

AGENDA FOR THE MEETING OF COUNCIL MATTERS COMMITTEE MONDAY 15TH APRIL 2024 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 15th April 2024** at **6.30pm** in the Guildhall for the purpose of transacting the following business:

Committee Members: Councillors L Auletta, 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 March 2024 and update on any matters arising. Document attached.

3. ELECTION OF CHAIR AND DEPUTY

- To:
- Make a recommendation to Full Council for the Chair of Council Matters Committee for 2024/25 (effective May 2024); and
 - Elect a deputy chair for the Committee (from May 2024). No document.

4. MAYOR'S ENGAGEMENTS AND BUDGET

To consider the Mayor's engagements since January 2024 and the current budget. Documents attached.

5. STANDING ORDERS

To review Standing Orders (including the creation of strategy delivery groups) and make a recommendation to Full Council. Document attached.

6. FINANCIAL RISK ASSESSMENT

To review the Financial Risk Assessment and Risk Register. Document to follow.

7. EARMARKED RESERVES

To review the earmarked reserves. Document to follow.

8. CEMETERY FEES

To consider a review of the Cemetery Fees for financial year 2024/25. Document attached.

9. LEGIONELLA MANAGEMENT PLAN

To consider a Legionella Management Plan. Document attached.

10. ARTS AND EVENTS WORKING GROUP

To note the minutes of the Arts and Events Working Group held on 20th March and consider the recommendation at item 7. Document attached.

11. COUNCILLOR CO-OPTION

To consider the proposed timeline for Councillor co-option for the Bridgetown Ward casual vacancy. Document attached.

12. GRAFFITI TAGGING

To consider putting up a monetary reward for information on the individuals who are responsible for the most prolific graffiti tagging in the town. Verbal update from Cllr Peters.

13. YEAR END TIMELINE

To note the year end timeline for financial year 2023/24. Document attached.

14. S137 VALUE FOR 2024/25

To note the revised S137 value for 2024/25. Document attached.

15. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 20th May 2024 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)*

16. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

To consider the bank statements and reconciliations for March (financial). Documents to follow.

17. TEMPORARY EMPLOYEE COSTS

To consider the cost of temporary employees (personal details). Verbal update.

18. STAFF ATTENDANCE

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

19. STAFFING UPDATE

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

Catherine Marlton

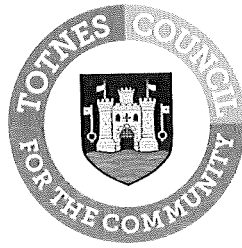
Town Clerk

10th April 2024

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 MARCH 2024 AT 6.30PM IN THE GUILDHALL

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

Apologies: None.

In Attendance: Cllr Auletta, 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 12th February 2024 and update on any matters arising.
The minutes were **AGREED** unanimously as an accurate record of the proceedings.

3. BUDGET MONITOR

To consider the 2023/24 Budget Monitor.
This was considered and **AGREED** unanimously.

4. CIVIC BUDGET AND MAYORAL ALLOWANCE POLICY

To review the Civic Budget and Mayoral Allowance Policy.
The Civic Budget and Mayoral Allowance Policy was reviewed and **AGREED** unanimously.

5. DEVON-TORBAY DEVOLUTION DEAL CONSULTATION

Under delegated authority from Full Council, to consider a Council response to the Devon and Torbay Devolution Deal consultation (deadline for responses 24th March 2024).

Cllr Chinnock declared a personal interest. It was **AGREED** by majority (1 abstention) to give the Town Clerk authority to submit the Town Council response to the consultation and send the letter as drafted (see below):

We write to you on behalf of Totnes Town Council to express our concerns regarding the proposed Devon and Torbay Devolution Deal, in its current form.

As the governing body directly elected to represent the interests of Totnes residents, we have significant reservations about an additional layer of governance at a regional level, particularly one with very limited representation of the Town and Parish sector.

It is our position that such a governance model would create an unacceptable democratic deficit. We need more of a voice on policies with profound local impacts, not less. Each town and parish area across Devon has its own unique characteristics that require tailored approaches, staying locally accountable.

Moreover, we question whether the suggested economic benefits of this deal are realistic or will substantively improve circumstances for Totnes. The positive outcomes appear speculative at best, with the allocated £16m being insufficient to undertake implementation County wide. Town and parish councils are already taking on additional responsibilities and services due to cuts at higher tier authorities. We do not believe that this proposal goes far enough in filtering powers and funding down to local communities.

