

## AGENDA FOR THE MEETING OF TOTNES TOWN COUNCIL

MONDAY 5<sup>TH</sup> JUNE 2023 IN THE GUILDHALL

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

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

You are hereby **SUMMONED** to attend the Annual General Meeting of the Council, on **Monday 5<sup>th</sup> June 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. 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.

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*The Council will adjourn for the following items:*

Reports from County and District Councillors.

- a. County Cllr Hodgson – no document.
- b. District Cllr Allen – no document.
- c. District Cllr Birch – no document.
- d. District Cllr Presswell – no document.

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*The Council will convene to consider the following items:*

### 3. CLERK'S REPORT (Standing Item)

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

### 4. CHAIRS OF COMMITTEES

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

### 5. 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 15<sup>th</sup> May 2023 – document attached.

To note the following minutes:

- b. Council Matters 22<sup>nd</sup> May 2023 – document attached.

c. Planning Committee 23<sup>rd</sup> May 2023 – document attached.

6. CONSIDERATION OF ANY MATTERS ARISING REQUIRING A DECISION

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

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

- a. Full Council 15<sup>th</sup> May 2023.
- b. Council Matters 22<sup>nd</sup> May 2023.
- c. Planning Committee 23<sup>rd</sup> May 2023.

7. COMMITTEE MEMBERSHIP

To consider the committee, working group and link council membership of the newly co-opted Councillors. Document attached.

8. INTERNAL AUDIT REPORT

To receive the Internal Audit Report for 2022/23, consider the findings and action plan. Document to follow.

9. ANNUAL GOVERNANCE STATEMENT

To:

- a. Approve the Annual Governance Statement for 2022/23 by resolution (document to follow); and
- b. Chair to sign the Governance Statement.

10. ACCOUNTING STATEMENT

To:

- a. Consider the Accounting Statement for 2022/23 (document to follow);
- b. Approve the Accounting Statement for 2022/23 by resolution; and
- c. Chair to sign the Accounting Statement for 2022/23.

11. LIST OF MEETING DATES

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

12. NEXT MEETING

To note the next meeting date of Monday 3<sup>rd</sup> July 2023, 6.30pm public session, 7.00pm formal meeting in the Guildhall.

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*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.*

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13. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing Item)

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

14. CIVIC HALL FIRE DOORS

To consider quotes for the installation of the additional Civic Hall fire doors (commercial). Document attached.

15. ELMHIRST PROJECT

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

Agenda produced by:

Catherine Marlton

Town Clerk

25<sup>th</sup> 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.**

## Full Council Monday 5<sup>th</sup> June 2023 - Clerks Report

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### General update

- Welcome to Cllrs Roberts, Beavis and Chinnock who were co-opted at May Full Council. All Councillors are now added to the bank mandate as signatories.
- Induction has been completed for all Councillors including the three co-opted candidates. New email addresses are now live and Councillors have been offered a tablet for use as required.
- Please note this update represents the period 16<sup>th</sup> May – 26<sup>th</sup> May due to annual leave for half term.
- We have appointed Blachere to do the Christmas Lights as per the tender.
- Members of staff met with a Chamber of Commerce rep to see if they can repair and reuse any of the failed cross street garland lighting strands to supplement the Town Council plans.
- The internal audit went without incident, report to follow.
- Council Matters have been briefed on the Clerk's annual appraisal as per the Standing Orders
- Planning Committee was extremely busy with 3 external presentations and a back log of planning applications for comment. I would ask all Councillors to review the minutes if they were unable to attend, in particular the information related to Steamer Quay high dependency unit and Baltic Wharf.
- To date no applications have been received for the Community Fundraiser – Councillors will be updated at June Council Matters.
- The Odd Object competition is back – the community member who previously organised it has taken it back on. Visit Totnes is assisting by contacting and promoting through the business update circulars. Please encourage businesses to participate as it was missed last year.
- The Annual Town Meeting was very positive with nominees for the Community Awards present.
- The Mayor Making went off very successfully in a slightly different format given it is an election year.
- The Community Grants Fund is open for applications – closing date of 4<sup>th</sup> June so please remind community partners!
- The separate charity of Paige Adams Trust awarded £15,689 to community groups tackling the Cost of Living crisis.
- Planning permission for internal work to fireproof the upstairs office has just come in. The painting is complete, CCTV monitors installed from the new system, flooring and stud wall next then furniture. The bathroom will be closed off until such time we can get a contractor to quote for a complete replacement given the condition of the whole room.
- Planning permission for the exterior noticeboard may be delayed due to engagement needed with Historic England.
- The annual insurance premium has seen a pretty big increase, total estimate annual cost is currently estimated at £31,000.
- The April & May Artisan markets have been successful, with £1155 of income so far from bookings.
- Ginny Ware has left Totnes Times as the local reporter/contact.
- National pay award update:

It should be noted that as these were consultative ballots they are not required to share response rates.

**GMB** rejected the pay offer by 64 per cent to 36 per cent and said it “plans to move to industrial action in some areas.”

**Unite** rejected the pay offer by 75 per cent to 25 per cent and plans to conduct a formal ballot for industrial action, which is expected to run from late May to early July.

**UNISON** did not consult its members on the pay offer, but instead will move straight to a formal ballot for industrial action, which starts on 23 May and will close on 4 July. UNISON will be balloting on a disaggregated basis, which means strike action could be taken at each individual council/school where a turn-out of over 50 per cent is secured (if members vote in favour of strike action). If UNISON meets the threshold for lawful industrial action to take place, its timetable means strike action may not start in councils until August and in schools from September.

## NALC/DALC updates

### Larger Councils Committee

NALC's Larger Councils Committee met remotely on 18 May 2023. Here are a few highlights:

- The committee shared with each other updates on recent local elections in their areas, where they reported an increase in the number of councillors standing down and a decrease in the number of candidates standing for election.
- The committee agreed to hold its next meeting on 25 July 2023 in person as a workshop to discuss engaging with larger and super councils and NALC members, NALC governance for larger councils, the committee's work programme and the government's neighbourhood governance review.
- NALC's head of member services, Charlotte Eisenhart, and Steve Parkinson of The Parkinson Partnership spoke about the procurement needs of larger councils and received feedback to inform future work on guidance and training.
- The government's recent Anti-Social Behaviour Action Plan was considered and the committee shared examples of their own work to reduce anti-social behaviour such as through removal of graffiti, and delivery of youth services including outreach and provision of CCTV. NALC will be gathering further examples from larger councils and their use of existing powers to inform our engagement with the government.
- Extending the Dependents' Carers' Allowance to local councils has previously been identified as a lobbying priority by the Committee and it welcomed NALC's lobbying on this issue including seeking to amend the Levelling Up and Regeneration Bill. The committee was asked to provide further evidence of how councillors were being affected to be used during the next stage of the Bill.

### Engaging with the government and the development of the Office for Local Government

One of our objectives is to be a strong national voice for the sector, which includes raising its profile to the government and other national bodies, so they understand the role and potential of local councils. And seeking legislative and other changes in line with our policy priorities. Among the ways we do this is in parliament and meetings with ministers and civil servants. For example, we are on several government policy forums which bring stakeholders together, such as calls with the Department of Levelling Up, Housing and Communities and its communities partnership board, the Department for Environment, Food and Rural Affairs insight forum and the Department for Energy Security and Net Zero forum. NALC's chair, Cllr Keith Stevens, also attends ministerial roundtables, so I'm pleased he's been invited to join other local government leaders to help the development of the new Office for Local Government (OFLG) whose interim chair is Lord Morse. The OFLG is designed to increase transparency, foster accountability and use data to improve local government performance. While principal councils are the current focus for this body – its data themes are social care, waste, finance (reserves) and adult skills – local councils are not in its remit, but having a seat at the table provides an opportunity to help shape the regime to benefit our residents and ensure the sector's interests are not overlooked.

### Digital Democracy and Council Meeting Partnership

Another forum where NALC is involved alongside other local government stakeholders is the Digital Democracy and Council Meetings Partnership. Originally formed during Covid-19 to address remote meetings, the partnership brings NALC together with the Association of Democratic Services Officers, Lawyers in Local Government, Local Government Association (LGA), SLCC and other representative bodies. NALC's head of policy and communications, Justin Griggs, and our senior solicitor and legal manager, Jane Moore, were at the latest meeting on 23 May 2023, here's a few highlights:

- Updated terms of reference were agreed including the mission statement of supporting the transformation and improvement of local government digital and hybrid democratic functions and lobbying for the flexibility to hold remote council meetings.
- A discussion on holding future round tables and learning events to support the partnership's focus on best practice, guidance and case studies.
- The group provided updates on work to lobby for remote meetings such as LGA's latest online survey about council meetings and the use of virtual meeting technology (more on NALC's parallel survey below), a new letter to ministers, contact with Peers on amending the Levelling Up and Regeneration Bill and June debate on local government and reinvigorating local democracy, and a private members bill being tabled by an MP.

#### Please complete our remote meetings online survey!

I would be grateful if councillors and clerks from our local councils could complete a short online survey about local council meetings and the use of virtual meeting technology. This is being carried out in parallel with LGA's own survey of principal councils. The results will help NALC's campaign for legislative change to allow councils the flexibility to use virtual meeting technologies for council meetings, understand how councils might use virtual meeting technologies if they were permitted to do so and assess the potential benefits and challenges of in-person, virtual and hybrid council meetings. The survey should be quick and take around 5 minutes to complete. I would be grateful if you could complete the [online form](#) by 8 June 2023, please also only complete the survey once – thank you for your help.

#### Cost-of-living survey by the Rural Services Network

This week the Rural Services Network (RSN) published the results of its Rural Cost of Living Survey. The survey showed that more than 75% of respondents say their financial situation has worsened over the last year — [read the entire report](#). The RSN is the national champion for rural services, ensuring that people in rural areas have a strong voice.

#### **Correspondence**

- 15<sup>th</sup> May – Clerk wrote to a member of the public who expressed concerns about the state of the Market Square.
- 17<sup>th</sup> May – Clerk shared the Community Ownership Fund information with Councillors and also wrote to SHDC officers regarding the possibility of working together on projects.
- 17<sup>th</sup> May – Clerk wrote to ESW, TDA and our legal representative to see if any update was available on the Elmfirst site sale. Response forwarded to all Cllrs.
- 17<sup>th</sup> May – Clerk wrote to SHDC offices and Councillors expressing concerns about misinformation around the Town Council events on the market square.
- 19<sup>th</sup> May – Clerk signed up to the NALC 'Civility and Respect Pledge' as agreed at Full Council.
- 22<sup>nd</sup> May – Clerk wrote to a member of the Chamber of Commerce regarding their attendance to the last Paige Adams Trust meeting and advised what process to follow for future engagement/support.
- 22<sup>nd</sup> May – Clerk wrote to the Duke Of Somerset's office asking for any update on the previous meeting.
- 25<sup>th</sup> May – Clerk wrote to a member of the public in response to a request to fix the hanging sign at Totnes Museum.
- 29<sup>th</sup> May – clerk wrote to a member of the public about a used syringe found in The Lamb Garden.

