



AGENDA FOR THE ANNUAL GENERAL MEETING OF TOTNES TOWN COUNCIL

MONDAY 15TH MAY 2023 IN THE GUILDHALL

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

You are hereby **SUMMONED** to attend the Annual General Meeting of the Council, on **Monday 15th May 2023** 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. ELECTION OF MAYOR AND TO CONSIDER ROLES AND RESPONSIBILITIES

- a. To elect the Mayor and the Chairman of the Council for the Council Year 2023-2024.
- b. To note the Mayor's appointment of the Deputy Mayor/Chair.

3. 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:

- a. Confirmation that all Members have signed the Declarations of Acceptance of Office and consider any extensions required.
- b. All members complete their Registers of Interests and return them to the Town Clerk by 7th June 2023.

The Committee will adjourn for the following items:

Reports from County Councillor.

- a. County Cllr Hodgson – no document.

The Council will convene to consider the following items:

4. WELCOME TO NEW COUNCILLORS

- Cllrs Luisa Auletta, Tom Cooper and Anna Presswell.

5. COMMITTEE MEMBERSHIP

To elect: members to committees; committee chairs; working groups; outside representatives; and link councillor roles. No document.

6. MAYOR MAKING CEREMONY

To appoint Councillors to undertake the following duties at the Mayoral Choosing ceremony on 25th May 2023:

- a. To propose the new Mayor;
- b. To second the new Mayor; and
- c. To propose a vote of thanks to the outgoing Mayor.

7. CLERK'S REPORT (Standing Item)

To note the Clerk's Report for April 2023 (general updates and correspondence). Document to follow.

8. 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 3rd April 2023 – document attached.

To note the following minutes:

- b. Council Matters 17th April 2023 – document attached.
- c. Planning Committee 24th April 2023 – document attached.

9. CONSIDERATION OF ANY MATTERS ARISING REQUIRING A DECISION

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

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

- a. Full Council 3rd April 2023.
- b. Council Matters 17th April 2023.
- c. Planning Committee 24th April 2023.

10. STANDING ORDERS

To consider the revised Standing Orders (see document for a summary of changes). Document attached.

11. CODE OF CONDUCT

To consider:

- a. A review of the Councillor's Code of Conduct. Document attached.
- b. Signing up to the NALC Civility and Respect Pledge. Document attached.

12. CO-OPTION TO COUNCILLOR VACANCIES

To consider the applications for the Totnes Town and Totnes Bridgetown Councillor vacancies. Document attached.

13. TRAFFIC SPEED CAMPAIGN

To consider a '20's Plenty' traffic speed restriction campaign for Totnes. Document attached.

14. LIST OF MEETING DATES

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

15. NEXT MEETING

To note the next meeting date of Monday 6th June 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.

16. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing Item)

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

17. CHRISTMAS LIGHTS TENDER

To consider the tenders received for the installation and provision of Christmas Lights in the town centre (commercially sensitive). Document attached.

18. ELMHIRST PROJECT

To consider an update on the Elmhirst project and to consider next steps/actions (commercially sensitive). Verbal update.

Agenda produced by:

Catherine Marlton

Town Clerk

10th May 2023

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 FOR THE MEETING OF TOTNES TOWN COUNCIL
MONDAY 3RD APRIL 2023 IN THE GUILDHALL

Present: Councillors E Price (Chair), M Adams, G Allen, T Bennett, S Collinson, J Cummings, J Hodgson, P Paine, D Peters, B Piper and L Smallridge.

Apologies: Cllrs Hannam, Hendriksen and Webberley, District Cllrs Rose and Sweett.

Not Present: Cllr Skinner.

In Attendance: District Cllr Birch, members of the press and public, C Marlton (Town Clerk), P Bethel (Town Sergeant).

1. WELCOME TO ALL ATTENDING AND OBSERVING

Cllr Price noted that this was the final Full Council of this Council's term, and as some councillors are not seeking re-election she wished to thank Cllr Adams for her long service of over 30 years as a Town Councillor and former Mayor, and also Cllr Paine for his time on the Council.

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 agreed unanimously.

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 a recent meeting that she had attended including: the COVID team being stood down; Devon Libraries and a public consultation on the future provision of mobile libraries; highways - the condition and repair of roads is managed decline despite the uplift in funding; speeding complaints and some repeat speed surveys on Bridgetown Hill and Dukes Road; and survey for residents parking in Brooklands in Bridgetown. Cllrs asked about: speeding on Plymouth Road, Collapark and Smithfields; the value of claims from road defects on vehicle or personal injury; how the repair of potholes is prioritised, for example the condition of the Totnes – Newton Abbot road.

- b. District Cllr (D Cllr) Birch has circulated a report, and explained the categories on the housing waiting list. Cllrs asked about: the housing problem.
- c. District Cllr Rose was not present and had not circulated a report.
- d. District Cllr Sweett was not present and had not circulated a report.

The Council reconvened.

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 March 2023.

Subject to a correction that Cllr Collinson was present at the meeting, it was **RESOLVED** to approve and sign the minutes.

To note the following minutes:

b. Council Matters Committee 13th March 2023.

Noted.

c. Planning Committee 20th March 2023.

Noted.

d. Town Matters Committee 27th March 2023.

Noted.

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 6th March 2023.

No matters arising.

b. Council Matters Committee 13th March 2023.

No recommendations.

c. Planning Committee 20th March 2023.

No recommendations.

d. Town Matters Committee 27th March 2023.

Item 3. South West Water Consultation. It was **RESOLVED** by majority that the following response is made to the South West Water Draft Water Resources Management Plan 2024 consultation:

- The Council believes that South West Water should be a statutory consultee as part of the planning process and would support changes in planning legislation to enable this.

- The Council believes that there should be a further consultation on the South West Water Drainage and Wastewater Management Plan consulted on in 2022, and that there should be a clear link with the Draft Water Resources Management Plan.

Environmental

- Extreme Weather Events - no details given to the effects of extreme weather events and the effects on water treatment plants, how South West Water will respond, how to handle run off and slowing water flows down (for example through tree planting, attenuation ponds).
- Water Quality - no detail is given about water quality monitoring, frequency of monitoring and what is being tested for (for example, nitrates, pollutants, plastics, antibiotics) particularly in relation to bathing water areas.
- Biodiversity – no details are given on the wildlife species currently supported which therefore gives no baseline to monitor improvement or deterioration against.
- Future Modelling Tools - would like to see the use of future modelling of the impacts of river water levels – in drought and flood conditions – and the environmental and biodiversity effects.
- Catchment Management – no detail of how this strategic approach is taken into account in plans and programmes to assess and address the effects of run-off from agriculture and developed areas.
- All sewage treatment should be designed to include anaerobic digestion waste systems to support energy production, address climate change and prevent sewage discharges into rivers and the sea. (this could be combined with agricultural slurry treatment in rural areas).