In summary:

- Adding a fourth layer of government administration will over complicate and increase confusion for constituents about who is responsible for what.
- Transfer of key responsibilities away from lower tiers of local government risks distancing policies from communities they impact.
- One-size-fits-all policies may not effectively meet the unique needs of different areas.
- Financial projections and claimed economic benefits appear overstated and speculative, particularly with a backdrop of insufficient funding (and large budget deficits as a result) to all tiers of local government.
- £16m is insufficient and future funding levels are uncertain. This money should be redirected towards statutory services that are already in dire need.
- The extra resources and ongoing costs required for administering this layer after 2027 will draw money away from essential services.
- We are supportive of devolving powers and funding from central to local government, but true devolution should empower more local decision-making, not consolidate powers into a County wide organisation in an area that has such diverse needs and challenges.
- Lack of clarity on meaningful impact or enhanced future opportunities for town/parish councils during a time when they are already taking on additional responsibilities due to funding challenges in higher tier authorities.
- Serious concerns over the democratic deficit created and the lack of sufficient representation of towns and parishes in the governance arrangements.

As Totnes's elected representatives, it is our duty to advocate for our constituents' interests and self-governance at an appropriate level. A combined authority is at odds with the spirit of true devolution to localized decision-making and compromises a core philosophy of empowering – not disempowering – local communities' abilities to shape their futures.

Totnes Town Council agrees with the following statement from the London Mayor, taken from www.london.gov.uk:

'The principal lesson to be learnt by the Government from the NO vote in the Northeast region, is that people will only accept changes to the way in which they are governed where those changes represent a clear improvement in the nature of that government, and also result in them being more directly involved in the decisions which will effect their lives. This will require an appropriately wide range of powers being devolved to the new bodies, which they are being invited to elect.'

We will be urging our residents and partners to make their individual thoughts known.

Thank you for your consideration of Totnes Town Council's position on this crucial matter.

6. COMMUNITY GRANT REPORT

To note a report of community organisation's assessment of their projects which received Community Grant funding in June 2023.

Noted.

7. COUNCIL ASSETS AND PUBLIC REALM WORKING GROUP

To note the minutes of the Council Assets and Public Realm Working Group held on 21st February and consider the recommendations (items 2, 5, 7 and 8).

Noted, and the following were agreed unanimously:

- Item 2. Benches at Longmarsh – It was **AGREED** unanimously that the Clerk contacts Berry Pomeroy Parish Council about locating the two Castle Meadow picnic benches at Longmarsh.
- Item 5. Seagull Signs, St Mary's Churchyard – It was **AGREED** unanimously to fix 'don't feed the seagull' signs to the poles and the sides of the waste bins in the churchyard.
- Item 7. Benches on Coronation Road – It was **AGREED** unanimously to replace the two benches on Coronation Road with ones made from recycled plastic.
- Item 8. Totnes Town Centre Sign - It was **AGREED** not to install the sign topper without match funding being secured - the Clerk will write to the Chamber of Commerce.

8. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 15th April 2024 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)*

9. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

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

These were reviewed and unanimously **AGREED**.

10. GREEN ENERGY CLUB

To consider how to proceed in the 2024/25 financial year given the ending of the indemnity and the price increases (commercial).

The Committee were disappointed to hear that due to technical issues the club is not yet live and expressed support for the club but concerns about the significantly increased costs. It was **AGREED** unanimously to withdraw from the contract on the grounds that the Town Council are bound to seek best value with public funds.

It was **AGREED** unanimously to extend the meeting by 20 minutes.

11. CHRISTMAS LIGHTS BUDGET

To consider the allocation of the Christmas Lights budget for the following:

- a. **Installation (commercial);** It was **AGREED** unanimously to appoint Blachere as the installers for 2024 subject to the resolution of the faulty lights on The Plains.
- b. **Cross Street light refurbishment (commercial);** It was **AGREED** by majority to proceed with the cross-street light refurbishment.
- c. **Electrical upgrades on The Plains (commercial);** It was **AGREED** unanimously to proceed with the electrical power source upgrades on The Plains.
- d. **Contingency for replacement and repair of lights (financial);** The suggested contingency was **AGREED** unanimously; and
- e. **Delayed removal of Shady Garden icicle lights (financial).** It was **AGREED** unanimously to leave the Shady Garden tree icicle lights in situ.