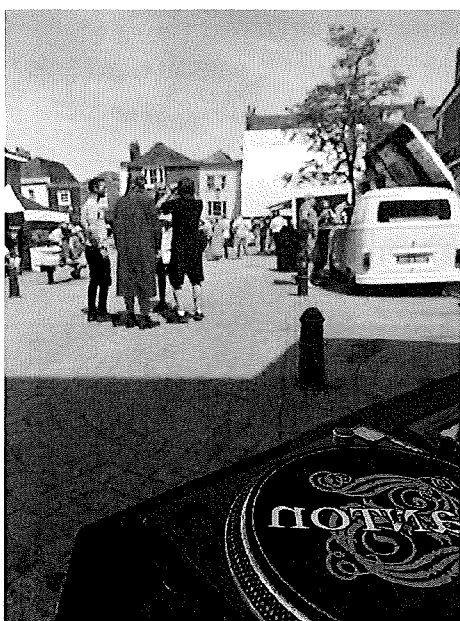
#### **Cost of Living/TQ9:Together We Care**

The Cost of Living Partnership is made up of a steering group ( Totnes Caring Caring Town, Citizens Advice South Hams, TTC) and 34 other local organisations. There are a mixture of steering group meetings and larger partnership meetings approximately every month.

- There'll be a zoom catch up meeting which all TQ9: Partners are invited to on the 8<sup>th</sup> June 2023 from 1 – 2pm.
- TQ9 Partners have been encouraged to apply to the TTC Community Grant which closes at 5.00pm on Sunday 4<sup>th</sup> June. Please remind local groups of this deadline!
- CoLP Coordinator is creating a regular (approx. fortnightly) funding opportunity newsletter gained from various sources which will be shared with TQ9 partners.

## Visit Totnes

The Tourist Information Centre in the Market Square opened for the season on 3 April. The Centre received 215 enquiries in April (Down from 324 during April in 2022). Enquiries were a mixture of in person on phone and email, with 25% from local residents. The website had 30,000 page views during the month and we reached 76k via Facebook and Instagram.



### On TV

Fred Sirieux and Chef Angela Harnett were spotted filming in Totnes in April. Filming took place at Gather and The Bull Inn for the upcoming Channel 4 series Remarkable Places to Eat - we'll keep you updated when we know the broadcast date.

### In the press

Totnes featured in The Telegraph on 23 May in an article looking at the many sides of the town and highlighting both the Sea Change Weekender Festival and the Rails and Ales event at South Devon Railway.

### In the town

On Sunday 28 May, we held our second event in the town. Working with Miss Ivy Events and Sea Change, the Weekender Food and Drink Market brought a mix of food, drink and music to a very sunny Market Square.

## Council Assets

### Events (over and above regulars)

Mental Health/Suicide Awareness Training, (2 day) Park School Performance, Sika (Meditative Sound Journey), TAODS The 39 Steps. Regulars are in 4 nights a week

### Guildhall visitor numbers

Visitor numbers are steady (approx. 30 per day); however we've had to shut on a few occasions this month for 3 Bank Holidays, Cllr Training day, Mayor Making Day, Internal Auditors as well as the installation of the sound loop.

### Guildhall events May/June

3 Weddings

### Bookings in the Civic Hall in June

Newcross Healthcare 2-day training, Acorn Property Public Consultation, Wildanet Public consultation, 3<sup>rd</sup> Indoor Artisan Market

## Sustainability

Consultations currently open:

## Devon, Cornwall and Isles of Scilly (DCIoS) Climate Adaptation Strategy

- The Devon, Cornwall and Isles of Scilly (DCIoS) Climate Adaptation Strategy is intended to help communities and organisations across the Southwest to better understand the risks their area might face in future, as climate change increasingly affects the UK. It will also help them to adapt to these changes, by identifying the parties responsible for ensuring community safety.
- Open Tuesday 9th May - Friday 30th June 2023
- Three versions that can be read - info on: [www.climateresilient-dcios.org.uk](http://www.climateresilient-dcios.org.uk)

## Road Investment Strategy (RIS) - Strategic Road Network (SRN) Initial Report

- National Highways have published a number of key documents in relation to the next Road Investment Strategy (RIS) period (2025-2030). The documents relate to the future of the strategic road network (SRN), which encompasses motorways and major A-roads.
- The Department for Transport will now undertake an 8-week public consultation process on the SRN Initial Report. This will inform DfT's draft Road Investment Strategy and National Highway's draft strategic business plan.
- Peninsula transport will set out their full responses in due course but they encourage those living, working and travelling within the peninsula to also have their say.
- <https://www.gov.uk/government/consultations/shaping-the-future-of-englands-strategic-roads>

## Other updates since 15th May

- Traffic & Transport Strategy recommended update will be ready to go to Planning Committee on 19 June
- E-co cars has found someone to take over the running of the business short-term. There is big potential to expand the club but various things need to happen first, e.g., update of website, potentially a new vehicle, improve the branding.
- The Climate Hub will be running transport-focused events in July. The Sustainability Officer is liaising with them on this.

## **Town Maintenance Officer (TMO)/Public Realm**

- Moving the defibrillator and reinstalling in a new heated cabinet is ongoing.
- Planters have been replanted as needed, the Assistant TMO/Caretaker is now cleaning down, weeding and watering.
- CCTV has installed around the Guildhall.
- The formal ok to undertake Church wall repairs has been received from the Diocese.
- The Fire RA has been received for the Museum and the TMO is working with them on how to resolve actions. The tree work needed for safety reasons has been completed. Also some general repairs to the external lead work may be required within our responsibility as freeholder.
- The second 'green room' at the Civic Hall has been completed and had first use.
- Chasing a third quote for the Civic Hall exits – will be tabled at June Full Council to avoid unnecessary delays.
- Grass is growing at a rate given the weather – despite regular cuts this may mean cuttings/clumping in St Mary's and Cemetery until things slow down.
- Biodiversity/wildflower work in the Cemetery has been delayed due to illness of the contractor – update to follow.

Catherine Marlton

Town Clerk

30<sup>TH</sup> May 2023

#### ITEM 4 – CHAIRS OF COMMITTEE

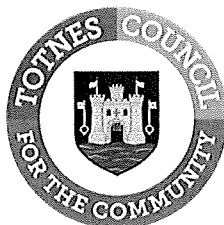
Full Council is asked to consider the ratification of the following Chairs of Committee and to note the deputy chairs:

Council Matters: Cllr Ben Piper (Chair), Cllr Darren Peters (deputy)

Planning Committee: Cllr Tim Bennett (Chair), Cllr Lisa Smallridge (deputy)

Town Matters Committee – to be decided at Full Council





Items 5A + 6A

**DRAFT MINUTES FOR THE MEETING OF TOTNES TOWN COUNCIL**  
**MONDAY 15<sup>TH</sup> MAY 2023 IN THE GUILDHALL**

Present: Councillors E Price (Chair), G Allen, L Auletta, T Bennett, S Collinson, T Cooper, J Cummings, J Hannam, J Hodgson, D Peters, B Piper, A Presswell and L Smallridge.

Apologies: None.

In Attendance: members of the press and public, C Marlton (Town Clerk), P Bethel (Town Sergeant) and S Halliday (Governance & Projects Manager).

**1. WELCOME TO ALL ATTENDING AND OBSERVING**

**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.**

Cllr Piper proposed Cllr Price which was seconded by a number of Cllrs. Cllr Price was unanimously voted in as Mayor.

**b. To note the Mayor's appointment of the Deputy Mayor/Chair.**

Cllr Price appointed Cllr Collinson as her deputy for the coming year.

**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.**

No apologies had been received and all Declarations of Acceptance of Office have been made.

**b. All members complete their Registers of Interests and return them to the Town Clerk by 7th June 2023.**

Most Registers of Interest had been

**Reports from County and District Councillors.**

**c. County Cllr Hodgson**

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

c. County Cllr (C Cllr) Hodgson explained how Devon County Council's new Chief Executive Officer is looking at how the Council functions, makes decisions and potentially more delegated powers for a more streamlined approach to report by autumn 2023. C Cllr Hodgson also updated on the '20's Plenty' campaign, the South West Water water quality meeting, and the County Councillor Locality budget being open again but reduced to £5K for the coming year.

*The Council reconvened.*

#### 4. WELCOME TO NEW COUNCILLORS

The Mayor welcomed newly elected 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.**

The following appointments were **RESOLVED**:

<b>Committee/Working Group</b>		
Council Matters Committee	Cllrs Bennett, Hannam, Peters, Piper & Price	
Planning Committee	Cllrs Allen, Auletta, Bennett, Collinson, Cooper, Cummings, Hodgson & Smallridge	
Town Matters Committee	Cllrs Allen, Collinson, Cummings, Piper, Price & Smallridge,	
Council Assets and Public Realm Working Group	Cllrs Auletta, Collinson, Hodgson, Peters, Piper, Presswell & Price	
Arts and Events Working Group	Cllrs Allen, Hannam, Piper, Presswell & Price	
Climate Emergency Forum	Cllrs Cooper, Cummings & Hodgson	
Traffic and Transport Forum	Cllrs Auletta, Cummings, Hodgson & Peters (Cllrs Bennett and Collinson attend as representatives of other organisations)	
<b>Link Councillors</b>		
Cultural Links	Cllr Piper	
Arts	Cllrs Allen & Piper	
Elderly and Vulnerable People	Cllrs Collinson & Presswell	
Young People/Youth	Cllrs Hannam & Hodgson	
Heritage	Cllrs Allen, Auletta & Price	
Open Space, Sports Provision and Leisure	Cllr Auletta & Piper	
Traffic and Transport	Cllrs Auletta & Cummings	
Environment, Sustainability & Air Quality	Cllrs Collinson, Cummings & Hodgson	
Disability	Cllr Collinson	
Business and Employment	Cllrs Bennett, Peters, Piper & Price	
<b>Representatives on Outside Bodies</b> Frequency of meetings depends on the various organisations - monthly is the most frequent. Where information is known it is shown below.		

