9. COMMUNITY GRANTS

To note an update from the Community Fundraiser.

Noted.

10. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 11th July 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)*

11. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

To consider the bank statements and reconciliations.

These were reviewed and **AGREED** unanimously.

12. STAFFING REVIEW

To consider the Terms and Conditions of the Green Travel Co-ordinator and Community Co-ordinator positions (personnel).

It was **RECOMMENDED** to Full Council that consideration is given to a report from the Town Clerk including the following staffing amendments:

- Increase the Green Travel Co-ordinator's hours from 15 to 24 hours a week and change it from fixed term to permanent;
- Trial a Community and Sustainability Manager role (change from Community Co-ordinator) for 30 hours a week on a probationary basis; and
- Commission South-West Councils to review the Council's officer staffing and pay structure.

13. TOTNES MUSEUM

To consider a verbal update on the museum lease and vote on any action required (legal).

It was **AGREED** to instruct the solicitor to draft a lease with minor amendments regarding security and fire alarm monitoring.

14. CIVIC HALL LEASE

To consider a verbal update on the Civic Hall lease and vote on any action required (legal).

It was **AGREED** to instruct the solicitor to liaise with SHDC on a Deed of Variation to the Civic Hall lease regarding the office conversion.

15. CASTLE MEADOW ACCESS

To note a verbal update on Castle Meadow access, boundary and insurance (legal).

Noted.

16. STAFF ATTENDANCE

To note sickness and overtime balances.

Noted.



MINUTES FOR THE PLANNING COMMITTEE

MONDAY 20TH JUNE 2022 IN THE GUILDHALL

Present: Councillors G Allen (Chair), T Bennett, J Cummings, J Hodgson and P Paine.

Apologies: Councillors S Collinson.

In Attendance: Members of the public and S Halliday (Governance and Projects Manager).

1. WELCOME AND APOLOGIES FOR ABSENCE

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

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

The apologies were accepted.

The Committee will adjourn Standing Orders for the following items:

PUBLIC QUESTION TIME

A member of the public who is a Dartington Parish Councillor spoke about the Dartington Lane East application (item 5a) and asked for the Committee to support Dartington Parish Council's request for flood catchment modelling based on 2022 figures, and the cumulative effects on air quality and the bat population that this development will have along with the many others approved for Dartington as a whole.

2. WILDANET

To receive an update from Wildanet about planned works to install high speed digital connectivity in Totnes.

The Community Liaison Officer for Wildanet gave an overview of the company's plans to install a fibre optic network to Totnes to improve digital connectivity options in the town, which they hope will be achieved using existing infrastructure. Public engagement events are being planned in the Civic Hall inviting residents and businesses to find out more. This is permitted development and any streetworks permits required will be applied for through Devon County Council. The Committee thanked the representative for coming along to outline their plans in advance of any work starting.

The Committee reconvened Standing Orders.

3. CONFIRMATION OF MINUTES

To approve the minutes of 23rd May 2022 and update on any matters arising.

The minutes were approved as an accurate record of proceedings.

4. TREE WORKS APPLICATIONS

To make recommendations on the following tree works applications:

4a. 1198/22/TPO – T1: Ash – fell due to Ash Die Back. Kennicott House, Ashburton Road, Totnes, TQ9 5JX.

Support.

5. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

5a. 1522/22/FUL - Construction of 6No. two-storey residential dwellings with associated landscaping. East Dartington Lane, Dartington, TQ9 5LB.

Object, for the following reasons:

- The impact of the development on Joint Local Plan Spatial Priorities for Development in Totnes (SP6) points 3 (Ensuring that all development, singularly or cumulatively, will not negatively impact on the ability of the relevant authorities to improve air quality within the A385 AQMA) and 6 (Ensuring all new development does not have any negative impact on the greater horseshoe bat species and their flight paths within the protected South Hams SAC).
- Concerns about the flood risk. The Committee supports the Dartington Parish Council call for flood containment modelling for this site based on the 2022 data which is a requirement from September this year, rather than using data from 2013.
- The loss of trees around the proposed entrance to the development.

5b. 1078/22/FUL – Development of a bat house. Land at the former Dairy Crest Site, Totnes. Standing objection until further information is received as set out in the DCC Ecology comments as the Committee has concerns about the removal of trees and the impact on bat roosts and foraging habitats.