12. CEMETERY MAINTENANCE CONTRACT

To consider a one-year extension to the current cemetery maintenance contract (commercial).

It was **AGREED** unanimously to extend the current cemetery maintenance contract for one year.

13. STAFFING UPDATE

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

None.

The meeting closed at 8.35pm

Catherine Marlton
Town Clerk
March 2024

ITEM 4 – MAYOR’S ENGAGEMENTS AND BUDGET JAN-MAR 2024

Date	Event	Venue
January		
25	TAODS Pantomime	Totnes Civic Hall
26	Vire Twinning Meeting	Guildhall
February		
21	Twinning Group Social Event	Bay Horse
March		
6	Totnes Hospital League of Friends Bridge event	Palace Theatre Paignton
9	Music Concert Torbay	English Riviera Centre
15	Guildhall Volunteer coffee morning	Guildhall
19	Meeting with Student Ambassadors	KEVICC

Civic Events Budget 23/24

As at 29/2/24

Mayoral travel Budget 23/24

<u>Emily Price</u>	<u>1/4/23 -</u> <u>14/5/23</u>	Allocation	300.00	
Allocation	693.15	<u>Expenditure</u>		
		29/08/2023	24.30	P.Bethel
		10/12/2023	6.75	P.Bethel
<u>Expenditure</u>		08/01/2024	113.20	Rail Cllr
Elizabethan reception food & wine	11.71	18/01/2024	26.10	Piper
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	<u>392.88</u>			

Emily Price

15/5/23 -

31/3/24

Allocation	5056.85		
B/f	392.88		170.35
Civic Event income	666.65		
		Balance remaining	<u>129.65</u>

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
Plymouth Civic Dinner	100.00
Poppy Wreath	18.32
Table flags	23.27
Flowers & wine	47.50
Bell ringing - Civic Service	160.00
Seven Stars - Civic dinner	1668.25
Volunteers cream tea	44.88
Xmas cards	23.70
Donations and raffles	40.00
Wine gifts for Vire dignitaries	46.96
Mayor & Sergeant photos	2.40
Materials for Pegasus	27.59
Wine	55.00
Mayor's photo framing	33.33
Cllr Piper exps claim for raffle tickets	10.00
Pizzas	142.92