Developments

- Flood Risk Modelling - The plan should include flood risk modelling for any new development and the potential effect on neighbouring areas and river catchment from surface water run-off.
- Water Treatment – South West Water needs to take into consideration the cumulative impact of various housing developments in a water catchment area in terms of: provision of potable water, capacity of water treatment plants to process the sewage and grey water generated, flood risk from non-permeable surfaces, and run-off effects into rivers.
- Water Management Infrastructure - New developments should install separate sewage and rain water systems to lessen the volume of water passing through the waste water treatment process, and natural soakaway areas within the site of any new development should be insisted upon.
- Grey Water Management – could the water companies insist on all new housing developments to be fitted with grey water harvesting for use in the home (for example toilet flushing, water butt collection) to reduce the volume of water consumption required per capita and support increased drought resilience?
- South West Water should be empowered to refuse additional developments loading onto the system where capacity for the provision of potable water and/or sewage treatment has been reached and can be demonstrated.

5. FINANCIAL REGULATIONS

To review the Financial Regulations.

It was **RESOLVED** unanimously to accept the revised Financial Regulations which would permit tenders for Council business to be received by email (rather than only hard copy documents).

6. LIST OF MEETING DATES

To note a list of upcoming meeting dates.

Noted.

7. NEXT MEETING

To note the next meeting date of Monday 15th May 2023, 6.30pm public session, 7.00pm formal meeting in the Guildhall.

Noted.

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.

8. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing Item)

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

a. Town Matters Committee report.

The recipients of the 2023 individual and organisation awards were **RESOLVED**. It was **AGREED** that:

- Certificates will be produced for all nominees.
- All nominees will be invited to the Town Meeting on 17th May 2023.

9. CHRISTMAS EVENT ORGANISER TENDER

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

It was **RESOLVED** to award the tender to Miss Ivy to run the Christmas Festival nights in 2023 and 2024.

10. CIVIC HALL PILLARS PROJECT

To consider an update on the Civic Hall pillars art project (commercially sensitive).

It was **RESOLVED** that the next Arts and Events Working Group would discuss the potential artists to take this work forward and that the Clerk is given delegated authority to appoint the preferred artist.

11. ELMHIRST PROJECT (Standing Item)

To consider any update on the Elmhirst Site project (commercial).

There was no new information to update Council with at this time.

Cllr Emily Price
Mayor



DRAFT MINUTES FOR THE MEETING OF COUNCIL MATTERS MONDAY 17TH APRIL 2023 AT 6.30PM IN THE GUILDHALL

Present: Councillors B Piper (Chair), M Adams, G Allen, J Hodgson (joined at 18.35), J Hannam (joined 18.35), D Peters and E Price.

Apologies: None.

In Attendance: A member of the public, C Marlton (Town Clerk) and C Bewley (Finance, HR and Lettings Manager).

1. APOLOGIES FOR ABSENCE

The Chair read 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

The member of the public asked the Committee about: the Section 137 payment and how it is calculated; the financial risk assessment and whether it covers intellectual property; and car parking for the Park Run. The Clerk explained how the S137 allowance can be spent.

The Committee will reconvene to consider the following items:

2. CONFIRMATION OF MINUTES

To approve the minutes of 13th March 2023 and update on any matters arising.

The minutes were **AGREED** as an accurate record of the proceedings.

3. MAYOR'S ENGAGEMENTS AND BUDGET

To consider the Mayor's engagements since January 2023 and the current budget.

This was reviewed and unanimously **AGREED**.

4. APPRAISAL POLICY

To review the Appraisal Policy.

This was reviewed and unanimously **AGREED**.

5. FINANCIAL RISK ASSESSMENT

To review the Financial Risk Assessment.

This was reviewed and **AGREED** unanimously.

6. YEAR END TIMELINE

To note the year end timeline for financial year 2022/23.

Noted.

7. EARMARKED RESERVES

To review the earmarked reserves.

Noted. It was explained that the health of the general reserve means that there are currently no earmarked reserves (nil balance), but that this may be something that the new Council wishes to consider for future projects or to support strategic priorities.

8. ARTS AND EVENTS WORKING GROUP

To consider the recommendations from the Arts and Events Working Group held on 15th March 2023.

Noted. The Clerk explained that the Civic Hall Pillars artwork project will return to the next Arts and Events Working Group to decide on the appointment of an artist. There was discussion of the Orange Races.

9. S137 VALUE FOR 2023/24

To note the revised S137 value for 2023/24.

Noted. There has been an increase due to an increase in elector numbers.

10. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 22nd May 2023 at 6.30pm in the Guildhall.

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 for March.

These were reviewed and unanimously **AGREED**.

12. IT SUPPORT

To consider quotes for IT support for the Council Offices (commercially sensitive).

It was **RECOMMENDED** to Full Council that the Council migrate to Microsoft from Google and transfer to Cobalt Comms and IT. The Town Clerk will take references regarding other organisations of a similar size of have used them for a migration.

13. CIVIC HALL

To consider ad hoc and relief caretaking cover for the Civic Hall (financial and staffing).

It was unanimously **AGREED** to give the Clerk delegated authority to appoint a casual caretaker.

14. STAFF ATTENDANCE

To note sickness and overtime balances (personal details).

Noted. It was **AGREED** the Absence Management Policy need not be instigated for the only member of staff who had met a trigger due to it being down to a one-off surgery.

15. STAFFING UPDATE

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

The verbal update was noted.

Catherine Marlton
Town Clerk
April 2023

DRAFT



DRAFT MINUTES FOR THE PLANNING COMMITTEE

MONDAY 24TH APRIL 2023 IN THE GUILDHALL

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

Apologies: Cllrs Collinson and Hendriksen.

In Attendance: A member of the public, 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 received and accepted.

The Committee will adjourn Standing Orders for the following items:

PUBLIC QUESTION TIME

A member of the public asked why the Committee made a request for an application to be ancillary to the main dwelling. Cllr Hodgson explained the rationale of avoiding creating two households with the associated demands on roads, utilities and which can often lead to larger development over the original footprint which can become unneighbourly.

The Committee reconvened Standing Orders.

2. CONFIRMATION OF MINUTES

To approve the minutes of 20th March 2023 and update on any matters arising.

