



AGENDA FOR THE MEETING OF COUNCIL MATTERS COMMITTEE MONDAY 9TH OCTOBER 2023 AT 6.30PM IN THE GUILDHALL

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

You are hereby SUMMONED to attend the **Council Matters Committee** on **Monday 9th October 2023 at 6.30pm** in the Guildhall for the purpose of transacting the following business:

Committee Members: Councillors B Piper (Chair), C Beavis, T Bennett, J Chinnock, J Hannam, J Hodgson, D Peters and E Price.

1. WELCOME AND APOLOGIES FOR ABSENCE

The Chair will read out the following statement:

Welcome to everyone attending and observing the meeting.

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

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

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

The Committee will adjourn for the following items:

PUBLIC QUESTION TIME

A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Committee or other items that affect Totnes.

The Committee will convene to consider the following items:

2. CONFIRMATION OF MINUTES

To approve the minutes of 11th September 2023 and update on any matters arising. Document attached.

3. BUDGET MONITOR

To consider the Budget Monitor including the reserves projection and Christmas budgets. Documents attached.

4. MAYOR'S ENGAGEMENTS AND BUDGET

To consider the Mayor's engagements since July 2023 and the current budget. Document attached.

5. HUMAN RESOURCES (HR) POLICIES

To review the following HR policies:

- a. Discipline Policy and Procedures. Document attached.
- b. Grievance Policy. Document attached.
- c. Whistleblowing Policy. Document attached.

6. COMMUNITY GRANTS

To consider running a second round for community grant applications. Document attached.

7. SAVINGS ACCOUNT BALANCES

To note the savings account balances. Verbal update.

8. COUNCIL ASSETS AND PUBLIC REALM WORKING GROUP

To note the minutes of the Council Assets and Public Realm Working Group held on 19th September. Document attached.

9. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 13th November 2023 at 6.30pm in the Guildhall. No document.

*The Committee will be asked to **RESOLVE** to exclude the press and public “by reason of the confidential nature of the business” to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960. (CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council)*

10. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

To consider the bank statements and reconciliations for September (financial). Documents attached.

11. INTERNAL AUDIT SERVICE

To consider appointing an internal audit service for 2023/24 (commercial). Document attached.

12. STAFF ATTENDANCE

To note sickness and overtime balances (personal details). Verbal update.

13. STAFFING UPDATE

For any general or urgent updates that required confidential sharing with Councillors (staffing). Verbal update.

Catherine Marlton

Town Clerk

4th October 2023

USE OF SOUND RECORDINGS AT COUNCIL & COMMITTEE MEETINGS

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

Televised, vision and sound recordings or live broadcastings by members of the press or public at Council or Committee debates are permitted and anyone wishing to do so is asked to inform the Chairman of the respective Committee of their intention to record proceedings.



DRAFT MINUTES FOR THE MEETING OF COUNCIL MATTERS MONDAY 11TH SEPTEMBER 2023 AT 6.30PM IN THE GUILDHALL

Present: Councillors B Piper (Chair), C Beavis, J Chinnock, J Hannam (from 1835), J Hodgson and D Peters.

Apologies: Cllr Bennett and Price.

In Attendance: Cllr Cooper, 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

There were no members of the public present.

The Committee will reconvene to consider the following items:

2. CONFIRMATION OF MINUTES

To approve the minutes of 10th July 2023 and update on any matters arising.

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

3. BUDGET MONITOR

To consider the Budget Monitor including the reserves projection

This was considered and unanimously **AGREED**.

4. CLIMATE AND ECOLOGICAL EMERGENCY FORUM RECOMMENDATIONS

To consider recommendations from the Climate and Ecological Emergency Forum to fund from its budget the Energywise Show (£2456) and Bike Hub (£600).

This was considered. It was **AGREED** by majority to fund £2456 for the EnergyWise show subject to TTT being asked to provide an impact assessment post event and also asking them to get stallholders to contribute to offset the event costs. It was unanimously **AGREED** to fund £600 for the Bike Hub.

5. FINANCIAL REGULATIONS POLICY

To review an update to Financial Regulations (sections 2, 5, 6 and 9).

These were reviewed and unanimously **AGREED**.

6. HUMAN RESOURCES (HR) POLICIES

To review the following HR policies:

- a. Capability Policy and Procedures.
- b. Confidentiality, Data Protection and IT Usage Policy.
- c. Health, Safety and Wellbeing Policy.
- d. Pay Policy.
- e. Lone Working Policy.

Policies a-e were unanimously **AGREED** subject to minor amendments to the Health and Safety policy.

7. IDENTITY VERIFICATION

To consider whether the Council Offices should be verifying the identity of individuals for overseas pensions.