Balance remaining 2828.78

Event costs

Mayoral Choosing	468.02
Civic Service & Dinner	1232.37

STANDING ORDERS

TOTNES TOWN COUNCIL
Last reviewed May 2023

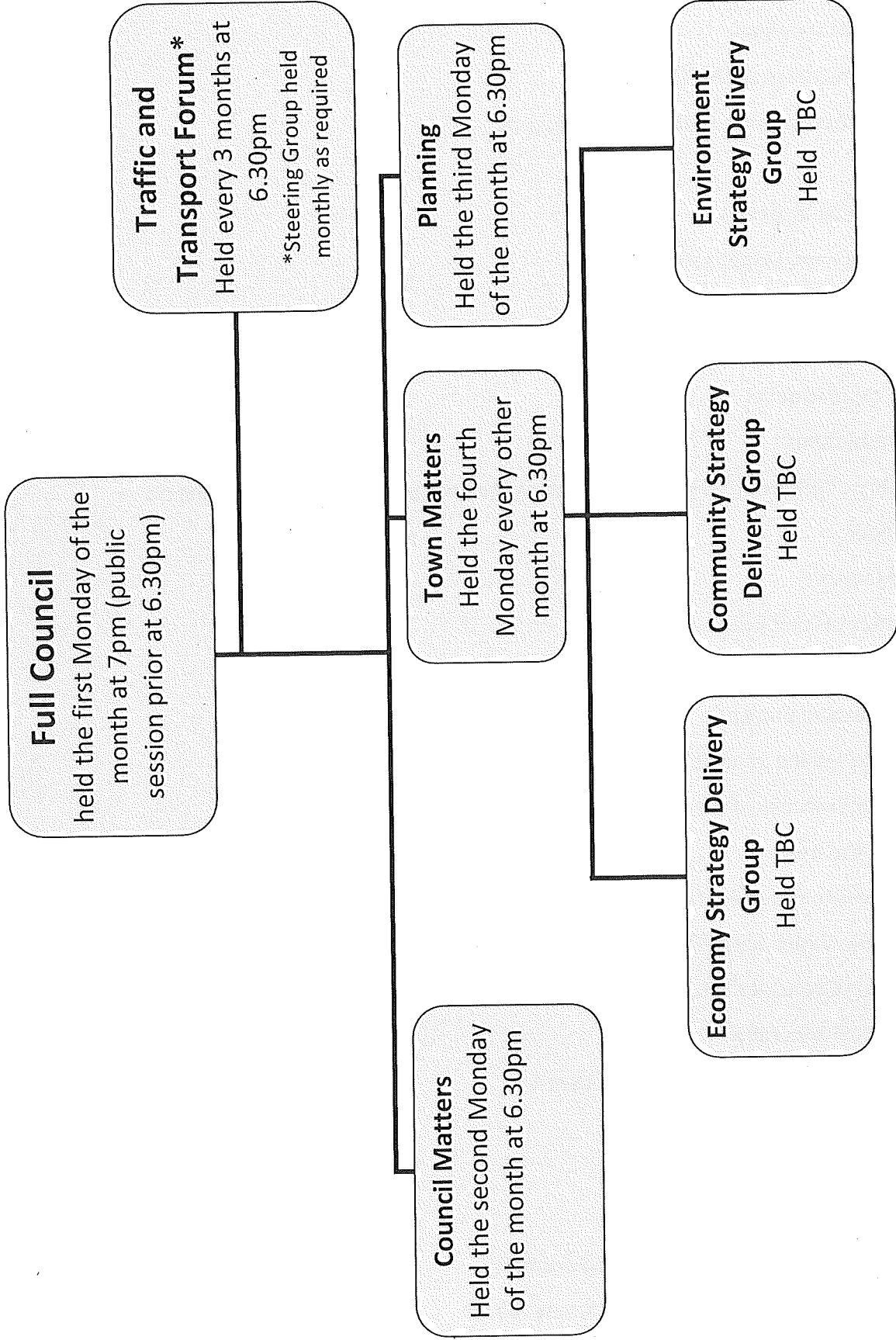
Amendments April 24

- Structure updated to reflect:
 - Removal of Climate Emergency Forum.
 - New Community, Economy and Environment strategy delivery Groups and their reporting chain through Committee replacing the previous working groups.
- Statutory text updates to the following sections (shown in **bold**):
1g, h & o; 4a & b; 3b; 9c; 13b.ii; 19c..
- Section 5 Motions – wording from the model Standing Orders included at a.
- Section 7 Code of Conduct ‘and dispensations’ and acceptance date updated.
- Section 12 Management of information including handling of sensitive and confidential information – wording from the model Standing Orders included at a - d.
- Section 15 Financial Controls and Procurement – new points b and h taken from model Standing Orders wording, c.iii revised wording to cover the advertising of invitations to tender.
- Section 17 Annual budget and precept – frequency of community participatory budgeting updated.
- Section 19 Allegations of Breaches of the Code of Conduct - wording from the model Standing Orders included at a - f.
- Section 20 Handling of staff matters – sections b and c to now

read 'Chair of the Council '.

- Section 21 – revised to 'Responsibility to provide information' wording from the model Standing Orders.
- New Section 22 – 'Responsibility under Data Protection legislation wording from the model Standing Orders.
- Section 23 Restrictions on Councillor activities – wording from the model Standing Orders.
- New Section 25 – 'Matters that must be resolved only by Council' based wording from the model Standing Orders.
- Section 26.1.3 – Amend heading from 'Responsibilities' to Remit to align with other formats. Amended to 'consider notes and any expenditure the strategy delivery groups'.
- Sections 26.2.3 and 26.3.3 – remove reference to Totnes Information Point.
- Section 26.2.3 – updated to reflect change in working group structure to Strategy Delivery Groups.
- Section 26.3.3 – amend wording on the Neighbourhood Plan to say 'review' rather than 'development of', and including of 'licensing applications'.
- Section 27 Link Councillor representatives on outside bodies – list updated.
- Section 28 Working Groups – updated to reflect creation of the three Strategy Delivery groups [details to follow].
- Section 29 Terms of Reference for Advisory Bodies – updated with details of the committee they report through, and remove reference to the Climate Emergency Forum
- Section 31 Operational Support Group – updated to include frequency of meetings and attendees 'as required'.