The minutes were approved as an accurate record of proceedings subject to the amendment that Cllr Paine was present at the meeting.

Item 4 – South West Water Consultation. Resolved by Full Council and the response was emailed to DEFRA on 11 April 2023, and discussed at the Climate Emergency Working Group in March.

3. TREE WORKS APPLICATIONS

To make recommendations on the following tree works applications:

3a. 0898/23/TCA - Holly/Wild Plum - Holly to be reduced in size by (50%) 2 metres to trim as a smaller bush going forward, Wild Plum to have lateral branch to North shortened by approx 3-4m back to upwards growing sub-lateral due to the two trees growing into each other - the idea is to be left with two separate trees. 7 The Grove, Totnes, TQ9 5ED.

Support.

3b. 1011/23/TCA – T1: Willow – remove. 6 Moorashes, Totnes, TQ9 5TN.
Support.

3c. 1064/23/TCA – T1: Horse Chestnut – fell. Darant House, Seymour Road, TQ9 5QP.
Support, and would request that a suitable replacement tree is planted to help biodiversity and flood management.

4. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

4a. 1522/22/FUL - READVERTISEMENT (revised plans & documents) Construction of 6No. two-storey residential dwellings with associated landscaping. Proposed Development Site East, Dartington Lane, Dartington TQ9 5LB.

Object. The comments made by the Totnes Town Council Planning Committee in June 2022 and January 2023 still stand. In addition, the Committee continues to have concerns about:

- The impact from the vehicles at this development on the Air Quality Management Area along the A385.
- The parking issues highlight by Devon Highways, namely tandem parking and access for emergency vehicles and refuse collection trucks.
- The accessibility to the allotments via Dartington Drive, which has often been closed due to concerns about the safety of the trees which would impact on congestion by accessing via the alternative A385 route.

The Planning Committee supports the comments submitted by Dartington Parish Council.

4b. 1523/22/FUL - READVERTISEMENT (revised plans & documents) Construction of 39No. two-storey dwellings with associated landscaping. Proposed Development Site West, Dartington Lane, Dartington.

Object. The comments made by the Totnes Town Council Planning Committee in June 2022 and January 2023 still stand. In addition, the Committee continues to have concerns about:

- The impact from the vehicles at this development on the Air Quality Management Area along the A385.
- The parking issues highlight by Devon Highways, namely tandem parking and access for emergency vehicles and refuse collection trucks.
- The accessibility to the allotments via Dartington Drive, which has often been closed due to concerns about the safety of the trees which would impact on congestion by accessing via the alternative A385 route.

The Planning Committee supports the comments submitted by Dartington Parish Council.

4c. 0440/23/HHO - Householder application for proposed first floor extension, refurbishment works, garden store & solar panels. Oak Tree Cottage, Weirfields, Totnes, TQ9 5JS.

Support in principle, but with a roof design to address the concerns raised by the SHDC Tree Officer.

4d. 0569/23/HHO – Householder application for dormer roof extension to create additional rooms in the roof (resubmission of 4203/21/HHO & 0275/22/HHO). 11 Pampasia, Hillbrook Rise, Totnes, TQ9 5AU.

Support.

4e. 1177/23/HHO – Householder application for loft conversion by raising roof and associated internal works. External work including removal and replacement of garage. Bray, Jubilee Road, Totnes, TQ9 5BP.
Support.

4f. 0518/23/LBC - Listed building consent for replacement of roof tiles, front door, dormer, dormer window & associated works (retrospective). 5 North Street, Totnes, TQ9 5NZ.
Support.

4g. 0184/23/FUL – READVERTISEMENT (change in description) Conversion of basement to additional living accommodation with store retained. Provision of garden amenity area. Lower Ridgeside, Jubilee Road, Totnes, TQ9 5BW.
Support, but with a condition that this space is ancillary to the main dwelling.

4h. 0764/23/LBC – Listed Building Consent for fire safety implementation on east and west gable and chimney conservation work to south façade. 43 High Street, Totnes, TQ9 5NP.
Support.

4i. 0930/23/LBC - Listed Building Consent to change the glazing, that provides access to the Garden, to the existing side return extension. 1 Seymour Villas, Pathfields, Totnes, TQ9 5QR.
Support.

4j. 0924/23/LBC – Listed Building Consent to remove rendered brick chimney to ‘the back block’ at the rear of 10 High Street Totnes and to retain a 1.5 metre high stub stack. 10 Ground Floor Flat, The Merchants House, High Street, Totnes, TQ9 5RY.
Support.

and to note:

4k. 1133/23/LBC – Listed Building Consent for new public noticeboard. The Guildhall, Ramparts Walk, Totnes, TQ9 5QH.
Noted.

4l. 1134/23/LBC – Listed Building Consent for new internal doors, upgrading existing internal doors, and infilling modern opening in partition wall. 5a Ramparts Walk, Totnes, TQ9 5QH.
Noted.

5. PROPOSED TELECOMMUNICATIONS INSTALLATION AT BABBAGE ROAD

To consider the pre-application letter received about a proposed telecommunications installation at Head Ruddy, Babbage Road, Totnes.

A planning application for this proposed mast has now been received (reference: 1363/23/COM). It was **AGREED** that:

- a. The Committee will request a presentation from BeaconComms to explain the proposal.
- b. Given its significance that the mast proposal is included as an item at the Town Meeting in May 2023 – the Clerk will be consulted on this.
- c. The application will be included in the May agenda.

6. DEVON COUNTY COUNCIL TRAFFIC REGULATION AMENDMENT ORDER

To consider a Devon County Council Traffic Amendment Order of 'no waiting at any time' at Follaton Rise, Follaton House access roads, and Weston Lane.

The Committee supports the 'no waiting at any time' areas identified.

7. TRAFFIC AND TRANSPORT FORUM

To consider any recommendations from the Traffic and Transport Forum Steering Group held on 22nd March 2023.

Noted

8. DATE OF NEXT MEETING

To note the date of the next meeting of the Planning Committee – Tuesday 23rd May 2023 at 6.30pm in the Guildhall.

Noted. It was explained that this change is due to the number of Bank Holidays in May this year and that Committee meetings will revert to the third Monday each month from June onwards.

As it was the last Committee of the current Council, Cllr Allen thanked Cllr Paine for his support and work as a committee member over the years.

Sara Halliday
Governance and Projects Manager
April 2023

ITEM 9 – CONSIDERATION OF RECOMMENDATIONS

9a. Full Council, 3rd April 2023

No recommendations.