TADPOOL	Cllr Hannam
Totnes Allotments Association	Cllr Hodgson
Vire Twinning Association	Cllrs Cooper & Price
Totnes Municipal Charities and Totnes Bounds Charity	Cllr Allen
KEVICC Foundation Governors	Cllrs Bennett, Hannam, Price & Smallridge (Cllr Hodgson attends in her capacity as County Cllr)
Parish Paths Partnership	Cllr Allen
Totnes Hospital League of Friends	Cllr Hannam
Dart Harbour Community Group	Cllrs Cummings & Piper
DALC County Committee	Cllrs Hodgson & Price
DALC Larger Councils Committee	Cllr Price
Totnes Chamber of Commerce	Cllrs Bennett, Peters & Price
Fairtrade	Cllrs Allen & Hodgson
Caring Town	Cllrs Hannam & Price
Museum Trust	Cllr Allen
Network of Wellbeing	Cllrs Cummings & Hodgson
Bridgetown Alive	Cllr Piper
Friends of Totnes Museum	Cllr Allen
Daisy and Rainbow Childcare	Cllr Bennett
Inclusive Totnes [Disability]	Cllr Price
Police & Crime Commissioner Councillor Advocate	Cllr Piper
Totnes Community Development Society	Cllrs Piper & Price
Devon Countryside Forum	Cllrs Allen & Hodgson
Rural Service Network	Cllrs Allen & Hodgson
Friends of Salfit	Cllr Allen & Price

## 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;  
Cllr Piper will propose the new Mayor.
- b. To second the new Mayor; and  
Cllr Bennett will second the proposal.

**c. To propose a vote of thanks to the outgoing Mayor.**

Cllr Allen will propose the vote of thanks.

**7. CLERK'S REPORT (Standing Item)**

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

Noted. The Clerk explained that this report is designed to give all Councillors an update and overview of the day-to-day work being delivered by officers as well as helping Councillors to answer questions from members of the public.

**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 3<sup>rd</sup> April 2023.**

It was **RESOLVED** unanimously to approve and sign the minutes.

**To note the following minutes:**

**b. Council Matters Committee 17<sup>th</sup> April 2023.**

Noted.

**c. Planning Committee 24<sup>th</sup> April 2023.**

Noted.

**9. 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 3<sup>rd</sup> April 2023.**

No matters arising.

**b. Council Matters Committee 17<sup>th</sup> April 2023.**

Item 12 – IT Support. It was **RESOLVED** unanimously that the Council migrate to Microsoft from Google and transfer to Cobalt Comms and IT.

**c. Planning Committee 24<sup>th</sup> April 2023.**

No recommendations.

**10. STANDING ORDERS**

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

It was **RESOLVED** unanimously to accept the amendments set out in the Standing Orders.

**11. CODE OF CONDUCT**

**To consider:**

**a. A review of the Councillor's Code of Conduct.**

It was **RESOLVED** unanimously to accept the Code of Conduct.

**b. Signing up to the NALC Civility and Respect Pledge.**

It was **RESOLVED** unanimously to sign up to the NALC Civility and Respect Pledge. 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.

**12. CO-OPTION TO COUNCILLOR VACANCIES**

**To consider the applications for the Totnes Town and Totnes Bridgetown Councillor vacancies.**  
It was **RESOLVED** to co-opt Chris Beavis, Jeff Chinnock and Nick Roberts to the Totnes Town and Totnes Bridgetown vacancies.

**13. TRAFFIC SPEED CAMPAIGN**

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

It was **RESOLVED** unanimously to support the 20's Plenty for Devon campaign; that the Council calls on Devon County Council to implement 20mph in Totnes; and that the Council 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.

**14. LIST OF MEETING DATES**

**To note a list of upcoming meeting dates.**

Noted.

**15. NEXT MEETING**

**To note the next meeting date of Monday 5<sup>th</sup> June 2023, 6.30pm public session, 7.00pm formal meeting in the Guildhall.**

Noted.

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*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.*

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**16. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing Item)**

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

No recommendations.

**17. CHRISTMAS LIGHTS TENDER**

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

It was **RESOLVED** to award the tender to Blachere for the installation of the Christmas Lights in 2023.

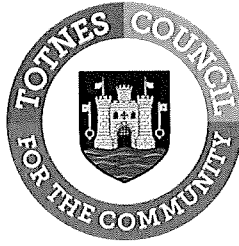
**18. ELMHIRST PROJECT (Standing Item)**

**To consider any update on the Elmhirst Site project (commercially sensitive).**

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 22<sup>ND</sup> MAY 2023 AT 6.30PM IN THE GUILDHALL

**Present:** Councillors B Piper (Chair), T Bennett, D Peters and E Price.

**Apologies:** Cllr Hannam.

**In Attendance:** Cllrs Beavis and Smallridge, 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. ELECTION OF CHAIR AND DEPUTY

To:

- a. **Make a recommendation to Full Council for the Chair of Council Matters Committee for 2023/24; and**  
Cllr Price proposed Cllr Piper, seconded by Cllr Peters which was supported unanimously. To **RECOMMEND** to Full Council that Cllr Piper becomes the Chair of the Council Matters Committee.
- b. **Elect a deputy chair for the Committee.**  
Cllr Piper proposed, seconded by Cllr Bennett that Cllr Peters becomes the Deputy Chair which was **AGREED** unanimously.

### 3. CONFIRMATION OF MINUTES

To approve the minutes of 17<sup>th</sup> April 2023 and update on any matters arising.

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

### 4. BUDGET MONITOR

To consider the Budget Monitor including the reserves projection

This was considered and unanimously **AGREED**. The Clerk explained that the Council's reserves at the start of financial year 2023/24 are healthy and are predicted be around £528K at the end of the financial year,

dropping down in future financial years. Savings identified for the current financial year have not been applied to future years. The Clerk hopes that the strategic priority setting of the Council later this year should help inform the future budgets of the Council's term.

#### **5. BUDGET OVERTURN STATEMENT**

**To note the budget overrun statement for financial year 2022/23.**

This was reviewed and noted. It was **AGREED** to add a table to explain the breakdown of the professional fees incurred from the Administration budget line.

#### **6. COMMUNICATIONS AND MEDIA PROTOCOL**

**To review the Communications and Media Protocol.**

The policy was reviewed and **AGREED** unanimously.

#### **7. TRANSFER OF FUNDS**

**To consider a transfer of funds to the Council's savings account.**

It was **AGREED** unanimously to transfer £200K to the Council's savings account.

#### **8. COMMUNITY GRANTS REPORT**

**To consider a feedback report for the community grants awarded in September 2022.**

Noted.

#### **9. RURAL SERVICES NETWORK**

**To consider the renewal of the Council's membership of the Rural Services Network (cost £115).**

It was **AGREED** that Councillor usage will be gauged before deciding on renewal of the membership.

#### **10. GUILDHALL HIRE CHARGES**

**To note the change in the hire charges for use of the Guildhall.**

Noted.

#### **11. DATE OF NEXT MEETING**

**To note the date of the next meeting of the Council Matters Committee – Monday 12<sup>th</sup> June 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)*

#### **12. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)**

**To consider the bank statements and reconciliations for April (financial).**

These were reviewed and unanimously **AGREED**.

#### **13. MUSEUM UPDATE**

**To consider an update on Totnes Museum (legal).**



A verbal update was noted.

**14. CIVIC HALL FIRE DOOR**

To consider quotes for the installation of the additional Civic Hall fire doors (commercial).

This item was deferred to the June meeting.

**15. CLERK'S APPRAISAL**

To note the Clerk's annual appraisal (staffing).

Noted.

**16. STAFFING UPDATE**

For any general or urgent updates that required confidential sharing with Councillors (staffing) including:

a. Community Fundraiser recruitment.

A verbal update was noted.

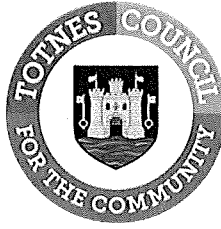
Catherine Marlton

Town Clerk

May 2023

DRAFT





ITEMS 5c + 6c

## DRAFT MINUTES FOR THE PLANNING COMMITTEE

TUESDAY 23<sup>RD</sup> MAY 2023 IN THE GUILDHALL

Present: Councillors G Allen, L Auletta, T Bennett, J Cummings, J Hodgson and L Smallridge.

Apologies: Cllrs Collinson and Cooper.

In Attendance: Four members of the public, representatives of Acorn Property Group, BeaconComms and Carless Adams Architects, Cllrs Beavis and Presswell, C Marlton (Town Clerk) and S Halliday (Governance and Projects Manager).

### 1. WELCOME AND APOLOGIES FOR ABSENCE

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

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

The apologies were received and accepted.

*The Committee will adjourn Standing Orders for the following items:*

### PUBLIC QUESTION TIME

A member of the public from the Camomile Lawn development requested the Committee's support in objecting to application 4021/21/VAR on the basis of concerns previously raised: over massing, including height of the building and retaining wall; flooding; foul water; lighting; excavation of soil and its transportation away from the site; concerns about parking in residential roads; impact on local infrastructure, particularly GP and ambulance services.

*The Committee reconvened Standing Orders.*

### 2. ELECTION OF CHAIR AND DEPUTY

To

**a. Make a recommendation to Full Council for the Chair of Council Matters Committee for 2023/24; and**

Cllr Allen proposed Cllr Bennett, seconded by Cllr Hodgson which was supported unanimously. To **RECOMMEND** to Full Council that Cllr Bennett becomes the Chair of the Planning Committee.

**b. Elect a deputy chair for the Committee.**

Cllr Bennett proposed Cllr Smallridge as Deputy Chair which was **AGREED** unanimously.

Cllr Bennett took the Chair.

### 3. STEAMER QUAY CARE HOME

**To update on the latest proposals for the care home site on Steamer Quay Road from the developers Carless.**

Carless Adams Architects explained that many of the changes in the variation application (which continues to be for a 68-bed care home as per the original approval) reflects lessons learned from care home operations during Covid, for example prevention rather than reaction to health problems, and making the care home as independent as possible. The variations applied for include: lowering the building into the ground by a metre to reduce the overall height of the building – site has undergone ground investigation and this is above the water zone; addition of an external green wall; extending the basement; updated lighting strategy; oxygen room (to enable oxygen provision to all rooms); larger staff room and facilities to aid infection control (individual lockers, staff uniform washing facilities).

The Committee asked about: the height of the retaining wall; what constitutes the footprint of the building (for example, does it include balconies); proximity of the building to bat pinch points along the river and hedgerow; irrigation of the green wall.