5c. 1344/22/LBC – Listed building consent for conversion of upper retail floors to 2 bedroom Maisonette including new ground floor corridor, store & WC. 29 High Street, Totnes, TQ9 5NP. The Committee is potentially supportive of the changes to the building but would question whether change of use is required for the first floor (which was previously a retail unit – the picture framers) from retail to residential.

5d. 1500/22/HHO – Householder application for single storey rear garden extension. 14 Bank Lane, Totnes, TQ9 5EH.

Support.

5e. 1782/22/HHO – Householder application for single storey front and rear extension. 10 Swallowfields, Totnes, TQ9 5LA.

Support.

5f. 1449/22/HHO & 1450/22/LBC – Listed building consent and Householder application to include solar/pv panels to newly constructed rear lean to roof granted permission under planning application 2945/21/HHO. 7 Seymour Place, Totnes, TQ9 7NQ.

Support.

6. TRAFFIC REGULATION AMENDMENT ORDER

To consider the following Devon County Council Traffic Regulation Amendment Order 'No Waiting At Any Time on specified lengths of Brutus Bridge Road and Weirfields' to prevent obstructive parking

The Committee is supportive of both proposed Traffic Regulation Amendment Orders.

7. BUS FARES

To consider the lack of affordable bus fares for young people and those on low incomes and make a recommendation to Full Council on whether to raise the issue with the County Council.

As this item was requested by Cllr Collinson it was **AGREED** to defer discussion until the July meeting.

8. EXTENDING THE AREA OF OUTSTANDING NATURAL BEAUTY THROUGH TOTNES

To consider the idea of extending the Area of Outstanding Natural Beauty (AONB) through Totnes to link the Dart to Dartmoor AONBs.

Cllr Allen set out the background to this idea and that any aspiration to link the two areas would not be a quick, suggesting that the Town Council is not best placed to lead this work at the moment.

It was **AGREED** to invite Nigel Mortimer (the Estuaries Officer at the South Hams AONB Unit) to discuss this idea informally at a meeting with representatives from the neighbouring Parish Councils that would be included in linking these two areas (Dartington, Staverton, Buckfastleigh and Ashburton).

9. PARKING ON PAVEMENTS

To consider the problem of vehicles parking on pavements which causes a risk to pedestrians.

As this item was requested by Cllr Collinson it was **AGREED** to defer discussion until the July meeting.

10. TRAFFIC AND TRANSPORT FORUM

To note the minutes and consider any recommendations from the Traffic and Transport Steering Group held on 25th May 2022.

Noted.

11. DATE OF NEXT MEETING

To note the date of the next meeting of the Planning Committee – Monday 18th July 2022 at 6.30pm in the Guildhall.

Noted.

Sara Halliday
Governance and Projects Manager

ITEM 4 – CONSIDERATION OF RECOMMENDATIONS

Council Matters, 13th June 2022

4. To consider the Budget Monitor.

The Clerk updated that there has been a significant increase in the insurance premium this year which is widespread across town councils and is exacerbated by the number of insurers no longer offering cover to parish and town councils. It was **AGREED** to accept the document. To **RECOMMEND** to Full Council that a 3-year fixed price contract for insurance is considered if following further officer investigation it is possible to do so on the current insurance policy.

12. To consider the Terms and Conditions of the Green Travel Co-ordinator and Community Co-ordinator positions (personnel).

Note: to be considered in Full Council at item 13.

It was **RECOMMENDED** to Full Council that consideration is given to a report from the Town Clerk including the following staffing amendments:

- Increase the Green Travel Co-ordinator's hours from 15 to 24 hours a week and change it from fixed term to permanent;
- Trial a Community and Sustainability Manager role (change from Community Co-ordinator) for 30 hours a week on a probationary basis; and
- Commission South-West Councils to review the Council's officer staffing and pay structure.

Planning Committee, 20th June 2022

No recommendations.

ITEM 6 – ARTS AND EVENTS GRANT

As part of the budget for financial year 2022/23, £15k has been allocated to an Arts and Events Grant. Full Council has awarded the following grants this year: in February to NDP for the Totnes Festival (£10,000) and Dartington Meadowbrook for an event (£1,050); and in March to Earthjump at Meadowbrook (£1,400). This leaves £2,550 available for allocation.