9b. Council Matters Committee, 17th April 2023

Item 12. IT Support for the Council Offices – To **RECOMMENDED** to Full Council that the Council migrate to Microsoft from Google and transfer to Cobalt Comms and IT. The Town Clerk will take references regarding other organisations of a similar size of have used them for a migration.

9c. Planning Committee, 24th April 2023

No recommendations.

STANDING ORDERS

TOTNES TOWN COUNCIL

Last reviewed September 2022

AMENDMENTS

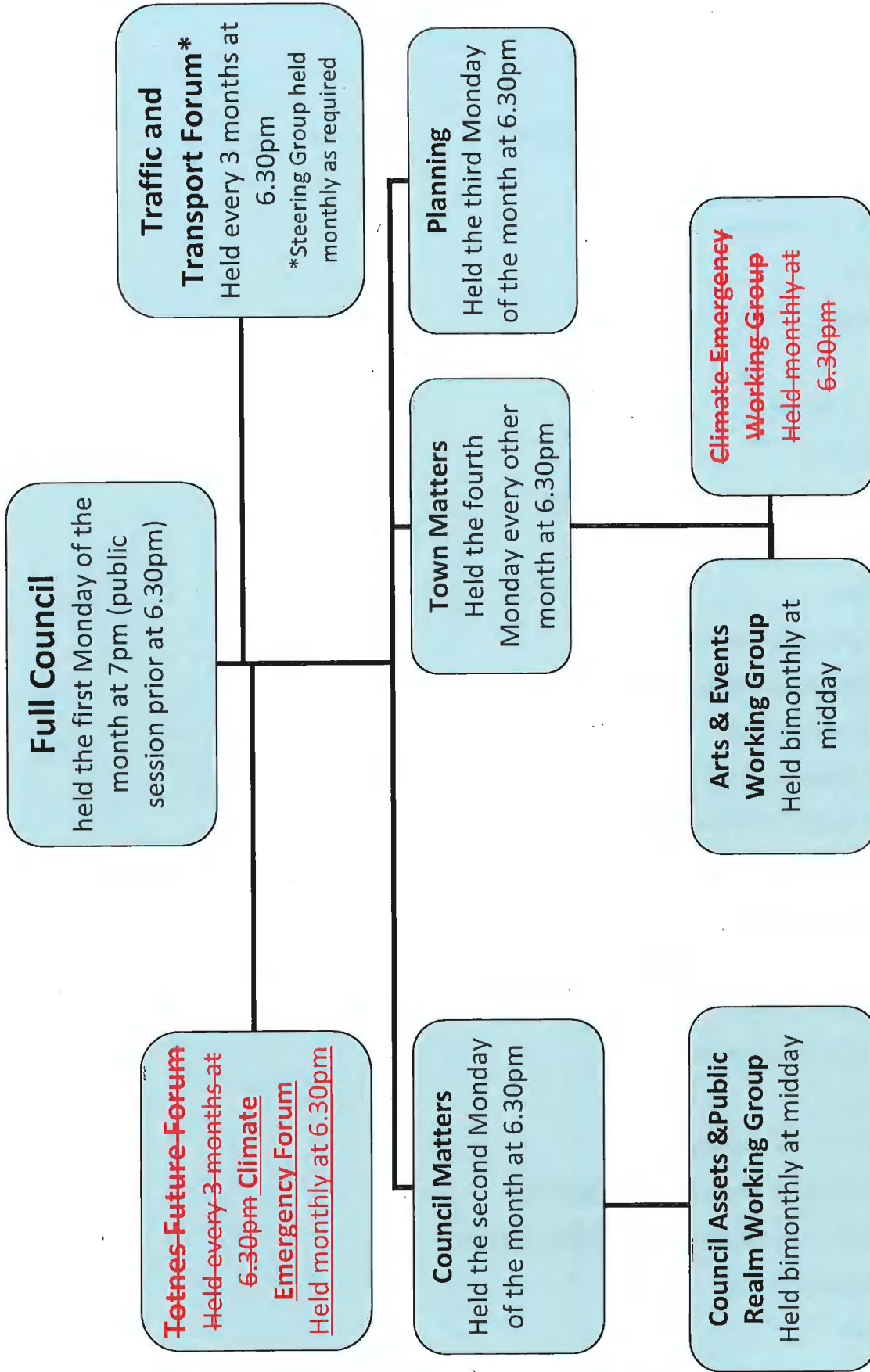
- ~~Section 8 Disorderly Conduct – updated based on the NALC model Standing Orders.~~
- ~~New paragraph 15(f) which covers the management of capital projects as recommended by the Joint Panel on Accountability and Governance.~~
- ~~Paragraph 20(b) updated with date of adoption of the Absence Management policy.~~
- ~~Paragraph 20(i) updated to include the Finance, HR and Lettings Manager.~~
- ~~Section 26 Terms of Reference for Working Groups (new).~~

Amendments May 23

- Structure updated to reflect:
 - Climate Emergency change from Working Group to Forum.
 - Totnes Future Forum – delete as no meeting held in the last 12 months.
- Section 12 – inclusion of returning confidential papers to the clerk at the end of the meeting.
- Section 24 Committee Terms of Reference – updated:
 - quorum is not less than 3 Councillors.
 - Minutes to be formally adopted at next meeting (not by Full Council).

- Section 25 Link Councillor representatives on outside bodies - list updated.
- Section 26 Climate Emergency – delete to reflect change of status from Working Group to Forum, see Section 27 (this addresses the problem of the meeting often not being quorate in the past).
- Section 26 Council Assets and Public Realm Working Group – updated to reflect clock responsibilities.
- Section 27 Terms of Reference for Advisory Bodies – updated with details of the committee they report through, and in the case of the proposed Climate Emergency Forum recommendations to be considered by Town Matters Committee who will refer any budgetary decisions to the Council Matters Committee.
- Section 28 Terms of Reference for Mayor – inclusion of regular one-to-one meetings between the Mayor and Clerk as part of the support offered.
- Section 29 Operational Support Group – updated to include frequency of meetings and attendees.

STRUCTURE



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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 Forum 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.**
- j) Chairs of committee are required to undertake DALC training 'Chairing Local Council Meetings' within 2 months of starting the role.

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 June 7th 2021. 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. If this Standing Order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b) If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c) If a resolution made in accordance with Standing Order 8(b) is ignored, the Chair may take ~~such~~ further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing 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. Any confidential papers issued should be returned to the Clerk at the end of each meeting for appropriate disposal.