#### 4. TELECOMMUNICATIONS INSTALLATION

##### **To update on the proposed telecommunications installation on Babbage Road from the applicants BeaconComms.**

BeaconComms explained that the proposed 23 metre mast would replace an existing mast on the industrial estate. The mast would support the Government's Emergency Services Network roll out for Totnes and could potentially be used by the four main mobile networks in the UK to increase coverage in the town. The base of the tower would be 1.2 metres wide and of a lattice construction.

The Committee asked: where alternative locations had been looked at; would additional masts be required in the future; the lifespan of the tower; emissions monitoring, health checks and the guidelines being followed.

The Committee were updated that application 1363/23/COM for this mast has been removed from the South Hams District Council (SHDC) website.

#### 5. BALTIC WHARF PHASE 2

##### **To update on the latest proposals for Phase 2 of the Baltic Wharf development from the developers Acorn.**

Acorn Property Group updated that they are looking for revised permission for the site to that set out in the Joint Local Plan, which is no longer viable. Since the initial scheme in 2013 three factors have changed: flood criteria has increased; retirement community demand no longer exists (acknowledged by SHDC) therefore the proposed 80 retirement apartments have gone into the overall housing numbers; and the removal of 1 acre of hillside has been rejected as it is not environmentally sustainable and would involve too many lorry movements to remove the soil. The 2023 proposal is for 192 houses and apartments, a boatyard, 42,000ft of commercial space (offices and workshops) and a care home, incorporating car and bicycle parking and bin storage under buildings, a public amenity space and access to the river. The inclusion of affordable housing is being explored with a housing association.

The Committee asked: if the river pontoons will impede the river boat turning around; vehicle access to the boatyard; public realm space; the footprint of the boatyard.

#### 6. CONFIRMATION OF MINUTES

##### **To approve the minutes of 24<sup>th</sup> April 2023 and update on any matters arising.**

The minutes were approved as an accurate record of proceedings.

## 7. TREE WORKS APPLICATIONS

### To make recommendations on the following tree works applications:

7a. 1440/23/TPO - T517: Quercus robur - Fell due to safety reasons, T326: Phillyrea - Fell due to safety reasons, T504, T508, T331, T527: Fraxinus excelsior- due to safety reasons, T516: Pinus nigra - due to safety reasons -L8& 529: Leylandii x9 - Fell due to safety reasons, M1: Monterey Cypress- Fell for management reasons & T357: Monterey pine - Fell due to safety reasons. Endsleigh, Jubilee Road, Totnes, TQ9 5BP.

The Committee requests to defer comment on this application until they have had a site visit with the SHDC tree officer given the number of TPO trees affected and the current amenity value of these trees.

7b. 1540/23/TCA – T1: Fraxinus excelsior – fell. Applecroft, The Lamb, Totnes, TQ9 5SE.

The Committee would welcome the thoughts of the SHDC tree officer and if they believe that the work is required.

## 8. PLANNING APPLICATIONS

### To make recommendations on the following planning applications:

*Note: Cllrs Allen and Hodgson observes and do not vote on any applications which would potentially be discussed at a Development Management Committee meeting at SHDC.*

8a. 4021/21/VAR - READVERTISEMENT (new plans and documents) Application for variation of condition 2 (approved drawings) of planning consent 4165/17/FUL. Development site at SX 809597 Steamer Quay Road, Totnes.

Object. The Committee continues to have concerns as raised in January 2023, namely:

- Overmassing of the site in the revised extension plans which seem too significant a change to be a variation to an application that has expired in terms of the volume of the building (rather than footprint), and the Committee would suggest that a new application is submitted given timing and the scale of the changes applied for.
- Flood risk;
- The sensitivity of the area for wildlife and the impact of the extension on light pollution;
- Work on the site starting before all conditions of application 4165/17/FUL had been met.

On reviewing the current plans and following a presentation from the architects the Committee also has concerns about:

- Biodiversity - whether the current variation application conforms with the targets as set out in SHDC declaring a Climate Change and Biodiversity Emergency. The revised plans seem to have moved the building nearer to the wildlife corridor which is not only an important area to avoid light spill but also this is a known commuting route for the protected Greater Horseshoe bat and this particular point of the River Dart is a pinch point in that commuting route such that additional care with the duty of protection for this endangered species needs to be ensured in the planning conditions.
- Car Parking – there are very few spaces (19) provided for the number of staff and visitors which will exacerbate parking on neighbouring residential roads.
- Roof - loss of biodiversity in splitting the sedum roof over more areas and reducing its proposed extent. The proposed green walls do not mitigate for this and will require extensive irrigation and maintenance which is not considered sustainable.

- Design – the building will look very monolithic from the river which is a tourist access point to the town (contrary to DEV20 Place shaping and the quality of the built environment). The previous stepping down of the top storey at the South Eastern end towards Paradise Walk was critical to ensuring that the building form responded to its landscape context, this has now been lost.
- Drainage – concern that the most up-to-date data from 2022 has not been used.

8b. 1234/23/HHO - Householder application for front dormer & 2 roof windows to existing rear dormer. 27 Lansdowne Park, Totnes, TQ9 5UW.

Support, but the Committee would request the use of hung slate on the dormer to complement the neighbouring property.

8c. 1273/23/HHO - Householder application for proposed single storey extension (resubmission of 3539/22/HHO). 9 North Street, Totnes, TQ9 5NZ.

The Committee does not object to the increased footprint but they would suggest modifications to the elevation to suggest a single door to align with the sash window on the first floor to complement neighbouring properties.

8d. 0715/23/HHO - Householder application for loft conversion, front porch, external insulation and balcony steps. Coromandel, Kingsbridge Hill, Totnes, TQ9 5TA.

Support.

8e. 4180/22/HHO - Householder application for proposed extension. 36 Follaton, Plymouth Road, Totnes, TQ9 5ND.

Support.

8f. 1235/23/HHO - Householder application for conversion of internal garage into a room.

Internal alterations to create open plan kitchen/dining area. 8 Birchwood Close, Totnes, TQ9 5GB.  
Support.

8g. 0804/23/LBC - Listed Building Consent for the replacement of rotten rafters to outbuilding roof, replace non-original battens, replace defective non-original roof tie & replace missing T&G board on end courtyard wall. 6 Plymouth Road, Totnes, TQ9 5PH.

Support, but with the comment that the slates that are used match those on the adjoining neighbouring outbuilding roof.

8h. 1283/23/FUL - Application for proposed alterations to dwelling (Flat). Flat 74c High Street, Totnes, TQ9 5SN.

Object. The Committee notes that the Heritage Impact Assessment identifies a number of historic features which has generated the following comments for the objection:

- Removal historic roof timbers above the garage and the proposed roof raising and profile would lose the hip roof shape of the historic roof;
- Removal of the historic window in the workshop – this should be retained to maintain the character of the dwelling.
- Moving the main entrance door erodes the blank side wall on South Street which does not enhance the listed building. If moving the door is considered acceptable, it should be located where the side wall is thin, to minimise loss of historic fabric (thick stone wall).

Whilst the application is not retrospective, it would appear that the mezzanine floor in the garage has already been installed without permission.

8i. 1157/23/HHO - Householder application for timber build office & car parking space with charging point. 72 Higher Westonfields, Totnes, TQ9 5QZ.  
Object. Overdevelopment of a domestic garden in terms of footprint and height (the estimated floor area is much larger than the figure shown).

8j. 0747/23/FUL - Installation of 4no. External Air Conditioning Units. Seymour Vets, Steamer Quay Road, Totnes, TQ9 5AL.  
Support.

8k. 1392/23/ADV - Advertisement consent to replace existing double-sided internally illuminated 6-sheet bus shelter advertising displays with double-sided digital displays. Bus Stop, Station Road, Totnes.

Object. The Committee has safety concerns about digital advertising on the shelter with changing images so close to a junction, contrary to the National Planning Policy Framework which states no distractions at road junctions.

8l. 1338/23/COM - Notice of intention to install a telegraph pole at 10.5m high (9m above ground) for the provision of FTTP. Land at SX 798 060, Totnes, TQ9 5PS.  
Overtaken by events – this application has been refused by SHDC.

#### 9. NEIGHBOURHOOD PLAN

**To consider the Examiner's Report and modifications for the Totnes Neighbourhood Plan and make a recommendation to Full Council.**

To **RECOMMEND** to Full Council that it accepts the modifications in their entirety as set out in the Examiner's report on the Totnes Neighbourhood Plan, and that the Council supports the plan going forward to referendum.

#### 10. TRAFFIC AND TRANSPORT FORUM

**To consider any recommendations from the Traffic and Transport Forum Steering Group held on 26<sup>th</sup> April 2023.**

Noted.

#### 11. DATE OF NEXT MEETING

**To note the date of the next meeting of the Planning Committee – Monday 19<sup>th</sup> June 2023 at 6.30pm in the Guildhall.**

Noted.

Sara Halliday  
Governance and Projects Manager  
May 2023





## SUMMARY OF TOTNES NEIGHBOURHOOD PLAN EXAMINERS REPORT

Examiner finds:

- that the Totnes Neighbourhood Plan and the policies within it, subject to the recommended modifications does meet the Basic Conditions; and
- that the Totnes Neighbourhood Plan can, subject to the recommended modifications [detailed below] can proceed to Referendum.