To **RECOMMEND** to Full Council that the Council allows the continuation of the service of proof of life/pension form certification subject to the insurer's consent and confirmation of coverage, and the following two Office procedures: a copy of the signed form is taken and kept; and photo ID is seen and also a copy kept for future reference.

8. CIVIC HALL ANTI-SOCIAL BEHAVIOUR

To note an increase in incidents of anti-social behaviour around the Civic Hall.

Noted.

9. CO CARS/CO BIKES UPDATE

To note an update on Co Bikes and the E-bike hire scheme.

Noted.

10. EXTERNAL AUDIT

To note the external auditor report on the Annual Governance & Accountability Return.

Noted.

11. ARTS AND EVENTS WORKING GROUP

To note the minutes of the Arts and Events Working Group held on 19th July.

Noted.

12. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 9th October 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)*

13. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

To consider the bank statements and reconciliations for July and August (financial).

These were reviewed and unanimously **AGREED**.

14. STAFFING UPDATE

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

- a. To note a parental leave request from a member of the team.

The following staffing updates were noted:

- a. Confirmation of parental leave request;
- b. Current sickness absence of a member of staff; and
- c. Dates of 2 day special carers leave for a member of staff with a child having surgery.

15. ASSET TRANSFER

To consider a transfer of assets from South Hams District Council (commercial).

To **RECOMMEND** to Full Council that Totnes Town Council formally approach South Hams District Council to request further information about possible asset transfers. This is to allow time to collate evidence and consider resource implications before budget setting.

Catherine Marlton
Town Clerk
September 2023

Budget Monitor - September 2023		20/21 YEAR END	21/22 YEAR END	22/23 YEAR END	2023/24			Comments
	Actual 31st March 2021 YEAR END	Actual 31st March 2022 YEAR END	Actual 31st March 2023 YEAR END	Original Budget	Current Agreed budget	ACTUAL as of 30th September 2023	Expected year end	
Administration	246894	294138	350889	411865	412023	190938	412023	
Salaries and pensions for all staff								Overspend to include £3250 for Clerk's community governance training
Staff Training, Travel and Expenses	2287	4244	2988	3500	3500	2227	6750	
Staff Recruitment	2575	1930	984	2750	2750	0	2750	
Phone and Broadband	2932	2932	2984	3500	3500	1342	3500	
Office Supplies & Hospitality	1564	1100	1370	2300	2300	426	2300	
Photocopier	1496	1536	1575	1600	1600	739	1600	
Subscriptions		4463	4191	4400	4400	2898	4400	
Professional Fees		53812	15062	10000	10000	3395	10000	
Insurance	7431	7514	26105	29000	29000	30328	31000	
Website and IT		3696	4618	7500	7500	1676	7500	
Office Equipment	5082	1999	1412	15000	15000	2354	10000	Unlikely to spend budget
Van Maintenance		258	207	1325	1650	806	1650	
TMO Tools and Consumables		1322	1162	0	0	-100	-100	
Miscellaneous income		-40	-180	0	0	0	0	
SUB TOTAL	269672	378904	413367	494390	494548	237029	494698	
Civic and Democratic	Actual 31st March 2021 YEAR END	Actual 31st March 2022 YEAR END	Actual 31st March 2023 YEAR END	Original Budget	Current Agreed budget	ACTUAL as of 30th September 2023	Expected year end	
Mayoral Allowance	0	557	0	450	450	0	450	
Civic and Mayoral Events (expenditure)	743	959	3014	5750	5750	1144	5750	
Civic Events (income)	0	0	-717	0	0	-267	-267	
Civic Regalia	0	110	212	220	220	95	220	
Mayoral Travel	0	7	185	300	300	24	300	
Councillor IT equipment	2069	356	14	2500	2500	82	2500	
Councillor Training and Travel	1085	210	514	1120	1120	351	1120	
Elections	0	9524	0	12000	12000	0	12000	
Councillor Allowances	3152	2644	1970	7200	7200	0	7200	
MOVED TO COMMUNITY DEVELOPMENT Community Outreach/Christmas	2436	4747	6165					
MOVED TO ADMIN Professional Fees	11032							
MOVED TO ADMIN Subscriptions	3009							
MOVED TO ADMIN Website and IT	293							
SUB TOTAL	23819	19114	11357	29540	29540	1429	29273	
Tourism	Actual 31st March 2021 YEAR END	Actual 31st March 2022 YEAR END	Actual 31st March 2023 YEAR END	Original Budget	Current Agreed budget	ACTUAL as of 30th September 2023	Expected year end	
Visit Totnes Marketing and event sponsorship	6108	18966	20585	29500	29500	10448	29500	Includes £680 backdated TIC rent
Other TIC expenditure (Post/Phone/Uniform/etc)	275	306	220	275	275	947	955	
Bank Charges/Paypal fees	0	33	4	50	50	0	50	
Visit Totnes Guide and Website	3135	12308	9056	6200	6200	377	6200	
Totnes Guide and Website Income	-468	-12283	-10990	-6500	-6500	-189	-6500	
Advertising		-3289	-1750	-500	-500	-3393	-3393	
SUB TOTAL	9050	16041	17135	29025	29025	8190	26812	
Guildhall	Actual 31st March 2021 YEAR END	Actual 31st March 2022 YEAR END	Actual 31st March 2023 YEAR END	Original Budget	Current Agreed budget	ACTUAL as of 30th September 2023	Expected year end	
Cleaning	2456	2644	2581	6500	6500	1865	6500	
Building Maintenance	191	6554	5226	10000	10000	12220	14500	Overspend due to CCTV installation of £4530
Business Rates	6113	6113	6469	10000	10000	6418	10000	Increase in 23/24 to include Flat
Water	333	269	331	500	500	121	500	
Utilities	3894	4801	11603	25000	25000	4571	25000	
Equipment Maintenance	1291	5996	2669	1320	1320	1623	1623	Over spend due to heating maintenance work