13. Proper Officer

- a) The Council shall appoint a Proper Officer who shall be the Town Clerk. The management team 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 a member of the management team;

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 Finance, HR and Lettings Manager shall undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

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

i. the keeping of accounting records and systems of internal controls;

ii. the assessment and management of financial risks faced by the Council;

iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually; and

iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments.

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

15. Financial controls and procurement

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

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

i. a specification for the goods, materials, services or the execution of works shall be drawn up;

- ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised on the Town Council website and Facebook page and must consider whether the Public Contracts Regulations 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.
- f) Procedures for the management of capital projects require payments only against certified completions under a planned and approved programme of works governed by a properly negotiated contract supervised by a named Council officer.

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-process \(event/survey\)](#) 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 conform to the Absence Management Policy adopted in July 2021. 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~~20(f) and (g) above if so justified.

i) Access and means of access to records of employment referred to in Standing Orders 20(f) and (g) above shall be provided only to the Clerk and the Finance, HR and Lettings Manager.

21. Requests for information

a) Councillors and staff must comply with the new General Data Protection Regulations (GDPR) effective from 25th May 2018. The Governance and Projects Manager 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 (not less than three).

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 Council Assets and Public Realm Working Group and as required the Arts and Events Working Group.

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 (not less than 3 Councillors present).

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. ~~Formal adoption of minutes, 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 minutes will be agreed and signed at the following Full Council meeting, and minutes of committees will be noted.

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 other month (where possible) 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 (not less than three).

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 Councillors present.

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. Formal adoption of minutes, formally adopted and any matters arising will not 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 Governance and Projects Manager 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 **(not less than three)**.

All Planning Committee Councillors will undertake DALC training 'Responding to Planning Applications' within 2 months of joining the Committee.

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 **Councillors**.

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. ~~Formal adoption of minutes, 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 Planning Committee on completion of their work, and may choose to prepare interim reports if they wish.

7. Administrative Support

The Governance and Projects Manager be responsible for the support and administrative duties of that Committee.

25. Terms of Reference for Link Councillors

1. Link Councillors

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

- Business and Employment
- Cultural Links
- Elderly and Vulnerable People
- Young People/Youth
- Heritage
- Arts
- Traffic and Transport
- Environment, ~~and~~ Sustainability and Air Quality
- Open Space, Sports Provision and Leisure
- Disability
- Totnes Hospital League of Friends
- TADPOOL
- Totnes Allotments Association
- Vire Twinning Association
- Totnes Municipal Charities and Totnes Bounds Charity
- Parish Paths Partnership
- ~~River—Dart~~ Harbour Community ~~Non-Beneficiaries~~ Group
- DALC County Committee
- DALC Larger Councils Committee

Links on outside bodies

- Daisy and Rainbow Childcare
- ~~Totnes Traffic & Transport Forum~~
- KEVICC Foundation Governors
- Totnes Chamber of Commerce
- Network of Wellbeing
- Police and Crime Commissioner Advocate
- Caring Town
- Bridgetown Alive
- Totnes Fairtrade
- Totnes Community Development Society
- Devon Countryside Forum
- Rural Services Network
- Friends of Salfit

- [Museum Trust](#)

- [Inclusive Totnes](#)

- [Friends of Totnes Museum](#)

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 Working Groups

26.1 Arts and Events Working Group

Purpose: The Working Group's role is to discuss: arts projects that will enhance the public realm within the town; and community events which will support and improve the social, economic and cultural life of residents, businesses and visitors.

A budget allocation for the Working Group will be set annually and updated as part of the monthly budget-monitor process. The working group does not have any delegated authority but is a way of discussing issues and projects informally and including members of the community when relevant.

Membership: The Working Group will be made up of a minimum of three Councillors and a maximum of nine Councillors with powers to co-opt as required named members of the public (with relevant experience) on a non-voting basis who must agree to abide by the Town Council Code of Conduct.

Quorum: Three Councillors.

Power: Local Government Act 1972, section 145.

Delegated Authority: no delegated authority, recommendations to the Council Matters Committee for consideration.

1. Terms

- 1.1 The Council's Standing Orders apply to all meetings of the Working Group.
- 1.2 The Working Group shall be appointed on an annual basis at the Annual Meeting of the Town Council.
- 1.3 The first order of business of the first meeting of the Working Group after its annual appointment will be to elect a Chair.
- 1.4 The Mayor and Deputy Mayor of the Council shall be ex-officio, non-voting members of the Working Group.
- 1.5 The Working Group will meet bi-monthly.
- 1.6 Meetings shall not be open to the public and any invites should be issued by Council Officers in advance of the meeting.
- 1.7 Members of the Working Group will receive an agenda and supporting papers in advance of the meeting.
- 1.8 A brief action note will be produced and fed back to the appropriate Council committee(s) for further discussion and decision making. These notes will form part of the committee papers made available to the public.

2. Responsibilities

- 2.1 To promote Totnes as a successful and vibrant town through grant funding and/or organising a range of free, accessible events aimed at supporting and improving the social, economic and cultural life of the town for the benefit of its residents, businesses and visitors.
- 2.2 To deliver: the annual Christmas Lights Switch on and Community Arts evening; and the Christmas Festival Nights in December.

26.2 Climate Emergency Working Group

Purpose: The Working Group's role is to ensure that Totnes Town Council responds appropriately to the climate and ecological emergency that it declared in December 2018 and plays its part in working towards a reduction in carbon dioxide emissions and other environmental threats. The current national target set by the UK Government is to reduce carbon emissions by 100% by 2050. A budget allocation for the Working Group will be set annually and updated as part of the monthly budget monitor process. The working group does not have any delegated authority but is a way of discussing issues and projects informally and including members of the community.

Membership: The Working Group will be made up of a minimum of three Councillors and a maximum of nine Councillors with powers to co-opt named members of the public (with relevant experience) on a non-voting basis who must agree to abide by the Town Council Code of Conduct.

Quorum: Three Councillors.

Power: Climate Change and Sustainable Energy Act 2006, section 20.

Delegated Authority: no delegated authority, recommendations to the Town Matters Committee for consideration.

1. Terms

- 1.1 — The Council's Standing Orders apply to all meetings of the Working Group.
- 1.2 — The Working Group shall be appointed on an annual basis at the Annual Meeting of the Town Council.
- 1.3 — The first order of business of the first meeting of the Working Group after its annual appointment will be to elect a Chair.
- 1.4 — The Mayor and Deputy Mayor of the Council shall be ex-officio, non-voting members of the Working Group.
- 1.5 — The Working Group will meet monthly.
- 1.6 — Meetings are open to the public to participate.
- 1.7 — Members of the Working Group will receive an agenda and supporting papers in advance of the meeting.
- 1.8 — A brief action note will be produced and fed back to the appropriate Council committee(s) for further discussion and decision making. These notes will form part of the committee papers made available to the public.