Comments and modifications to policies as follows:

Totnes Neighbourhood Plan Policy	Examiners Comment	Modification/Action Required (new wording in italics and deletions struck through)
V1: Local Identity	No comment.	None
V2: Health and Well-being	No comment.	None
En1: Sustainable Development and the Settlement Boundary	<p>I have carefully considered the proposed settlement boundary and am satisfied that the process to establish the boundary was thorough and consistent.</p> <p>Development in the countryside is covered by JLP Policy TTV26 and to avoid confusion it would be helpful to make reference to that policy. The decision-making authority for planning applications is the local planning authority and therefore the term "permitted" should be replaced with "supported". For clarity and to meet the Basic Conditions, the policy should be modified.</p>	<p>1. Within the settlement boundary development will only be <del>permitted</del> <i>provided supported in accordance with the development plan and where: [a-e text unchanged]</i></p> <p>2. Outside the settlement boundary development will be <del>permitted</del> <i>only supported in accordance with the development plan where: [a &amp; b text unchanged]</i></p>
En2: Development and Design	No comment.	None
En3: Historic and Built Character	No comment.	None
En4: Landscape Setting of Totnes	<p>I have concerns in relation to this policy. Firstly, as I set out in my general comments, Planning Guidance on preparing neighbourhood plans and policies is clear, it states:</p> <p>"A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and</p>	<p>1. <del>New development should have no adverse impact on the landscape setting of Totnes or on its historic landscape features. New development should protect the landscape setting of Totnes and its historic landscape features in accordance with national policy and the development plan.</del></p>

	<p>planning context of the specific neighbourhood area for which it has been prepared.”</p> <p>Assessing whether or not a development proposal has an "adverse impact" is subjective and is not sufficiently clear for a decision maker to apply consistently. For clarity the policy should be modified as follows:</p>	<p>2. New building should not be of a height or mass to obscure important views shown on the Proposals Map, nor of a height to break the historic skyline.</p> <p>3. New development should <del>not damage but</del> <i>protect and where possible</i> enhance the contribution the town makes to the landscape character of the wider area.</p>
En5: The River Dart	<p>The requirement for Biodiversity Net Gain is now part of national policy and this policy should reflect that requirement. For clarity and to meet the Basic Conditions, the policy should be modified as follows:</p>	<p>Development on or adjacent to the river should:</p> <p>a. conserve or improve local identity and the appearance of the riverside;</p> <p>b. <del>maintain or enhance local biodiversity</del> <i>provide biodiversity net gain in accordance with national policy</i>; and</p> <p>c. create increased opportunities for improved public access for all, leisure and community use.</p>
En6: Enhancing Environmental Capacity	No comment.	None
En7: Renewable Energy Generation	No comment.	None
En8: Domestic and Small Scale Waste Management	No comment.	None
En9: Local Food Growing	No comment.	None
E1: The Local Economy	No comment.	None
E2: Existing Employment Land and Premises	No comment.	None
E3: The Town Centre	<p>The CIL priorities identified in POLICY E3: THE TOWN CENTRE do not form part of planning policy. They should be deleted from the policy</p>	<p>Remove the following from the policy and insert into the supporting text for the policy:</p>

	but can be included in the supporting text for the policy.	<p>5. New development in the town centre will be required, where appropriate, to contribute, either through a Section 106 obligation or through CIL, towards the following priorities:</p> <ul style="list-style-type: none"> <li>a. improved vehicle, bicycle and car parking provision;</li> <li>b. enhancements to public squares and spaces and the public realm in general;</li> <li>c. improvements to pedestrian safety and facilities;</li> <li>d. improved signage, information and interpretation for visitors;</li> <li>e. maintaining the offer for convenience and everyday goods;</li> <li>f. support for local markets, community and arts events; and</li> <li>g. monitoring and improving air quality.</li> </ul>
E4: Training and Education	No comment.	None
E5: The Industrial Estate	The decision-making authority for planning applications is the local planning authority and therefore the term "permitted" should be replaced with "supported" in part 1. of this policy.	1. New development increasing the amount and quality of industrial floor space on the industrial estate will be supported and must include adequate parking and servicing arrangements. Retail use will only be <del>permitted</del> <i>supported</i> where it is ancillary and subsidiary to the business.
E6: The Green Economy	No comment.	None
E7: Sustainable Transport	No comment.	None
E8: Walking and Cycling	No comment.	None

E9: Public and Community Transport	No comment.	None
E10: Car Parking	The decision-making authority for planning applications is the local planning authority and therefore the term "permitted" should be replaced with "supported" in part 2. of this policy.	2. Development that would involve the loss of public car parking will not be <del>permitted</del> <i>supported</i> unless that loss is made up for elsewhere which will be of equal benefit to the overall functional sustainability of the town, or it can be demonstrated that the parking is no longer needed due to changes in vehicle use.
C1: The Public Realm	No comment.	None
C2: Public Open Spaces	<p>The protection for open space and recreation is set out in the NPPF 2021 as follows:</p> <p>"Open space and recreation</p> <p>98. Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.</p> <p>99. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:</p> <p>a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or</p> <p>b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</p> <p>c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."</p>	<p>1. The open spaces, amenity spaces, growing spaces and civic spaces shown on the Proposals Map are protected and should be retained in their current use, <del>and</del> enhanced to raise their usefulness <del>as such</del>. <del>Only development associated with and which will enhance the value of their current use will be permitted.</del> <i>and should not be built on unless:</i></p> <p><i>a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or</i></p> <p><i>b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</i></p> <p><i>c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</i></p> <p>2. <del>Any loss of open space should be replaced by alternative provision which is of equal or greater value to</del></p>

	For clarity Policy C2 should be modified to reflect national policy:	the community and local environment. [Points 3-5 are unchanged]
C3: Local Green Spaces	...I have carefully considered the evidence put before me for the designations proposed. The decision to designate a particular site is a matter of planning balance and I have made my decision based on whether or not I consider the proposed designations meet the NPPF tests and I find that the proposed LGSs do meet the requirements of the NPPF.	None
C4: Housing	<p>Policy DEV8 of the JLP Meeting local housing need in the Thriving Towns and Villages Policy Area sets out the strategic policy in relation to housing delivery. This policy states:</p> <p>"The following provisions will apply:</p> <ol style="list-style-type: none"> <li>1. A mix of housing sizes, types and tenure appropriate to the area and as supported by local housing evidence should be provided, to ensure that there is a range of housing, broadening choice and meeting specialist needs for existing and future residents. The most particular needs in the policy area are: <ol style="list-style-type: none"> <li>i. Homes that redress an imbalance within the existing housing stock.</li> <li>ii. Housing suitable for households with specific need."</li> <li>iii. Dwellings most suited to younger people, working families and older people who wish to retain a sense of self-sufficiency.</li> </ol> </li> </ol> <p>i have not been provided with adequate evidence to support the requirement under 3. of this policy for:</p> <p>"3. Developments of 11 dwellings or more should include 75% one and two bedroom homes, for smaller developments (apart from single dwellings) the target is at least 50%."</p> <p>Whilst I acknowledge there is very likely to be a local need for smaller homes, the precise percentage and housing mix should be determined for any application. in accordance with appropriate evidence. for clarity and to meet the Basic Conditions, the policy should be modified as follows:</p>	<ol style="list-style-type: none"> <li>1. New housing development should address housing needs, particularly in terms of tenure and size, with priority given to meeting local housing needs.</li> <li>2. Affordable homes should be included at least in line with adopted targets and arrangements should be made to ensure that they remain affordable in perpetuity.</li> <li>3. <del>Developments of 11 dwellings or more should include 75% one and two bedroom homes, for smaller developments (apart from single dwellings) the target is at least 50%.</del></li> <li>3. New homes should be designed for sustainable living, incorporate carbon reduction and energy efficiency measures, minimise waste, complement their setting and enhance the locality. Incorporation of the latest energy efficiency measures and sustainable construction methods will be supported.</li> </ol>

C5: Services and Facilities	The decision-making authority for planning applications is the local planning authority and therefore the term "permitted" should be replaced with "supported" in the second sentence of this policy.	New development is expected to maintain or enhance community services and facilities as a whole within the town. Proposals involving the loss of community services or facilities will not be permitted <i>supported</i> unless:
C6: New Services and Facilities	No comment.	None
C7: Educational Improvement at KEVICC	No comment.	None
C8: Development of land at KEVICC as identified in the JLP	There are requirements for consultation on proposals affecting schools which fall outside the control of the planning system and whilst good community consultation on planning proposals is supported and encouraged through national policy it is not an absolute requirement. Elements of this policy repeat requirements set out in JLP Policy TTV20. For clarity and to meet the Basic Conditions, the policy should be modified as follows:	<p><i>Residential development will be supported on land at KEVICC in accordance with Policy TTV20 of the JLP and Paragraph 99 of the NPPF 2021.</i></p> <p><i>Widespread inclusive community consultation which encompasses all of the KEVICC site and the Sheepfield is encouraged.</i></p> <p><del>Residential development will be supported on land no longer required for educational or recreational purposes at KEVICC providing it:</del></p> <p><del>a. is pursued through widespread inclusive community consultation which encompasses all of the KEVICC site and the Sheepfield;</del></p> <p><del>b. is demonstrated how the proposals will facilitate the upgrading of the school facilities and can be integrated satisfactorily with the school; and</del></p> <p><del>c. will contribute to the broader objectives of the NP, particularly for continuous riverside access and</del></p>

		associated community facilities.
C9: Steamer Quay	Whilst the NPPF 2021 is supportive of community involvement and consultation it is not an absolute requirement for the positive support of a planning application. For clarity and to meet the Basic Conditions, the policy should be modified as follows:	<p>At Steamer Quay only leisure or river related development will be supported, providing it has no adverse impact on the South Hams Special Area of Conservation's population of greater horseshoe bats <i>and where they</i> <del>Any such</del> development must:</p> <ul style="list-style-type: none"> <li>a. maintain or enhance leisure and river related facilities and activities on the site;</li> <li>b. maintain or enhance existing services, uses, facilities, public areas and rights of way;</li> <li>c. <del>is pursued through widespread inclusive community consultation;</del></li> <li>dc. do not harm the character, amenity, wellbeing, historic, environmental, nature conversation or archaeological values of the area and its surroundings;</li> <li>ed. respect the site's scenic quality and distinctive sense of place and the setting of the adjacent Conservation Area; and</li> <li>fe. adopt a high standard of design reflecting the prominence of the location and enhancing the riverside scene.</li> </ul> <p><i>Widespread, inclusive community consultation in developing proposals is encouraged.</i></p>
C10: Market Square and the Civic Hall	Whilst the NPPF 2021 is supportive of community involvement and consultation it is not an absolute requirement for the positive support of a planning application. For clarity and to meet	Proposals for positive change to the Market Square and Civic Hall will be supported <del>providing where they will:</del>

	<p>the Basic Conditions, the policy should be modified as follows:</p>	<p><del>a. be pursued through widespread inclusive community consultation;</del></p> <p><del>ba.</del> support and complement the economic and social functioning of Totnes town centre;</p> <p><del>eb.</del> ensure continuity of market operations;</p> <p><del>dc.</del> <i>at least as a minimum,</i> maintain the number of trading pitches available;</p> <p><del>ed.</del> <i>at least as a minimum,</i> maintain current levels of town centre parking; and</p> <p><del>fe.</del> reflect the sensitive historic nature of the location.</p> <p><i>Widespread, inclusive community consultation in developing proposals is encouraged.</i></p>
<p>C11: Town Centre Car Parks</p>	<p>Whilst the NPPF 2021 is supportive of community involvement and consultation it is not an absolute requirement for the positive support of a planning application. For clarity and to meet the Basic Conditions, the policy should be modified as follows:</p>	<p>Proposals for redevelopment of any land currently used for town centre car parking (Victoria Street, Heath's Nursery, North Street, the Lamb, Heath Way and the Nursery) will only be supported <del>providing it where:</del></p> <p><del>a. is pursued through widespread inclusive community consultation;</del></p> <p><del>ba.</del> <i>at least maintains</i> the current levels of parking <i>are maintained</i> with sufficient resident and visitor car parking within easy walking distance of the town centre;</p> <p><del>eb.</del> <i>makes there is</i> provision for the introduction of electric cars and car sharing technologies;</p> <p><del>dc.</del> <i>enhances</i> the visual appearance of town centre parking <i>is enhanced</i> through the introduction of hard and</p>