Precept and Income	Actual 31st March 2021 YEAR END	Actual 31st March 2022 YEAR END	Actual 31st March 2023 YEAR END	Original Budget	Current Agreed budget	ACTUAL as of 30th September 2023	Expected year end	
Bank Charges	98	104	189	250	250	105	250	
Precept and Income	-535280	-545986	-545986	-610253	-610253	-610253	-610253	
Council Tax Grant (only guaranteed until 19/20)	-10020							
Investment Income	0	0	-713	-1500	-1500	-3095	-8000	Increase in interest rates
Charity of Paige Adams RATE ABATEMENT	-545202	-545982	-546510	-711503	-711503	-613243	-718003	
SUB TOTAL								
Community Development	Actual 31st March 2021 YEAR END	Actual 31st March 2022 YEAR END	Actual 31st March 2023 YEAR END	Original Budget	Current Agreed budget	ACTUAL as of 30th September 2023	Expected year end	
Community Outreach/Christmas				35000	35000	2085	56364	See breakdown below
Community Grants (incl. S137 Funding)	44168	52508	49770	50000	25000	14244	35000	Overspend of £10k for Col. grants in place of Community Fundraiser salary
Community Projects	0	0	13200	0	0	502	502	Covered by grant funding income (see below)
Neighbourhood Plan	see below	3720	3234	0	0	0	0	
Arts and Culture and Events	see below	9500	31806	26000	21000	289	21000	See breakdown below
Public Realm and Community Assets Projects	see below	see below	75980	73700	13700	-1987	13700	See breakdown below
Climate Change/Green Travel	3986	2312	9139	10000	10000	1821	10000	
Public Toilets		0						
Caring Town/Totnes Caring Services		0						
Citizens Advice Service		see above						
Neighbourhood Plan/Planning	71413	22938						
Community projects SHARED SPACE and public realm		see above						
Community Grants Scheme/COVID 19		0						
Arts and Culture and Events		0						
Heritage Support		0						
Grant Funding/Projects Income	-84500	-34370	-32705		0	-3210	-3210	£500 PA grant for Easter Festival & £27.10 GWR grant for Xmas Festival
SUB TOTAL	£35,067	£56,608	£150,424	£159,700	£104,700	£11,659	£133,356	
TOTAL EXPENDITURE OVER INCOME	-£187,710	-£47,985	£90,527	£151,644	£96,802	-£315,294	£120,033	£23231 expected overspend against agreed

Reserves impact	
Total actual general reserves as start of 2023/24	£614,781
Based on the current projected 2023/24 budget, year end reserve estimate	£494,748

	BUDGET	NOTES
2023/24 - proposed		
PUBLIC REALM and COMMUNITY ASSETS PROJECTS	13700	Annual total allocation
Totnes Gardens	-2500	
Replacement plants and repairs to planters over the year	-1200	
Public Seating and benches	-5000	
Planting of flowers/beds/new planters	-5000	
TOTAL	0	
2023/24 - proposed		
ARTS AND CULTURE	21000	Annual total allocation
Christmas late nights	-13000	
Public art	-5000	
Christmas light switch on	-3000	
TOTAL	0	

	BUDGET	NOTES
2023/24 - proposed		
COMMUNITY OUTREACH	35000	Annual total allocation
Town meeting room hire	-59	
Civic Square Lights and Trees	-3000	
Christmas lighting	-45000	Based on tenders received
Christmas shop front competition	-675	Agreed FC 3 rd July
Totnes Directory Updates	-2000	
Defibrillator Pads/Serviceing	-500	
Facebook/Comms	-500	
Community Consultation	-4630	Agreed FC 3rd July - see below
TOTAL	-21364	