2. Responsibilities

- 2.1 — Recommend steps to reduce the environmental impact of Totnes Town Council's activities and infrastructure.
- 2.2 — Work with existing Town Council Working Groups and Committees to ensure that recommendations are cognisant of any associated climate and environmental impact and that mitigation, reduction or removal is considered in all decisions and ongoing operations.
- 2.3 — Collaborate with local groups to promote the reduction of carbon dioxide emissions and other environmental threats with a focus on environmental, economic and social benefits and increasing resilience.
- 2.4 — Communicate to people and organisations throughout Totnes that the Town Council and community together need to respond to the climate emergency.
- 2.5 — Provide supporting information to parishioners and businesses to enable individual and group action.
- 2.6 — Work with higher tier local authorities and DALC to deliver this plan through all relevant means.
- 2.7 — Influence external stakeholders locally and nationally to incorporate sustainability into economic and strategic frameworks, strategies, plans and service operations.

26.32 Council Assets and Public Realm Working Group

Purpose: The Working Group's role is to discuss matters associated with the Council's assets (buildings, the cemetery and open spaces) and public realm improvements in the town.

A budget allocation for the Working Group will be set annually and updated as part of the monthly budget monitor process. The working group does not have any delegated authority but is a way of discussing issues and projects informally and including members of the community when relevant.

Membership: The Working Group will be made up of a minimum of three Councillors and a maximum of nine Councillors with powers to co-opt as required named members of the public (with relevant experience) on a non-voting basis who must agree to abide by the Town Council Code of Conduct.

Quorum: Three Councillors.

Power: Local Government Act 1972, part VII and schedule 26.

Delegated Authority: no delegated authority, recommendations to the Council Matters Committee for consideration.

1. Terms

- 1.1 The Council's Standing Orders apply to all meetings of the Working Group.
- 1.2 The Working Group shall be appointed on an annual basis at the Annual Meeting of the Town Council.
- 1.3 The first order of business of the first meeting of the Working Group after its annual appointment will be to elect a Chair.
- 1.4 The Mayor and Deputy Mayor of the Council shall be ex-officio, non-voting members of the Working Group.
- 1.5 The Working Group will meet bi-monthly.
- 1.6 Meetings shall not be open to the public and any invites should be issued by Council Officers in advance of the meeting.
- 1.7 Members of the Working Group will receive an agenda and supporting papers in advance of the meeting.
- 1.8 A brief action note will be produced and fed back to the appropriate Council committee(s) for further discussion and decision making. These notes will form part of the committee papers made available to the public.

2. Responsibilities

- 2.1 To determine use, maintenance and improvements to buildings (Guildhall, Guildhall Cottage and Flat, garage, Civic Hall and annex, ~~Eastgate Clock~~ and museum), open spaces (Castle Meadow, St Mary's Churchyard and areas alongside Coronation Road) and clocks (~~St Mary's and St John's churches, and Eastgate clock~~) that the Council owns, leases or has a statutory duty to maintain.
- 2.2 To determine public realm improvements to the town, for example benches/seating, wayfinding, refuse bins.
- 2.3 To consider the cemetery's efficient use of space for interments and a balanced maintenance programme that includes the needs of funerals, those visiting graves and wildlife.

27. Terms of Reference for Advisory Bodies (Forums)

Advisory:

There ~~are~~ currently ~~two~~ ~~one~~ groups operating as advisory bodies to the Town Council. This is:

- The Traffic and Transport Forum, which reports through the Planning Committee
- Totnes Future Forum
- Climate Emergency Forum, which reports to the Town Matters Committee who will make a recommendation on any budgetary decisions to the Council Matters Committee.

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. A Forum may establish a smaller Steering Group drawn from the community which meets on a monthly basis (as required) to progress work, with the wider public Forum meetings held on a quarterly basis. 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.

28. 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 Administrator. In their statutory and non-civic role, the Mayor will be supported by the Clerk, including through regular one-to-one meetings.

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

29. Operational Support Group

The Operational Support Group (previously Mayors and Chairs) will consist of the Clerk, Chair of the Council, Deputy Chair of the Council and Chairs (and Deputy Chairs if available) of Town Matters, Council Matters and Planning.

The group will meet quarterly (or more frequently as required by the Clerk). These meetings are not open to the public. The Clerk will also liaise directly on a one to one with the Mayor and/or Chairs of Committees on individual operational issues if required.

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.

30. 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.



Councillors Code of Conduct

TOTNES TOWN COUNCIL

AGREED JUNE 2021

NEXT REVIEW MAY 2023

This Policy (adopted from the NALC model) outlines the principles that should be adopted by Councillors in their role as part of the Town Council. It is designed to protect the Town Council's democratic role, encourage good conduct and safeguard the public's trust in local government.

Joint Statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

a) is a member of any committee or sub-committee of the authority, or;
b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;
and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General Principles of Councillor Conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person

- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of Councillor Conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be

followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:

1. reasonable and in the public interest; and
2. made in good faith and in compliance with the reasonable requirements of the local authority; and
3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others.

However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring

Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life (the ‘Nolan Principles’)

The principles are:

Selflessness

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

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 disclose and resolve any interests and relationships.

Objectivity

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

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.

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.

Honesty

Holders of public office should be truthful.

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.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which directly relates to one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which *directly relates* to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which *affects* –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative, close associate; or
- c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

9. Where a matter *affects* your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject Description	Subject Description
Employment, office, trade,	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
Corporate tenancies	Any tenancy where (to the councillor's knowledge):

	(a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where: (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either: (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) 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 councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on Local Government Ethical Standards. If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

Civility and Respect Pledge suggested agenda item:**'To pass a resolution to sign up to the civility and respect pledge'****Definition of Civility and Respect**

Civility means politeness and courtesy in behaviour, speech, and in the written word.

Examples of ways in which you can show respect are by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

The National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW), believe now is the time to put civility and respect at the top of the agenda and start a culture change for the local council sector.

By our council signing up to the civility and respect pledge we are demonstrating that our council is committed to treating councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.