		<p>soft landscaping; such as permeable surfaces, tree planting and flower beds;</p> <p><i>ed. respects local amenity, especially for neighbours is respected; and</i></p> <p><i>fe. it contributes to the vitality, viability and functioning of the town centre.</i></p> <p><i>Widespread, inclusive community consultation in developing proposals is encouraged.</i></p>
<p>C12: Former Dairy Crest Site</p>	<p>Summary [for full comments on this policy see annex A]:</p> <p>I am clear that the policy as submitted [in Oct 2021] does not meet the Basic Conditions, it is overly prescriptive and would not have regard for national policy and guidance or be in general conformity with strategic policy TTV22 of the JLP.</p> <p>Whilst this [autumn 2022] modification does go some way to addressing my concerns, it would, in my opinion require further modification to meet the Basic Conditions.</p> <p>I have considered the representations made in connection with this policy, both in writing and at the Hearing. I have concluded that there is sufficient uncertainty with regard to whether or not the process followed for the inclusion of both Policy C12, and the accompanying design brief meet the regulations and should therefore be deleted from the Plan.</p> <p>However, due to the evident importance of the site to the community, text relating to the site and the community's aspirations for it can be included in the body of the Plan as follows (I suggest that this text is most appropriately located within the Town Centre section of the plan at paragraph 5.2.6):</p>	<p>For inclusion in the body of text of the Town Centre section 5.2.6:</p> <p><i>Former Dairy Crest Site</i></p> <p><i>The former Dairy Crest site is allocated for 'Mixed use - including 62 new homes and a range of business, commercial and community uses' in policy TTV22 of the Joint Local Plan. 62 homes are identified as the estimated provision of housing.</i></p> <p><i>The Community Right to Build Order for the site has now lapsed and therefore a separate grant of planning permission is now needed for redevelopment of the site. Whilst the Community Right to Build Order has lapsed the placemaking principles it was founded on remain relevant to the redevelopment of the site. This plan carries them forward, recognising that what may now be achievable on the site may differ from the detail contained in the Community Right to Build</i></p>



## ITEM 6 – CONSIDERATION OF RECOMMENDATIONS

### 6a. Full Council, 15<sup>th</sup> May 2023

No recommendations.

### 6b. Council Matters Committee, 22<sup>nd</sup> May 2023

**Item 2. Election of Chair** – To **RECOMMEND** to Full Council that Cllr Piper becomes the Chair of the Council Matters Committee.

### 6c. Planning Committee, 23<sup>rd</sup> May 2023

**Item 2. Election of Chair** – To **RECOMMEND** to Full Council that Cllr Bennett becomes the Chair of the Planning Committee.

**Item 9. Neighbourhood Plan** - To **RECOMMEND** to Full Council that it accepts the modifications in their entirety as set out in the Examiner's report on the Totnes Neighbourhood Plan, and that the Council supports the plan going forward to referendum.

[Note – a summary of the Examiner's comments and suggested modifications is attached.]

## ITEM 7 – COMMITTEE MEMBERSHIP

To consider the following Committee memberships:

Council Matters: Cllrs Chris Beavis and Jacqi Hodgson

Town Matters Committee: Cllrs Jeff Chinnock and Nick Roberts



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## **Totnes Town Council**

*Internal Audit Report: 2022-23*

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*Stuart J Pollard*

*Director  
Auditing Solutions Ltd*

## **Background**

Statute requires all town and parish councils to arrange for an independent Internal Audit (IA) examination of their accounting records and systems of internal control and for the conclusions to be reported each year in the Accountability and Governance Return (AGAR).

This report sets out the work undertaken in relation to the 2022-23 financial year with work undertaken initially at our offices, together with our on-site visit on 11<sup>th</sup> May 2023 following closure of the year's accounts. We wish to thank the Finance, HR & Lettings Manager for assisting the process, providing all necessary documentation in either hard copy or electronic format to facilitate the conduct and completion of our review for the year and sign off of the IA Certificate in the year's AGAR.

## **Internal Audit Approach**

In undertaking the year's review, we have again had regard to the materiality of transactions and their susceptibility to potential misrecording or misrepresentation in the year-end Statement of Accounts / AGAR.

## **Overall Conclusion**

We are again pleased to report that, based on the work undertaken this year and the inherent assurance drawn from previous years, no significant areas of concern have been identified.

Based on the satisfactory conclusions drawn from our work programme for the year, we have duly signed off the IA Certificate in the year's AGAR assigning positive assurances in each relevant area.

We take this opportunity to remind the Clerk and Council of the statutory disclosure requirements of the Accounts and Audit Regulations 2015, as are also summarised in the preface to the year's AGAR and ask that we be provided with scanned signed copies of the AGAR Governance and Finance Statements, together with a copy of the Notice of Public Rights to examine the 2022-23 records.

This report has been prepared for the sole use of Totnes Town Council. To the fullest extent permitted by law, no responsibility or liability is accepted by Auditing Solutions Ltd to any third party who purports to use or rely on, for any reason whatsoever, this report, its content or conclusions.

# Detailed Report

## Maintenance of Accounting Records & Bank Reconciliations

Our objective here is to ensure that the accounting records are being maintained accurately and currently and that no anomalous entries appear in cashbooks or financial ledgers. The Council uses the Rialtas Omega accounting software to maintain its financial and management accounting records with a single bank account in place with HSBC and an appropriate cashbook operated in the accounting software. Separate cashbooks are also now in place to record transaction on the Charity Bank and Nationwide Building Society with funds transferred to each during the year to diversify the fund holding in the main HSBC account. A separate petty cash account is also in use to record transactions through that medium.

We note that all financial management issues, including checking bank reconciliations, etc. are delegated to the "Council Matters Committee" for detailed scrutiny, with the minutes of that Committee subsequently approved by Full Council. We are pleased to also note that, in accordance with best practice and the requirements of the adopted Financial Regulations (FRs - Para 2.2 refers) independent checks continue to operate over the review of monthly bank reconciliations, with the Clerk also evidencing their review by signing and dating the reconciliations and bank statements. We note that a councillor also reviews and signs-off the documentation periodically during the year, although the bank statements bore no indication of the latter's review, contrary to the above referenced requirement of the Council's FRs.

Consequently, we have: -

- Agreed the opening account balances for 2022-23 with those in the 2021-22 detailed Omega accounts and AGAR;
- Ensured that the accounts remain "in balance" at the financial year-end;
- Examined and verified four months' account transactions as recorded in the Omega cashbook (April and September 2022, plus January and March 2023) by reference to the supporting bank statements;
- Verified the accuracy of month-end reconciliations on the HSBC account for the same four months; and
- Ensured the accurate disclosure of the current year's combined cash and bank balances in the year's AGAR at Section 2, Box 8.

### *Conclusions and recommendation*

*Whilst no significant concerns exist in this area, we suggest that, in accordance with the adopted FRs, when the nominated councillor checking and signing-off the bank reconciliations, they also sign-off the month's final bank statement.*

*R1. The councillor periodically agreeing and signing-off the bank reconciliations should also sign-off the month-end bank statements confirming their agreement of their detail in the bank reconciliations in accordance with the adopted Financial Regulations (Para 2.2 refers).*

## Review of Corporate Governance

Our objective here is to ensure that the Council has a robust series of corporate governance documentation in place; that Council and Committee meetings are conducted in accordance with the adopted Standing Orders (SOs) and that, as far as we are reasonably able to ascertain as we do not attend meetings, no actions of a potentially unlawful nature have been or are being considered for implementation.

We note that the Council has again reviewed and re-adopted its SOs and FRs with both documents in line with the extant NALC model documents, tailored to the Council's specific requirements with a value of £25,000 for formal tender action and appropriate reference to the requirements of the Public Contracts Regulations 2015 relating to the need to publicise tenders over the above financial limit on the Government's Contract Finder website. In that respect, we advise the Clerk and Council of a recent revision to those Regulations clarifying the value at which contracts must be published on the Government's Contract Finder website: the value should now be recorded as £30,000 including VAT with the SOs and FRs amended to reflect that value.

We have reviewed the minutes of the Full Council and its Standing Committees for the financial year and to date in 2023-24 as posted on the website to determine whether any issues exist that may have an adverse effect on the Council's future financial stability, either in the short, medium or longer term and are pleased to record that no such issues have been identified.

We are also pleased to note that the external auditors issued a clean certificate on the 2020-21 AGAR and that the Council complied with extant legislation publishing the notice of Public Rights for 30 working days over the appropriate period.

### *Conclusions*

*No issues arise in this area warranting formal comment or recommendation.*

## Review of Expenditure

Our aim here is to ensure that: -

- Council resources are released in accordance with the Council's approved procedures and budgets;
- Payments are supported by appropriate documentation, either in the form of an original trade invoice or other appropriate form of document confirming the payment as due and/or an acknowledgement of receipt, where no other form of invoice is available;
- The correct expense codes have been applied to invoices when processed; and
- VAT has been appropriately identified and coded to the control account for periodic recovery.

We have, as in prior years, selected a sample of payments for review to ensure compliance with the above test criteria and are again pleased to note clear evidence of the Clerk, Finance, HR & Lettings Manager and councillors' examination and approval for payment recorded on the invoices. Our test sample includes 69 individual payments including all those individually in excess of £2,000 plus every 20<sup>th</sup> as recorded in the year's cashbooks and totals £267,350



equating to 61% by value of non-pay related payments during the financial year with all the above criteria appropriately met.

We have also reviewed the VAT nominal ledger account in the Omega software, noting that reclaims are made quarterly and have ensured the accuracy of the reclaims prepared for the year to the control account quarter-end balances.

### **Conclusions**

*We are again pleased to report that no issues arise in this area warranting formal comment or recommendation.*

## **Assessment and Management of Risk**

Our aim here is to ensure that the Council has put in place appropriate arrangements to identify all potential areas of risk of both a financial and health and safety nature, whilst also ensuring that appropriate arrangements exist to monitor and manage those risks to minimise the opportunity for their coming to fruition.