ITEM 4 - MAYOR'S ENGAGEMENTS AND BUDGET

Date	Event	Venue
July		
3	Bidwell Brook Art Exhibition	Ariel Centre
6	Exeter Lammas Fair Procession	Exeter Civic Centre
8	Brutus Pageant	St Mary's Church 3pm
August		
September		
30	Food In community event	Totnes United Free Church

Cllr Hodgson Represented

Civic Events Budget 23/24

As at 30/9/23

Mayoral travel Budget 23/24

Emily Price

1/4/23 - 14/5/23

Allocation

300.00

Allocation

693.15

Expenditure

29/08/2023

24.30

Expenditure

Elizabethan reception food & wine

11.71

Medals x 20

150.00

Vire gift - wine

20.83

Safety pins & ribbon

2.21

Medal engraving

36.00

Medal boxes x 6

12.07

Bottle bags

7.49

Cllr induction refreshments

59.96

Balance remaining to c/f

392.88

Emily Price

15/5/23 - 31/3/24

Allocation

5056.85

B/f

392.88

Civic Event income

266.65

Balance remaining

24.30

275.70

Expenditure

Pizzas

138.50

Bellringing - mayor making

160.00

Buffet food - mayor making

49.85

Flowers - mayor making

41.67

Sandwiches for Cllrs Induction

52.00

Catering - mayor making

216.50

Remembrance Service wreath

25.00

Donation re. Les Hill

25.00

Donations re. Chris Hundy

25.00

Stamps

10.50

Willow & tissue paper

99.46

Balance remaining

4872.90

Event costs

Mayoral Choosing

468.02

Civic Event

-266.65



ITEM 5A

DISCIPLINE POLICY & PROCEDURES

TOTNES TOWN COUNCIL

OCTOBER 2023

Introduction

This policy is based on and complies with the 2015 ACAS Code of Practice <http://www.acas.org.uk/index.aspx?articleid=2174>). It also takes account of the ACAS guide on discipline and grievances at work.

https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf

The policy is designed to help Council employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.

The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

This policy confirms:

- informal coaching and supervision will be considered, where appropriate, to improve conduct and / or attendance
- the Council will fully investigate the facts of each case
- the Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective. For more information see ACAS "Performance Management" at <https://www.acas.org.uk/index.aspx?articleid=6608>
- employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
- employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing
- employees may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the

meeting against the employee's wishes or prevent the employee from explaining his/her case

- the Council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions
- if the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
- any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council
- information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- employees have the right to appeal against any disciplinary decision. The appeal decision is final
- if an employee who is already subject to the Council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure
- disciplinary action taken by the Council can include a written warning, final written warning or dismissal
- this procedure may be implemented at any stage if the employee's alleged misconduct warrants this
- except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct
- if an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it,
- the Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties

Examples of misconduct

Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct: The list is not exhaustive.

- unauthorised absence
- poor timekeeping

- misuse of the Council's resources and facilities including telephone, email and internet
- inappropriate behaviour
- refusal to follow reasonable instructions
- breach of health and safety rules.

Examples of gross misconduct

Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct: The list is not exhaustive

- bullying, discrimination and harassment
- incapacity at work because of alcohol or drugs
- violent behaviour
- fraud or theft
- gross negligence
- gross insubordination
- serious breaches of council policies and procedures e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology
- serious and deliberate damage to property
- use of the internet or email to access pornographic, obscene or offensive material
- disclosure of confidential information.

Suspension

If allegations of gross misconduct or serious misconduct are made, the council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.

While on suspension, the employee is required to be available during normal hours of work in the event that the council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or to discuss this matter with any other employee or councillor.

The employee must not attend work. The council will make arrangements for the employee to access any information or documents required to respond to any allegations.

Examples of unsatisfactory work performance

The following list contains some examples of unsatisfactory work performance: The list is not exhaustive.

- inadequate application of management instructions/office procedures
- inadequate IT skills
- unsatisfactory management of staff
- unsatisfactory communication skills.

The Procedure

Preliminary enquiries. The council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.

If the employee's manager believes there may be a disciplinary case to answer, the council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.

Informal Procedures. Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.

If a formal disciplinary investigation is required, the Council's personnel committee will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor. If the personnel committee considers that there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The personnel committee will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:

- the allegations or events that the investigation is required to examine
- whether a recommendation is required
- how the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report
- who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.

The Investigator will be asked to submit their findings within 20 working days of appointment where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be

necessary and the Council may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).

The personnel committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the Investigator so that he/she has reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when he/she meets with the Investigator, he/she will have the opportunity to comment on the allegations of misconduct.

Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.

If there are other persons (e.g. employees, councillors, members of the public or the Council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.

The Investigator has no authority to take disciplinary action. His/her role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the personnel committee whether or not disciplinary action should be considered under the policy.

The Investigator's report will contain his/her recommendations and the findings on which they were based. He/she will recommend either:

- the employee has no case to answer and there should no further action under the Council's disciplinary procedure
- the matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or
- the employee has a case to answer and a formal hearing should be convened under the Council's disciplinary procedure.

The Investigator will submit the report to the personnel committee which will decide whether further action will be taken.

If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The disciplinary meeting

If the personnel committee decides that there is a case to answer, it will appoint a personnel sub-committee of three councillors, to formally hear the allegations. The personnel sub-committee will appoint a Chairman from one of its members. The Investigator shall not sit on the sub-committee.

No councillor with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:

- the names of its Chairman and other two members
- details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting
- a copy of the information provided to the sub-committee which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure
- the time and place for the meeting. The employee will be given reasonable notice of the hearing so that he /she has sufficient time to prepare for it
- that witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least two working days before the meeting
- that the employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official

The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- the Chairman will introduce the members of the sub-committee to the employee and explain the arrangements for the hearing
- the Chairman will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation)
- the Chairman will invite the employee to present their account
- the employee (or the companion) will set out his/her case and present evidence (including any witnesses and/or witness statements)
- any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness
- the employee (or companion) will have the opportunity to sum up

The Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within five working days of the meeting. The Chairman will also notify the employee of the right to appeal the decision.

The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the sub-committee.

Disciplinary action

If the sub-committee decides that there should be disciplinary action, it may be any of the following:

First written warning

If the employee's conduct has fallen beneath acceptable standards, a first written warning will be issued. A first written warning will set out:

- the reason for the written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action
- the employee's right of appeal
- that a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:

- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal
- the employee's right of appeal
- that a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Dismissal

The Council may dismiss:

- for gross misconduct
- if there is no improvement within the specified time period, in the conduct which has been the subject of a final written warning
- if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

The Council will consider very carefully a decision to dismiss. If an employee is dismissed, he/she will receive a written statement of the reasons for his/her dismissal, the date on which the employment will end and details of his/her right of appeal. If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The appeal

An employee who is the subject of disciplinary action will be notified of the right of appeal. His/her written notice of appeal must be received by the Council within five working days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.

The grounds for appeal include;

- a failure by the Council to follow its disciplinary policy
- the sub-committee's disciplinary decision was not supported by the evidence
- the disciplinary action was too severe in the circumstances of the case
- new evidence has come to light since the disciplinary meeting.

Where possible, the appeal will be heard by a panel of three members of the personnel committee who have not previously been involved in the case. This includes the Investigator. There may be insufficient members of the personnel committee who have not previously been involved. If so, the appeal panel will be a committee of three members of the Council who may include members of the personnel committee. The appeal panel will appoint a Chairman from one of its members.

The employee will be notified, in writing, within 10 working days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that he/she may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

At the appeal meeting, the Chairman will:

- introduce the panel members to the employee
- explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision
- explain the action that the appeal panel may take.

The employee (or companion) will be asked to explain the grounds for appeal.

The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.

The appeal panel may decide to uphold the disciplinary decision of the personnel committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.

If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.

The appeal panel's decision is final.



GRIEVANCE POLICY

TOTNES TOWN COUNCIL

OCTOBER 2023

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>). It also takes account of the ACAS guide on discipline and grievances at work. (https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf). It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
2. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.
3. This policy confirms:
 - employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for his /her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.
 - the Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all

reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date.

- any changes to specified time limits must be agreed by the employee and the Council.
- an employee has the right to appeal against the decision about his/her grievance. The appeal decision is final.
- information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR).
- audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition.
- if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure.
- if a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith.
- the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties.
- Employees can use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the council's grievance procedure (paragraph 4) to deal with all grievance issues, including a complaint about a councillor. Employees cannot use the formal stages of the council's grievance procedure for a code of conduct complaint about a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring officer of South Hams District Council who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the council's grievance procedure (see paragraph 5).
- If the grievance is a code of conduct complaint against a councillor, the employee cannot proceed with it beyond the informal stage of the council's grievance procedure. However, whatever the complaint, the council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors are properly trained and by protecting staff from bullying, harassment and all forms of discrimination.

- If an employee considers that the grievance concerns his or her safety within the working environment, whether or not it also concerns a complaint against a councillor, the employee should raise these safety concerns with his or her line manager at the informal stage of the grievance procedure. The council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime.