Signing up is a simple process, which requires councils to register and agree to the following statements:

Statement	Tick to agree
Our council has agreed that it will treat all councillors, clerk and all employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.	
Our council has committed to training councillors and staff.	
Our council has signed up to Code of Conduct for councillors	
Our council has good governance arrangements in place including, staff contracts, and a dignity at work policy.	
Our council will commit to seeking professional help in the early stages should civility and respect issues arise.	
Our council will commit to calling out bullying and harassment when it happens.	
Our council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme	
Our council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	

ITEM 12 – CO-OPTION TO COUNCILLOR VACANCIES

Applicant A [Chris Beavis] - I would like to be considered for one of the vacant co-opted councillor positions. Didn't put my name forward for the election, had hoped a few more younger people would apply. I'm happily retired and live in Totnes (40 years plus) with my family.

I have no personal or political agenda, am open minded to other people's views and having attended several council meetings would now like to contribute to discussions and decisions.

With rising costs and charges the council's financial stability and ability to provide value for money for residents is a concern. I'm aware of the housing crisis creating less opportunities for the younger generations and key workers and other things such as the over stretched infrastructure. Maybe Totnes TC will be able to have a more constructive dialogue with District if a new regime is elected.

Applicant B [Jeff Chinnock] - I am writing to express my interest in putting my name forward to be a Town Councillor (Totnes Town Ward).

Although its powers are limited, I believe the Town Council has a vital and important role in making a positive contribution to the life of the town and all of its residents. Over the last few years, I have been impressed by the way in which the Town Council has acted to put aside partisan politics and instead sought to work together to enable local democracy to thrive and prosper in the interests of making a real difference to the lives of citizens who live and work in the town. The partnership between local government, the voluntary, community and social enterprise sector (VCSE), other public sector bodies and citizens at place level is what makes communities strong and resilient, and the Town Council is central to facilitating this approach.

I would like to be considered for the role of Town Councillor and I would endeavour to make a full and positive contribution to its work. I have a broad range of experience and skills which I believe would bring added value to the Town Council:

- My current role in the NHS is as Associate Director of Policy & Partnerships at the Royal Devon University Healthcare Foundation Trust. This role involves developing partnerships with a wide range of organisations across North and East Devon to address health inequalities and take action on the wider determinants of health and wellbeing with and alongside communities. While the Town Council has no direct responsibility for health and wellbeing it has a vital role in strengthening community action and I would welcome applying what I am learning in other parts of the county to Totnes.
- Previous experience in the NHS has also included roles as the Communications and Inclusion Director as well as Divisional Manager for Corporate Affairs and these are additional skills and experience I can bring to the table.
- Previous roles in both national and regional government and as a campaigner and lobbyist in the voluntary sector has given me extensive experience of public affairs, the workings of local government and the roles of the statutory sector. I have good knowledge and experience of the three-tier system of local government in Devon.

- I am passionate about the role that local government can play in strengthening the assets and connections at local level and the way in which proactive community development can build the resilience and capabilities of communities themselves to build healthier, more productive and happier lives for all. The Town Council can be pivotal in realising these strengths with and alongside the VCSE sector and this is an area I would be keen to help develop.
- I am an active resident who, alongside my partner, established Inclusive Totnes in 2018. Inclusive Totnes seeks to create improved access for all across the town and this has resulted in some positive local changes including better access for disabled residents to local shops, pressuring GWR to fix the broken lifts at the train station, holding local organisations accountable for upholding their public sector duties on equality, and tackling loneliness. I am also on the Committee of the local resident's association that is campaigning for improvements in and around Kingsbridge Hill and I am currently seeking to link the association in with the Transition Streets initiative run by Transition Town. I have also been involved in a number of local campaigns including lobbying for improved road safety, encouraging the local community academy to sell the Lower Field for community benefit, and encouraging the Dartington Trust to be a better and more community orientated neighbour.

I have lived in and around Totnes for over 13 years and I am keen to give something back to a town I am proud to call home. I would seek to apply the skills, knowledge, and experience I have to improve the lives of everyone living and working in Totnes and I would be keen to focus on how the Council can help play an active role in fostering, enhancing and strengthening our community.

Although I have a busy and demanding full time role, this is normally undertaken in office hours and primarily at home, so I believe I am in a position to meet the needs of this role and its commitments going forward.

Finally, I can confirm that:

- I am on the electoral register for Totnes Town Ward and have lived here for five years; previous to that, I lived in a village nearby to Totnes for eight years.
- I have never been subject to a bankruptcy order; I have not been convicted of an offence in the UK; I have not been disqualified from becoming a member of a local authority.

It is also important that I declare at this stage that:

- My wife, Sarah Collinson, is an elected Town Councillor.
- I have no current political party affiliation.

I very much hope the Town Council will consider my interest in being co-opted onto the Council.

Applicant C [Abigail Read] - Totnes Town Council has an essential role in bringing people together- to help and support the vulnerable, to ensure our heritage is protected, whilst also promoting a modern vision for the town.

I am a passionate advocate for the community. I have been impressed by the work done by 'Bridgetown Alive' with the support of 'Be Buckfastleigh'. I would like to see Totnes re-establish itself as a place to visit and be celebrated. My view is that this can be achieved by

enabling local communities to work together for their own benefit. I genuinely feel that Totnes has lost its way since the Arts School closed and tourists (and locals) are more inclined to visit Dartington or Ashburton for an artsy experience - to the detriment of local Totnes businesses.

We have so much to celebrate here, and I am keen to be a part of the driving force that will make things happen.

I am dedicated to voluntary, community projects. Most recently I have been the chair of governors at a local primary school and chair of Dartington swimming pool committee

I appreciate that I have been a long-term (constructive) critic of the Town Council. I would now like the opportunity to get stuck in and work together to make a difference.

Applicant D [Nick Roberts] - Please accept this letter as an application for the post of Totnes Town Councillor.

Experience: I was a General Practitioner in South Devon for most of my working life, before undertaking an MBA at Exeter University and entering the world of NHS senior management, where I became Chief Officer for NHS Devon CCG. I retired in 2018, but returned to work during the pandemic and now have retired once more. I have held numerous roles in voluntary and charity sector including Chair of Governors for Denbury Primary School, Trustee for Future Health Africa (a global health initiative), a Trustee for Transition Town Totnes (current) and a volunteer for Pavilion Café (an enterprise providing occupation for adults with additional needs; current).

My career path has provided me with the skills of problem solving, emotional intelligence, financial understanding, decision making, processing information, public speaking, communication skills and empathy. I believe all these skills are essential for the role of a councillor and feel I can put them to good use in this role.