We note that the Council Matters Committee formally approved its Risk Management document at the full Council meeting in April 2022 and have examined its content and consider that it remains appropriate for purpose. We also note the existence of a large raft of risk assessments on specific issues such as premises, office workstations, etc all of which we consider represent best practice and which were further reviewed by the Council Matters Committee in January 2023.

We note that the Council's insurance cover continues to be provided by Aviva (via WPS Councilguard) noting that Public and Employer's Liability cover remain in place at £15 million and £10 million respectively, together with Fidelity Guarantee (FG) cover at £500,000. Whilst we consider cover to be generally adequate, as last year, we suggested last year that, with a year-end balance in excess of £650,000, the level of FG cover was potentially low. The former Audit Commission recommended that this cover be set in line with the annual opening balance plus 50% of the year's precept value, which would indicate a required level of approximately £1 million cover in this respect. However, we acknowledge the financial controls in place and do not, therefore, consider this to be a significant point of concern.

### **Conclusions**

*We are pleased to record that no significant or serious concerns exist in this review area, although, as last year, we suggest that the level of FG cover be kept under review.*

## **Budgetary Control & Reserves**

Our objective here is to ensure that the Council has a robust procedure in place for identifying and approving its future budgetary requirements and the level of precept to be drawn down from the District Council: also, that an effective reporting and monitoring process is in place. We also aim to ensure that the Council retains appropriate funds in general and earmarked reserves to finance its ongoing spending plans, whilst retaining appropriate sums to cover any unplanned expenditure that might arise.

The ongoing monitoring of budgets has, as previously, been delegated to the Council Matters Committee, with clear evidence in the Committee's minutes of appropriate review throughout the financial year.

We are pleased to note that, following due deliberation, the Council approved the 2023-24 budget and precept adopting the latter at £610,253 at the Full Council meeting in January 2023.

Total reserves at 31<sup>st</sup> March 2023 stand at £614,781 (£705,310 at the prior year-end): we note that the Council has determined not to set aside funds in specific earmarked reserves at the present time.

We have examined the year-end budget report generated by the Omega accounts software, seeking and obtaining appropriate explanations for the few significant variances arising also noting that, overall, income stood at 90% of the planned budget whilst expenditure stood at 68%.

### **Conclusions**

*Whilst no concerns arise in this area with significant funds held currently, largely as a result of the "decision" to not proceed with the Town Hall development and creation of office accommodation therein the council should carefully consider its future budgetary and resultant precept requirements.*

## **Review of Income**

The Council receives income primarily by way of the annual precept, together with burial and associated fees, letting of Council owned properties, plus advertising income in the Town Guide / Website and on planters in the Town, together with that arising from a number of other relatively minor miscellaneous sources.

We have discussed the controls in place over several of these sources with the Finance, HR & Lettings Manager, examining the interments recorded in the burial register, plus memorials, ensuring that all legally required documentation (burial & cremation certificates) is held for each and that the appropriate fees have been levied in accordance with the approved scale of fees and charges and also been recovered within an appropriate time frame.

We have also ensured that income arising from the letting of Council properties has been received appropriately during the year also noting that the monthly rents for each were reviewed and increased during the year. We have examined income arising from the sale of advertising space in the above mentioned two areas.

We have also examined the detailed transaction reports in Omega for each income head ensuring that, as far as we are reasonably able to establish, appropriate entries appear in each and that no significant miscodings have occurred, also ensuring as far as possible that all income due to the Council has been received and accounted for appropriately.

### **Conclusions**

*No issues arise in this area warranting formal comment or recommendation.*

## Petty Cash Account

As part of the AGAR internal audit certification process, we are required to express a view on the operation of petty cash accounts.

A limited petty cash account is in use at the Council's Administrative Office with a holding of approximately £100 "topped up" with round sums as and when required. Due to their low number, we have examined the full year's transactions ensuring that for each transaction an appropriate trade invoice or supporting till receipt is held and that, where expended, VAT has been identified for recovery with the quarterly VAT reclaim submissions to HMRC.

We have also verified the physical cash holding on the date of this review visit to the underlying control record.

### *Conclusions*

*We are pleased to record that no issues arise in this area warranting formal comment or recommendation.*

## Review of Staff Salaries

In examining the Council's payroll function, we aim to confirm that extant legislation is being appropriately observed as regards adherence to the Employee Rights Act 1998 and the requirements of HMRC legislation as regards the deduction and payment over of income tax and NI contributions, together with meeting the requirements of the local government pension scheme.

We note that the Council approved a variation in the nationally agreed basic working week, setting it at 35 hours for all staff in 2020: consequently, staff monthly salaries are calculated as the contracted working weekly hours divided by 35 and multiplied by the nationally agreed salary for each employee in accordance with their point on the national spinal column scale.

We note that the Council uses the SAGE payroll software to generate payslips, etc and have been provided with detail of staff in post and checked to ensure that staff gross salaries, paid in December 2022, correspond to the Council agreed salary rates for each, noting that all staff pay has been uplifted in line with the 2022-23 nationally agreed NJC pay award and spinal points applicable from 1<sup>st</sup> April 2022.

We have also checked to ensure that tax, NI and pension (where applicable) deductions / contributions in December 2022 from each employee were correctly calculated and are pleased to record that no issues or concerns arise in this respect.

### *Conclusions*

*No issues arise in this area warranting formal comment or recommendation.*

## Fixed Asset Registers

The “Governance and Accountability Manual – The Practitioner’s Guide”, requires all councils to maintain a detailed register of their assets. We aim in examining this aspect of the Council’s documentation to ensure that the Council has complied with that legislation; that an appropriate and comprehensive register is being maintained and that it is subject to periodic review and update to reflect any changes in asset stock arising from new purchases and / or disposals.

We are pleased to note that an appropriate register is maintained in spreadsheet format, with detail of new acquisitions recorded at cost price net of VAT with the total value as recorded therein being accurately reported in the year’s AGAR at Section 2, Box 9 including .

### *Conclusions*

*We are pleased to record that no issues or concerns arise in this area this year.*

## Investments and Loans

As indicated earlier in this report, the Council holds all funds in a single Current Account with HSBC. We have previously expressed concerns that the Council is potentially at risk of loss of a high proportion of these funds were, albeit improbable, the HSBC bank to “fail”. We are pleased to note that, following our previous recommendation, the Council has now placed a proportion of its surplus funds in two separate banks as recorded in the first section of this report, with improved interest also now being received.

We noted last year that the Clerk had complied with the requirements of the revised Statutory Guidance on Local Government Investments (3<sup>rd</sup> edition) issued under Section 15(1)(a) of the Local Government Act 2003, adopting an appropriate formal Policy. We note that this has been reviewed and re-adopted in May 2022 and consider that the content remains appropriate for the Council’s present requirements.

The Council had one UK Debt Management Agency loan in place which was being repaid half-yearly: we note that the loan has been repaid in full during the course of 2022-23 with a residual NIL balance reported at Box 10 of the year’s AGAR. We have verified the first instalment repayment and the final settlement payment to the UK Debt Management Agency during the year as part of our aforementioned expenditure testing.

### *Conclusions*

*We are pleased to record that no residual issues remain in this area this year warranting formal comment or recommendation.*

## Statement of Accounts and AGAR

The AGAR now forms the Council’s statutory Accounts subject to external audit scrutiny and certification. The appropriate detail for disclosure of financial values in Section 2 of the AGAR is automatically generated each year by the Omega accounting software, together with independently confirmed values for assets and any residual loan liability at the financial year-

end. We have accordingly ensured the accurate reporting of all detail in the 2022-23 AGAR at Section 2.

*Conclusions*

*We are pleased to record that there are no matters arising in this review area warranting formal comment or recommendation and we have duly signed off the IA Certificate in the year's AGAR, assigning positive assurances in all relevant categories.*

Rec No.	Recommendation	Risk level	Response
R1	<p><b>Review of Accounting Arrangements and Bank Reconciliations</b></p> <p>The councillor periodically agreeing and signing-off the bank reconciliations should also sign-off the month-end bank statements confirming their agreement of their detail in the bank reconciliations in accordance with the adopted Financial Regulations (Para 2.2 refers).</p>	Medium	

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# Annual Governance and Accountability Return 2022/23 Form 3

To be completed by Local Councils, Internal Drainage Boards and other Smaller Authorities\*:

- where the higher of gross income or gross expenditure exceeded £25,000 but did not exceed £6.5 million; or
- where the higher of gross income or gross expenditure was £25,000 or less but that:
  - are unable to certify themselves as exempt (fee payable); or
  - have requested a limited assurance review (fee payable)

## Guidance notes on completing Form 3 of the Annual Governance and Accountability Return 2022/23

1. Every smaller authority in England that either received gross income or incurred gross expenditure exceeding £25,000 **must** complete Form 3 of the Annual Governance and Accountability Return at the end of each financial year in accordance with *Proper Practices*.
2. The Annual Governance and Accountability Return is made up of three parts, pages 3 to 6:
  - The **Annual Internal Audit Report** must be completed by the authority's internal auditor.
  - **Sections 1 and 2** must be completed and approved by the authority.
  - **Section 3** is completed by the external auditor and will be returned to the authority.
3. The authority **must** approve Section 1, Annual Governance Statement, before approving Section 2, Accounting Statements, and both **must** be approved and published on the authority website/webpage **before 1 July 2023**.
4. An authority with either gross income or gross expenditure exceeding £25,000 or an authority with neither income nor expenditure exceeding £25,000, but which is unable to certify itself as exempt, or is requesting a limited assurance review, **must** return to the external auditor by email or post (not both) **no later than 30 June 2023**. Reminder letters will incur a charge of £40 +VAT:
  - the Annual Governance and Accountability Return Sections 1 and 2, together with
  - a bank reconciliation as at 31 March 2023
  - an explanation of any significant year on year variances in the accounting statements
  - notification of the commencement date of the period for the exercise of public rights
  - Annual Internal Audit Report 2022/23

Unless requested, do not send any additional documents to your external auditor. Your external auditor will ask for any additional documents needed.

Once the external auditor has completed the limited assurance review and is able to give an opinion, the Annual Governance and Accountability **Section 1, Section 2 and Section 3 – External Auditor Report and Certificate** will be returned to the authority by email or post.

## Publication Requirements

Under the Accounts and Audit Regulations 2015, authorities must publish the following information on the authority website/webpage:

Before 1 July 2023 authorities **must** publish:

- Notice of the period for the exercise of public rights and a declaration that the accounting statements are as yet unaudited;
- **Section 1 - Annual Governance Statement 2022/23**, approved and signed, page 4
- **Section 2 - Accounting Statements 2022/23**, approved and signed, page 5

Not later than 30 September 2023 authorities **must** publish:

- Notice of conclusion of audit
- **Section 3 - External Auditor Report and Certificate**
- **Sections 1 and 2 of AGAR** including any amendments as a result of the limited assurance review.