Informal grievance procedure

4. The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with his/her manager to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with his/her manager (for example, because it concerns the manager), the employee should contact the Chair of the Council or, if appropriate, a member of the personnel committee. If the employee's complaint is about a councillor, it may be appropriate to involve that councillor at the informal stage. This will require both the employee's and the councillor's consent.

Formal grievance procedure

5. If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chair of the Council.
6. The personnel committee will appoint a sub-committee of three members to hear the grievance. The sub-committee will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the sub-committee.

Investigation

7. If the sub-committee decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigation may include interviews (e.g. the employee submitting the grievance, other employees, councillors or members of the public).
8. The investigator will summarise their findings (usually within an investigation report) and present their findings to the sub-committee.

Notification

9. Within 10 working days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:
- the names of its Chairman and other members
 - the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 25 working days of when the Council received the grievance
 - the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
 - a copy of the Council's grievance policy
 - confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of his/her witnesses as soon as possible before the meeting
 - confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least two days' notice
 - findings of the investigation if there has been an investigation
 - an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

The grievance meeting

10. At the grievance meeting:
- the Chairman will introduce the members of the sub-committee to the employee
 - the employee (or companion) will set out the grievance and present the evidence
 - the Chairman will ask the employee questions about the information presented and will want to understand what action does he/she wants the Council to take
 - any member of the sub-committee and the employee (or the companion) may question any witness
 - the employee (or companion) will have the opportunity to sum up the case
 - a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.
11. The Chairman will provide the employee with the sub-committee's decision, in writing, usually within five working days of the meeting. The letter will notify the

employee of the action, if any, that the Council will take and of the employee's right to appeal.

The appeal

12. If an employee decides that his/her grievance has not been satisfactorily resolved by the sub-committee, he/she may submit a written appeal to the personnel committee. An appeal must be received by the Council within five working days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.
13. Appeals may be raised on a number of grounds, e.g.:
 - a failure by the Council to follow its grievance policy
 - the decision was not supported by the evidence
 - the action proposed by the sub-committee was inadequate/inappropriate
 - new evidence has come to light since the grievance meeting.
14. The appeal will be heard by a panel of three members of the personnel committee who have not previously been involved in the case. There may be insufficient members of the personnel committee who have not previously been involved. If so, the appeal panel will be a committee of three Council members who may include members of the personnel committee. The appeal panel will appoint a Chairman from one of its members.
15. The employee will be notified, in writing, usually within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 25 working days of the Council's receipt of the appeal. The employee will be advised that he/she may be accompanied by a workplace colleague, a trade union representative or a trade union official.
16. At the appeal meeting, the Chairman will:
 - introduce the panel members to the employee
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee
 - explain the action that the appeal panel may take.
17. The employee (or companion) will be asked to explain the grounds of appeal.
18. The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within five working days of the appeal meeting.
19. The appeal panel may decide to uphold the decision of the personnel committee or substitute its own decision.

The decision of the appeal panel is final.



WHISTLEBLOWING POLICY

TOTNES TOWN COUNCIL

OCTOBER 2023

INTRODUCTION

Employees are often the first to realise that there may be something wrong within their organisation. However, they may not feel able to express their concerns because they feel that speaking up would be disloyal to their colleagues or to their employer. They may also be apprehensive about the consequences and they may mistakenly feel that it may be easier, therefore, to ignore the concern rather than report what may be no more than a suspicion of malpractice.

Totnes Town Council is committed to the highest standards of openness, probity, and accountability. It expects employees, and others that it deals with, who have serious concerns about any aspect of the Council's work, to come forward and voice those concerns. The word 'whistleblowing' in this procedure refers to the disclosure, internally or externally, by employees of malpractice, as well as illegal acts or omissions at work.

This policy makes it clear that all employees can report, in a confidential manner, their concerns without fear of victimisation, subsequent discrimination or disadvantage, and is intended to encourage and enable serious concerns to be raised with the Council, rather than overlooking a problem or 'blowing the whistle' outside. It is stressed that under the Public Interest Disclosure Act 1998, employees of the Council who speak out against corruption or malpractice at work have statutory protection against victimisation, dismissal or other disadvantage.

SCOPE

This policy applies to employees of Totnes Town Council. Agency workers, casual workers and other individuals performing functions for the Council, such as contractors, are also encouraged to use the procedure.

AIMS

This policy aims to:

- Encourage employees to feel confident in raising serious concerns in those cases where they do not wish to use the normal reporting routes within their departments;
- Provide alternative avenues for raising concerns;
- Ensure that responses to concerns are made;
- Reassure employees that they will be protected from possible reprisals or victimisation if they have made a qualifying disclosure to address their concerns.