STRUCTURE



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32. Nolan Principles

Text in bold is required by statute

1. Meetings

- a) Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
- b) The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- c) Councillors are expected to attend meetings.
- d) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- e) Members of the public may make representations, raise questions, give evidence during a 30 minute open and informal session prior to Full Council, and 15 minute session at the beginning of Committee meetings. The period of time designated for public participation at a meeting shall not be exceeded unless directed by the chair of the meeting. An individual member of the public shall not speak for more than 3 minutes.
- f) Any items raised by members of the public that require a decision will be referred by the Chair to the relevant committee for consideration by the usual committee process. Questions requiring a factual answer may be answered by the Chair or be referred by the Chair to the Clerk or a relevant Councillor.
- g) Subject to standing order 3(h), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- h) A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- i) The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- j) Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by the Deputy Chair.
- k) The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Deputy Chair, if present, shall preside. If both the Chair and the Deputy Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- l) Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors present and by voting thereon.
- m) The Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.
- n) Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the

voting on any question shall be recorded so as to show whether each Councillor present and voting gave their vote for or against that question.

o) The minutes of a meeting shall record the following:

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

p) The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.

q) A Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.

r) No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.

s) If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned.

t) Full Council meetings will not exceed 120 minutes in length unless there are exceptional circumstances, at which time Members vote by majority to extend the length of the meeting. Committee, Working Group and Forum meetings should not exceed 90 minutes in length unless there are exceptional circumstances, at which time Members vote by majority to extend the length of the meeting.

2. Ordinary Council meetings

a) In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.

b) In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.

c) If no other time is fixed, the annual meeting of the Council shall take place at 7.00pm.

d) In addition to the annual Town Council meeting of the Council, at least three other ordinary meetings shall be held on such dates and times as the Council directs.

e) The election of the Chair and appointment of the Deputy Chair of the Council shall be the first business completed at the annual meeting of the Council. The Mayor appoints a Deputy without the need for an election.

f) The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.

g) The Deputy Chair of the Council, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.

h) In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.

- i) In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a successor Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.
- j) Following the election of the Chair of the Council and Deputy Chair of the Council at the annual meeting of the Council, the order of business will include:

- i. In an election year, delivery by Councillors of their declarations of acceptance of office forms and to grant permission for absent Councillors to sign their declarations in the presence of the Clerk outside of the Annual Meeting.
- ii. In a non-election year, delivery by the Chair of their acceptance of office form.
- i. Review delegation arrangements to committees and sub-committees and make appointments where appropriate;
- v. Review terms of reference for committees;
- vi. Appointment of members to existing committees;
- vii. Review the Council's Standing Orders;
- viii. Review of representation on or work with external bodies and arrangements for reporting back;
- ix. Set the dates, times and place of ordinary meetings of the Council and any committees and sub-committees agreed for the year ahead.

3. Extraordinary meetings of the Council

- a) The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- b) If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting. The statutory public notice giving the time, venue and agenda for such a meeting shall be signed by the two Councillors.

4. Committees, sub-committees and working groups

- a) Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- b. Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.
- c) The Council may appoint standing committees and sub-committees at any meeting.
- d) Terms of reference, membership and Chair of any committee or sub-committee shall be approved by Council and form part of the Standing Orders.
- e) The Council will determine whether the public may participate at a meeting of the committee or sub-committee.
- f) The Council may dissolve a committee, sub-committee or Working Group at any meeting.
- g) The members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.**
- h) Subject to Standing Order 4 (g) above, the Council and Standing Committees may appoint working groups without delegated powers comprising between a minimum of three Councillors and a maximum of nine Councillors with powers to co-opt non-Councillors on a nonvoting basis. The quorum of any working party must be at least three Councillors.
- i) Working groups do not have any delegated authority in terms of decision making or expenditure but instead are a way of discussing issues and projects informally and including members of the community.
- j) All non-Councillor members of a Working Group are allowed on a non-voting basis only and must agree to abide by the Town

Council Code of Conduct.

k) A Working Group must appoint a Chair and produce brief action notes to be fed back to the appropriate Council committee for further discussion and decision making.

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

5. Motions

a) A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

b) No motion may be moved at a meeting unless it falls under an item on the agenda. Best practice states that the mover has given written notice of its wording to the Proper Officer at least three clear working days before the meeting. Clear days do not include the day of the notice or the day of the meeting. Verbal motions will be allowed in exceptional circumstances at the discretion of the Chair.

c) If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting, or the Councillors that have convened the meeting, to consider whether the motion shall be included or rejected.

d) Subject to Standing Order above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

e) The following motions may be moved at a meeting without written notice to the Proper Officer;

- i. to appoint a person to preside at a meeting;
- ii. to approve the absences of Councillors;
- iii. to approve the accuracy of the minutes of the previous meeting;
- iv. to dispose of any business remaining from the last meeting;
- v. to alter the order of business on the agenda;
- vi. to proceed to the next business on the agenda;
- vii. to close or adjourn debate;
- viii. to move to a vote;
- ix. to defer consideration of a motion;
- x. to require a written report;
- xi. to extend the time limits for speaking;
- xii. to exclude the press and public for all or part of a meeting;
- xiii. to silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend any Standing Order except those which are mandatory by law;
- xvi. to appoint representatives to outside bodies and to make arrangements for those representatives to report back;
- xvii. to adjourn the meeting;
- xviii. to close a meeting.