It is recommended as best practice, to avoid any potential confusion by local electors and interested parties, that you also publish the Annual Internal Audit Report, page 3.

The Annual Governance and Accountability Return constitutes the annual return referred to in the Accounts and Audit Regulations 2015. Throughout, the words 'external auditor' have the same meaning as the words 'local auditor' in the Accounts and Audit Regulations 2015.

\*for a complete list of bodies that may be smaller authorities refer to schedule 2 to the Local Audit and Accountability Act 2014.

## Guidance notes on completing Form 3 of the Annual Governance and Accountability Return (AGAR) 2022/23

- The authority **must** comply with *Proper Practices* in completing Sections 1 and 2 of this AGAR. *Proper Practices* are found in the *Practitioners' Guide\** which is updated from time to time and contains everything needed to prepare successfully for the financial year-end and the subsequent work by the external auditor.
- Make sure that the AGAR is complete (no highlighted boxes left empty) and is properly signed and dated. Any amendments must be approved by the authority and properly initialled.
- The authority **should** receive and note the Annual Internal Audit Report before approving the Annual Governance Statement and the accounts.
- Use the checklist provided below to review the AGAR for completeness before returning it to the external auditor by email or post (not both) no later than 30 June 2023.
- The Annual Governance Statement (Section 1) must be approved on the same day or before the Accounting Statements (Section 2) and evidenced by the agenda or minute references.
- The Responsible Financial Officer (RFO) must certify the accounts (Section 2) before they are presented to the authority for approval. The authority must in this order; consider, approve and sign the accounts.
- The RFO is required to commence the public rights period as soon as practical after the date of the AGAR approval.
- **You must inform your external auditor about any change of Clerk, Responsible Financial Officer or Chairman, and provide relevant authority owned generic email addresses and telephone numbers.**
- Make sure that the copy of the bank reconciliation to be sent to your external auditor with the AGAR covers all the bank accounts. If the authority holds any short-term investments, note their value on the bank reconciliation. The external auditor must be able to agree the bank reconciliation to Box 8 on the accounting statements (Section 2, page 5). An explanation **must** be provided of any difference between Box 7 and Box 8. More help on bank reconciliation is available in the *Practitioners' Guide\**.
- Explain fully significant variances in the accounting statements on page 5. Do not just send a copy of the detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include complete numerical and narrative analysis to support the full variance.
- If the bank reconciliation is incomplete or variances not **fully** explained then additional costs may be incurred.
- Make sure that the accounting statements add up and that the balance carried forward from the previous year (Box 7 of 2022) equals the balance brought forward in the current year (Box 1 of 2023).
- The Responsible Financial Officer (RFO), on behalf of the authority, **must** set the commencement date for the exercise of public rights of 30 consecutive working days which **must** include the first ten working days of July.
- The authority **must** publish on the authority website/webpage the information required by Regulation 15 (2), Accounts and Audit Regulations 2015, including the period for the exercise of public rights and the name and address of the external auditor **before 1 July 2023**.

Completion checklist – 'No' answers mean you may not have met requirements		Yes	No
All sections	Have all highlighted boxes have been completed?	✓	
	Has all additional information requested, including the dates set for the period for the exercise of public rights, been provided for the external auditor?	✓	
Internal Audit Report	Have all highlighted boxes been completed by the internal auditor and explanations provided?	✓	
Section 1	For any statement to which the response is 'no', has an explanation been published?	✓	
Section 2	Has the Responsible Financial Officer signed the accounting statements before presentation to the authority for approval?	✓	
	Has the authority's approval of the accounting statements been confirmed by the signature of the Chairman of the approval meeting?	✓	
	Has an explanation of significant variations been published where required?	✓	
	Has the bank reconciliation as at 31 March 2023 been reconciled to Box 8?	✓	
	Has an explanation of any difference between Box 7 and Box 8 been provided?	✓	
Sections 1 and 2	Trust funds – have all disclosures been made if the authority as a body corporate is a sole managing trustee? NB: do not send trust accounting statements unless requested.		

\**Governance and Accountability for Smaller Authorities in England – a Practitioners' Guide to Proper Practices*, can be downloaded from [www.nalc.gov.uk](http://www.nalc.gov.uk) or from [www.ada.org.uk](http://www.ada.org.uk)



# Annual Internal Audit Report 2022/23

## Totnes Town Council

www.totnestowncouncil.gov.uk

During the financial year ended 31 March 2023, this authority's internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2022/23 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Yes	No	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	✓		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic bank account reconciliations were properly carried out during the year.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. If the authority certified itself as exempt from a limited assurance review in 2021/22, it met the exemption criteria and correctly declared itself exempt. <i>(If the authority had a limited assurance review of its 2021/22 AGAR this is not covered.)</i>			✓
L. The authority published the required information on a website/webpage up to date at the time of the internal audit in accordance with the relevant legislation.	✓		
M. In the year covered by this AGAR, the authority correctly provided for a period for the exercise of public rights as required by the Accounts and Audit Regulations <i>(during the 2022-23 AGAR period were public rights in relation to the 2021-22 AGAR evidenced by a notice on the website and/or authority approved minutes etc during this date set)</i>	✓		
N. The authority has complied with the publication requirements for 2021/22 AGAR <i>(see AGAR Page 1 Guidance Notes).</i>	✓		
O. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.	✓		✓

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

Date(s) internal audit undertaken

11/05/2023

Name of person who carried out the internal audit

S J Pollard for Auditing Solutions Ltd

Signature of person who carried out the internal audit

Date

11/05/2023

\*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

\*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).

## Section 1 – Annual Governance Statement 2022/23

We acknowledge as the members of:

TOTNES TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2023, that:

	Agreed		
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		<i>prepared its accounting statements in accordance with the Accounts and Audit Regulations.</i>
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		<i>made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.</i>
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓		<i>has only done what it has the legal power to do and has complied with Proper Practices in doing so.</i>
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		<i>during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.</i>
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		<i>considered and documented the financial and other risks it faces and dealt with them properly.</i>
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		<i>arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.</i>
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		<i>responded to matters brought to its attention by internal and external audit.</i>
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		<i>disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.</i>
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			✓

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

and recorded as minute reference:

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

Clerk

[www.totnestowncouncil.gov.uk](http://www.totnestowncouncil.gov.uk)

## Section 2 – Accounting Statements 2022/23 for

### TOTNES TOWN COUNCIL

	Year ending		Notes and guidance
	31 March 2022 £	31 March 2023 £	
1. Balances brought forward	657,323	705,310	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.
2. (+) Precept or Rates and Levies	545,986	545,986	Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.
3. (+) Total other receipts	123,631	130,253	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.
4. (-) Staff costs	294,138	352,859	Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.
5. (-) Loan interest/capital repayments	9,148	43,159	Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).
6. (-) All other payments	318,344	370,750	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	705,310	614,781	Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).
8. Total value of cash and short term investments	731,935	650,355	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.
9. Total fixed assets plus long term investments and assets	379,126	430,039	The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.
10. Total borrowings	39,656	0	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).

For Local Councils Only	Yes	No	N/A	
11a. Disclosure note re Trust funds (including charitable)		✓		The Council, as a body corporate, acts as sole trustee and is responsible for managing Trust funds or assets.
11b. Disclosure note re Trust funds (including charitable)			✓	The figures in the accounting statements above do not include any Trust transactions.

I certify that for the year ended 31 March 2023 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

Date

I confirm that these Accounting Statements were approved by this authority on this date:

as recorded in minute reference:

Signed by Chairman of the meeting where the Accounting Statements were approved

### Section 3 – External Auditor’s Report and Certificate 2022/23

In respect of **TOTNES TOWN COUNCIL**

#### 1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it does **not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/> .

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2023; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

#### 2 External auditor’s limited assurance opinion 2022/23

(Except for the matters reported below)\* on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (\*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the authority:

(continue on a separate sheet if required)

#### 3 External auditor certificate 2022/23

We certify/do not certify\* that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2023.

\*We do not certify completion because:

External Auditor Name

External Auditor Signature Date

ITEM 11 – LIST OF MEETING DATES

Month	Full Council, 7pm	Council Matters Committee, 6.30pm	Planning Committee, 6.30pm	Town Matters Committee, 6.30pm
June 2023	Monday 5 <sup>th</sup>	Monday 12 <sup>th</sup>	Monday 19 <sup>th</sup>	Monday 26 <sup>th</sup>
July 2023	Monday 3 <sup>rd</sup>	Monday 10 <sup>th</sup>	Monday 17 <sup>th</sup>	No meeting
August 2023	A recess meeting will be called by the Mayor if required	No meeting	Monday 14 <sup>th</sup> or 21 <sup>st</sup> TBC	No meeting
September 2023	Monday 4 <sup>th</sup>	Monday 11 <sup>th</sup>	Monday 18 <sup>th</sup>	Monday 25 <sup>th</sup>
October 2023	Monday 2 <sup>nd</sup>	Monday 9 <sup>th</sup>	Monday 16 <sup>th</sup>	No meeting
November 2023	Monday 6 <sup>th</sup>	Monday 13 <sup>th</sup>	Monday 20 <sup>th</sup>	Monday 27 <sup>th</sup>
December 2023	Monday 4 <sup>th</sup>	No meeting	Monday 11 <sup>th</sup>	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) - 13th 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

**June**

Full Council – 5<sup>th</sup> June at 6.30pm  
 Council Matters Committee – 12<sup>th</sup> June at 6.30pm  
 Council Assets and Public Realm Working Group – 13th June at 12pm  
 Planning Committee – 19<sup>th</sup> June at 6.30pm  
 Climate Emergency Forum – 20<sup>th</sup> June at 6pm  
 Traffic and Transport Forum – 26<sup>th</sup> June at 6.30pm

**July**

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

**August**

Full Council – a recess meeting will be called by the Mayor if required  
 Planning Committee – 14<sup>th</sup> or 21<sup>st</sup> (TBC) at 6.30pm

**September**

Full Council – 4<sup>th</sup> September at 6.30pm  
 Council Matters Committee – 11<sup>th</sup> September at 6.30pm  
 Planning Committee – 18<sup>th</sup> September at 6.30pm

Climate Emergency Forum – 19<sup>th</sup> September at 6pm  
Town Matters Committee - 25<sup>th</sup> September at 6.30pm  
Traffic and Transport Forum – 27<sup>h</sup> September at 6.30pm