BACKGROUND

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that one of the following is being, has been, or is likely to be committed:

- A criminal offence;
- A miscarriage of justice;
- An act creating a risk to health and safety;
- An act causing damage to the physical environment;
- A breach of any other legal obligation; or
- Concealment of any of the above

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient.

An employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment (e.g. disciplinary action), or victimised because he/she has made a disclosure.

The employee has no responsibility for investigating the matter; it is Totnes Town Council's responsibility to ensure that an investigation takes place.

The Council fully understands that employees who are members of a Trade Union may, in the first instance, wish to seek advice and guidance from their Union on the application of this Procedure.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the Council's Grievance Procedure.

PRINCIPLES AND SAFEGUARDS

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the council should

be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No employee or other person working on behalf of the council will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Clerk or the Chair of the Council.

Confidentiality

All concerns will be treated in confidence and every effort will be made to protect an employee's identity if that is their wish. At the appropriate time, however, they may need to be called as a witness, following a full factual investigation of the concerns raised.

Anonymous Allegations

In order to ensure that employees receive the protection of the Public Interest Disclosure Act 1998, employees should put their name to their concern.

Concerns expressed anonymously are much less convincing. Anonymous concerns and allegations will therefore be investigated at the discretion of the Council.

In exercising the discretion the factors to be taken into account would include:

- The seriousness of the issues raised;
- The credibility of the concern;
- The likelihood of confirming the allegation from factual evidence.

PROCEDURE FOR MAKING A DISCLOSURE

If you believe a Councillor has breached the councillor Code of Conduct, then raise it with the Chair of the Council. Concerns relating to an alleged breach of the

councillor Code of Conduct will be referred to the Monitoring Officer for investigation.

This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the Grievance Procedure.

Stage 1

In the first instance, any concerns should be raised with the Clerk, who will arrange an investigation of the matter. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained.

The Clerk (or delegated officer) will take any necessary action, including reporting the matter to the Council, or any appropriate government department or regulatory agency. The Clerk (or delegated officer) will also invoke any disciplinary action if required. On conclusion of any investigation, insofar as confidentiality allows, you will be told the outcome and what the council has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

The action taken will depend on the nature of the concern. The matters raised may:

- be investigated internally by management, or through the disciplinary or other internal process
- be referred to the Police
- be referred to the External Auditor
- form the subject of an independent inquiry.

Concerns or allegations which fall within the scope of specific procedures of Totnes Town Council will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation.

If urgent action is required this will be taken before any investigation is conducted.

You will be written to within ten working days:

- acknowledging that the concern has been received
- indicating how the Council proposes to deal with the matter
- giving an estimate of how long it will take to provide a final response
- informing you if any initial enquiries have been made
- whether further investigations will take place and, if not, why not

Stage 2

If you are concerned that the Clerk is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the Chair of the Council. The Chair will arrange for a review of the investigation to be carried out, make any necessary enquiries.

Stage 3

If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Charity Commission
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BI_S-16-79-blowing-the-whistle-to-a-prescribed-person.pdf

If a matter is taken outside Totnes Town Council, you must take all reasonable steps to ensure that confidential or privileged information is not disclosed. If in doubt, check.

ATTENDING MEETINGS

When any meeting is arranged you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

SUPPORT

Totnes Town Council will take steps to minimise any difficulties you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, Totnes Town Council will advise or arrange for you to have advice about the procedure.

Totnes Town Council will not tolerate harassment or victimisation (including informal pressures) and will take action to protect individuals who raise a concern in good faith.

Totnes Town Council accepts that you need to be assured that concerns will be properly addressed and, subject to legal constraints, will provide information about the outcomes of any investigations.

This is a non-contractual procedure which will be reviewed from time to time.

ITEM 6 – COMMUNITY GRANTS

The timeline for any future round of community grants would be as follows:

6th November – Full Council consider the recommendation from this Committee.

If it is recommended that a second round of grant funding is allocated:

7th November to 4th December - grant application process is open.

4th – 6th December – applications received collated for Council Matters Committee.

11th December – Council Matters Committee considers applications and makes a recommendation to Full Council.

8th January 2024 – Full Council considers Council Matters recommendations.

9th January onwards – notification of grant awarded and payments to be made.

30th June 2024 – deadline for grant funding awarded to have been spent by the organisation (outside of the usual 31st March end date due to the late award of the monies).



COUNCIL ASSETS & PUBLIC REALM WORKING GROUP

Notes

TUESDAY 19TH SEPTEMBER 2023, 12PM

Meeting to be held in the Meeting Room

Working Group: Cllrs Auletta, Piper, Presswell (Chair) & Price

Apologies: Cllr Peters and invitee Sue Holmes

Officers: Governance and Projects Manager, Marketing & Communications Manager, Mayoral PA (notes)

1. To note the minutes of the last meeting

Noted

2. To discuss anti-social behaviour at Leechwell Gardens.

The emailed update from Sue Holmes was noted.