This year has seen a change to the training and requirements to carry out road closures and the Elizabethan Society has struggled to find anyone with the current level of qualifications needed to assist with the annual Orange Races. If the Orange Races are to go ahead in August the only option is for the Elizabethan Society to employ a company to enact the road closure, however the money that the Society generates is not enough to cover such a cost.

Council is asked to consider awarding a grant to the Elizabethan Society to cover the cost of employing a company to control the road closure required on Tuesday 16th August 2022 between 0930-1430hrs. A quote for the cost is awaited and Councillors are asked to consider giving the Clerk delegated authority to allocate up to £1,200 for this grant once the figure is received.

ITEM 7 – PLANNING APPLICATIONS

7a – To review the Planning Committee’s standing objection to application 1078/22/FUL – Development of a bat house. Land at the former Dairy Crest Site, Totnes.

At the Planning Committee on Monday 20th June the Committee made a standing objection on this application ‘until further information is received as set out in the DCC Ecology comments as the Committee has concerns about the removal of trees and the impact on bat roosts and foraging habitats.’

Following the submission of this comment further information has now been received by South Hams District Council Development Management as requested by DCC Ecology. The Town Council has been asked whether it is now content to remove its standing objection based on this new information (circulated to Planning Committee members on Friday 24th June and included below).

SHDC advise that the information has been reviewed by DCC Ecology who are satisfied and now raise no objections, subject to conditions being imposed as set out in their comments (these will be imposed).

Email from South Hams District Council:

I can confirm that the additional information requested by DCC Ecology has been provided, including confirmation from the applicant’s ecologist that during their survey none of the trees to be removed provided bat roosting potential. This has been reviewed by DCC Ecology who are satisfied and now raise no objections, subject to conditions being imposed as set out in their comments (these will be imposed).

Your concerns regarding the removal of trees and the impact on bat roosts and foraging habitats are also acknowledged. However, the proposed bat house is a bespoke building designed specifically to provide an optimal space for bats, and would mitigate for the loss of roosting sites in buildings located on the wider site, if these buildings were demolished/renovated in the future. If the bat house were to be provided and the wider site was not redeveloped in the future, instead of providing ‘compensatory’ habitat the bat house would provide additional roosting habitat for bats, being a biodiversity enhancement. A new European Protected Species Licence may also be required from Natural England for the works. This is a separate process to gaining planning permission but will provide an additional layer of security to ensure that the works do not harm protected habitats or species.

In respect of the removal of trees, the Local Authority’s Tree Specialist has reviewed the proposal, including the Arboricultural Method Statement and Tree Survey, and a site visit was undertaken. No objections are raised in respect of the trees which are to be removed, and these are all Category C trees (these have limited viability, are of poor condition, and have structural defects). Whilst the removal of trees will have some impacts on amenity temporarily, the impact is considered to be moderate due to their poor condition and limited viability. As trees are being removed, in accordance with the JLP SPD a condition is to be imposed to require replacement trees at a specific ratio; this is in addition to a detailed landscaping scheme. There are benefits to the removal of the poor quality trees and the opportunity to secure high quality new planting which once mature will contribute positively to the amenity/character of the area, and will provide biodiversity enhancements.

ITEM 9 – LIST OF MEETING DATES

July

Full Council – 4th July at 6.30pm

Council Matters Committee – 11th July at 6.30pm

Planning Committee - 18th July at 6.30pm

Council Assets and Public Realm Working Group – 19th July at 12.00pm

Climate Emergency Working Group – 19th July at 6.30pm

Town Matters Committee – 25th July at 6.30pm

Traffic and Transport Forum – 27th July at 6.30pm

August

No meetings

September

Full Council – 5th September at 6.30pm

Council Matters Committee – 12th September at 6.30pm

Planning Committee - 19th September at 6.30pm

Climate Emergency Working Group – 20th September at 6.30pm

Arts and Events Working Group – 21st September at 12.00pm

Town Matters Committee – 26th September at 6.30pm

Traffic and Transport Steering Group – 28th September at 6.30pm *if required*

October

Full Council – 3rd October at 6.30pm

Council Matters Committee – 10th October at 6.30pm

Planning Committee - 17th October at 6.30pm

Council Assets and Public Realm Working Group – 18th October at 12.00pm

Climate Emergency Working Group – 18th October at 6.30pm

Traffic and Transport Forum – 26th October at 6.30pm