Supporting Local Community: As a General Practitioner one sees the many challenges faced by individuals within the community. I believe the creation of a sustainable society is something to strive for in any community. This would include health, inclusivity, economic viability, safety, access to services, housing and wellbeing. It would be naïve to believe a councillor can solve all these challenges, but by recognising these aims councillors can work together to address many of these significant issues.

Reasons for Applying: I moved to Dartington from Denbury in 2019 and since then have aimed to be an active member of the community. I joined the tennis club and now sit on the fund raising committee to improve facilities; As Trustee at TTT I provide charitable governance for the numerous projects within the organisation and am currently facilitating the film festival project. Through my work with TTT I have seen first hand how local initiatives can impact positively the community as well as delivering environmental benefits.

I believe as a Town Councillor I could use my skills to have an even greater impact on the wellbeing of residents here.

Totnes is an amazing town with a vibrant community, tolerant society and independent businesses. It also has significant challenges around housing, transport and impacts of the cost of living crisis. I am keen to be part of a group that helps address these areas and others that come before the council.

ITEM 13 – TRAFFIC SPEED CAMPAIGN

20s Plenty for Devon

Motion

Totnes Town Council:

- Supports the *20's Plenty for Devon* campaign;
- Calls on Devon County Council to implement 20mph in Totnes; and
- Will write to Devon County Council to request 20mph speed limits on streets throughout Devon where people live, work, shop, play or learn, with 30mph as the exception on those roads, where full consideration of the needs of vulnerable road users allows a higher limit.

What is the 20s Plenty campaign?

20s Plenty for Us campaign for a **speed limit of 20mph to be the norm** on residential streets and in town and village centres, unless full consideration of the needs of vulnerable road users allows a higher limit on particular streets.

The aim of the 20s Plenty for Devon campaign is to get Devon County Council to make their default speed limits 20mph in towns, villages and cities. Making it the default is both more effective (people come to expect it) and much cheaper to implement (e.g., it allows wide areas to come under the same traffic order regulation).

There are a number of places in town that are 20mph zones already (e.g. all of Bridgetown) but these are often not adhered to (partly due to poor signage). Lowering it across town means people expect it and are more likely to keep to it.

Why 20mph? A few key reasons

1. **Popular:** National and local surveys consistently find 70% support in residential streets; such support rises after 20mph limits are introduced¹.
2. **Safer & healthier:** Increased vehicle speed increases the chance of being injured and the severity of injuries resulting from a collision. 20mph can also help to reduce the perceived dominance of motor vehicles, helping to create streets and places that are more attractive for people to walk, cycle and enjoy.²
3. **Cleaner (and quieter):** Research by Imperial College London showed that vehicles move more smoothly with fewer accelerations and decelerations, which reduces particulate emissions from tyre and brakes.³

¹ <https://www.sciencedirect.com/science/article/pii/S1369847821002722> ;
https://vimeo.com/763107951?fbclid=IwAROMyiM_8Kx_NsxPqBhhs-UgBxYxzNtRcd1l1Q_kXMPjiu3_Q1OxBOWdczo

² <https://www.sustrans.org.uk/our-blog/policy-positions/all/all/our-position-on-20-mph-speed-limits-in-built-up-areas>

³ <https://haveyoursay.tfl.gov.uk/lowering-speed-limits/widgets/31529/faqs#:~:text=delivered%20so%20far%3F-Do%20slower%20speeds%20cause%20congestion%20and%20pollution%3F,negative%20impact%20on%20exhaust%20emissions.>

4. **Accepted** as normal by UK local authorities where 28m people live, including in Cornwall and shortly in all of Wales and Scotland.
5. **Affordable (and cost effective):** Multiple economic, societal and environmental benefits at low cost. Entry signs plus repeaters remind drivers with no need for physical calming or additional enforcement (although presence of average speed cameras is preferred if possible).
6. **Little journey time impact:** Congestion, junctions and crossings are the determining factors in built up areas and 20mph rarely affects journey times or bus timetables.⁴

⁴ <https://www.gov.wales/introducing-20mph-speed-limits-frequently-asked-questions#:~:text=In%20many%20cases%20lowering%20the,safest%20for%20pedestrians%20and%20cyclists.>

ITEM 14 – LIST OF MEETING DATES

Month	Full Council, 7pm	Council Matters Committee, 6.30pm	Planning Committee, 6.30pm	Town Matters Committee, 6.30pm
May 2023	Monday 15 th	Monday 22 nd	Monday 23 rd	No meeting
June 2023	Monday 5 th	Monday 12 th	Monday 19 th	Monday 26 th
July 2023	Monday 3 rd	Monday 10 th	Monday 17 th	No meeting
August 2023	A recess meeting will be called by the Mayor if required	No meeting	Monday 15 th or 21 st - TBC	No meeting
September 2023	Monday 4 th	Monday 11 th	Monday 18 th	Monday 25 th
October 2023	Monday 2 nd	Monday 9 th	Monday 16 th	No meeting
November 2023	Monday 6 th	Monday 13 th	Monday 20 th	Monday 27 th
December 2023	Monday 4 th	No meeting	Monday 11 th	No meeting

Arts and Events Working Group (12pm in the Guildhall) - 19th July, 18th October 2023

Council Assets and Public Realm Working Group (12pm in the Guildhall) - 20th June, 19th September, 21st November 2023

Climate Emergency Forum (6pm third Tuesday of each month in person and/or via Zoom)
20th June, 18th July, 19th September, 17th October, 21st November 2023

Traffic and Transport Forum (6.30pm last Wednesday of each quarter (or Steering Group as required) in person and/or via Zoom) - 26th July, 25th October 2023

May

Annual Meeting of the Council – 15th May at 6.30pm
Annual Town Meeting – 17th May at 6.30pm in the Civic Hall
Council Matters Committee – 22nd May at 6.30pm
Planning Committee – Tuesday 23rd May at 6.30pm as a one off
Mayor Making – 25th May at 11.15am in the Guildhall (this is not a public meeting – it is for all Councillors and invite only)

June

Full Council – 5th June at 6.30pm
Council Matters Committee – 12th June at 6.30pm
Planning Committee – 19th June at 6.30pm
Council Assets and Public Realm Working Group – 20th June at 12pm
Climate Emergency Forum – 20th June at 6pm
Traffic and Transport Forum – 26th June at 6.30pm

July

Full Council – 3rd July at 6.30pm
Council Matters Committee – 10th July at 6.30pm
Planning Committee – 17th July at 6.30pm
Climate Emergency Forum – 18th July at 6pm
Traffic and Transport Forum – 26th July at 6.30pm