- One concern was that the Leechwell Garden Association can no longer afford to pay for a gardener to do the heavier work which Sue - is unable to do herself but as this area belongs to South Hams District Council (SHDC), it is their responsibility. In future, they (SHDC) would opt for a wilder garden which requires less maintenance.
- CCTV – As this area is owned by SHDC, this isn't the responsibility of TTC, however, Cllr Peters is looking into CCTV in the town and will present this at a further meeting

3. To consider an update regarding the ownership and responsibility of the Leechwell Pool.

The Leechwell is an 'orphan asset' therefore SHDC are wary of taking on responsibility for maintaining it and testing the water. Sue Holmes believes that in 1996 a member of the Town Council – Pruw Boswell - was made 'warden of the wells' but this information is archived and cannot be found in the minutes at TTC.

Even if the minute can be found, TTC have not been acting in that role for many years and doesn't have the resources or budget to maintain it.
The immediate problem is that the water in the Leechwells appears to be polluted with something causing discolouration, slime and smell.

Action: Cllr Presswell to set up a meeting with Rob Sekula from SHDC, Sue Holmes, Cllr Auletta and any other interested parties to discuss a possible way forward.

4. To note the response from Devon County Council (DCC) regarding clearing the drains on Fore St.

DCC have confirmed that the drains are cleared annually and are due to be scheduled in before the end of this year.

Action:

- Governance and Projects Manager to ask DCC for a possible time frame before the next meeting.
- Ask Chamber of Commerce Link councillors to ask CoC to also engage with DCC (email or 'report It' tool) to progress this work.

5. To note any update about Castle Meadow

The removal of 2 picnic benches and a greater police presence in the area over the summer seems to have solved the immediate problem.

Action: Review again when the weather improves next year.

6. To note required improvements to the Guildhall wiring due to repeated squirrel activity.

Officers are looking into repairs on the wiring as an issue which needs immediate attention.

7. To consider requests from Totnes Gardens:

- a. For three new planters for Coronation Road. Quote received from Landworks of £408 per planter.**

To **RECOMMEND** to the Council Matters Committee that the request is turned down - Cllrs commented that the wildflower area is beautiful but were concerned about initial outlay and the future upkeep of the planters.

- b. To take over the planting and maintenance of the 3 planters near the bus stop. Cost £150 as a one off for new planting. Watering still to be undertaken by TTC.**

To **RECOMMEND** to the Council Matters Committee that the Council pays £150 to Totnes Gardens to maintain the Visit Totnes Planters.

8. To consider placement of a table tennis table at Borough Park.

This request from a member of the public will cost approximately £4,500 to install. The Town Matters Committee will review and update the Council's Open Space, Sports, Recreation and Wellbeing Policy including projects for future section 106 investment so this request can be considered as part of a wider improvements in Borough Park.

Action:

- Governance and Projects manager to write to the member of the public informing them of the policy review.
- Review of Council's Open Space, Sports, Recreation and Wellbeing Policy including projects for future section 106 investment to take place.

9. Site visit to the cemetery – Postponed due to bad weather

- a. **To note progress on bird boxes – none as yet.**
- b. **To discuss grass cutting contract monitoring –**

Some members of the public expressed concern that weedkiller had been used in some areas of the cemetery but closer inspection revealed that the brown patches are only appearing over stones so it is most likely scorched by the heat rather than weedkiller.

It was asked why the cost of grass cutting has gone up by 40% this year. Ivybridge spend much less on their cemetery grass cutting. It was felt that the increase was due to taking out a new contract to replace the previous one which was 3 years old therefore it seemed like there was a steeper increase.

Action: Governance and Projects manager to contact Ivybridge Town Council to find out why their grass cutting is so much cheaper.

- c. **To note the renewal due of the MoU with Incredible Edibles –**

Action: Governance and Projects Manager to review the MoU and put to Council Matters by the end of the year.

Additional Item:

10. To consider what to do about the graffiti on the gable end of the Civic Hall.

The options are:

- Try to remove the graffiti
- Cover with graffiti proof paint
- Cover with a mural

The porous brick may be difficult to clean properly but graffiti proof paint may also not be appropriate because it will stop the brick from being able to breathe. There was also some concern that a mural would not be suitable in that location.

Officer's Note: The Clerk has confirmed that cleaning the graffiti off has been discussed with SHDC as an option, but the type of porous bricks that the graffiti is on and previous experience by SHDC in trying to clean graffiti from this sort of surface has shown that it isn't effective.

Action: To discuss at the Arts Working Group Committee.

11. Date of next meeting: 21st November 2023, 12.00pm