6. Rules of debate at meetings

a) A motion shall not be considered unless it has been proposed and seconded.

b) Motions must be clear and concise.

- c) The Chair shall decide the order in which amendments are considered and dealt with.
- d) Only one amendment shall be moved at a time.
- e) The mover of a motion or the mover of an amendment shall have the right of reply.
- f) During the debate of a motion, a Councillor may interrupt only on a point of order or if the Chair asks for an explanation. The Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the Standing Order which they consider has been breached or identify any irregularity.
- g) A point of order shall be decided by the Chair and their decision shall be final.
- h) The Chair shall be satisfied that a motion has been sufficiently debated before it is put to a vote.
- i) When a motion is under debate no other motion shall be moved except:
 - i. To amend the motion;
 - ii. To proceed to the next business;
 - iii. To adjourn the debate;
 - iv. To put the motion to a vote;
 - v. To ask a person to be silent or for them to leave the meeting;
 - vi. To exclude the public and press;
 - vii. To adjourn the meeting;
 - viii. To suspend any Standing Order, except those which are mandatory.
- j) If the Chair stands up during a meeting all discussion and debate shall cease.

7. Code of Conduct and Dispensations

- a) All Councillors and non-Councillors with voting rights shall observe the code of conduct adopted by the Council on May 15th 2023. All Councillors and Working Group members will adhere to the 7 Nolan Principles as outlined under section 29.

EXPLANATION OF PECUNIARY INTEREST TAKEN FROM CODE OF CONDUCT

Disclosable Pecuniary Interests

7. *The interests you must register are:*

7.1 *Those disclosable pecuniary interests defined by the Regulations, namely:*

(a) Employment - any employment, office, trade, profession or vocation carried on for profit or gain by you or a relevant person;

(b) Sponsorship - any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a Member, or towards your expenses, including any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992;

(c) Contracts - any contract which is made between you or, so far as you are aware, a relevant person (as defined at Paragraph 2 above) (or a body in which the relevant person has a beneficial interest) and the Council:

(1) under which goods or services are to be provided or works are to be executed; and

(2) which has not been fully discharged

(d) Land - any beneficial interest in land held by you, or so far as you are aware, a relevant person, which is within the area of the Council;

(e) Licence - any licence (alone or jointly with others) to occupy land held by you, or so far as you are aware, a relevant person in the area of the Council which will last for a month or longer

(f) Corporate Tenancies -any tenancy where (to your knowledge):

(1) the landlord is the Council; and

(2) the tenant is a body in which you or, so far as you are aware, a relevant person has a beneficial interest.

(g) Securities - any beneficial interest that you or, so far as you are aware, a relevant person has in securities of a body where:

(1) that body (to your knowledge) has a place of business or land in the area of the Council and

(2) either:

(a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

b) Unless they have been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.

c) Unless they have been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.

d) **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

e) A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.

f) A dispensation request shall confirm:

i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;

iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and

iv. an explanation as to why the dispensation is sought.

h) A dispensation may be granted in accordance with Standing Order 7(e) above if having regard to all relevant circumstances the following applies:

i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business; or

ii. granting the dispensation is in the interests of persons living in the Council's area; or

iii. it is otherwise appropriate to grant a dispensation.

8. Disorderly Conduct

a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this Standing Order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.

b) If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of

the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

c) If a resolution made in accordance with Standing Order 8(b) is ignored, the Chair may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

9. Minutes

a) Minutes, including any amendment to correct their accuracy shall be confirmed by resolution at the subsequent Council meeting.

b) A motion to correct an inaccuracy can be moved and agreed amendments shall be made to the final minutes.

c) **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

10. Voting on appointments

a) Where two or more persons have been nominated for a position by the Council and none of those persons has an absolute majority of votes in their favour, the person having the least number of votes shall be struck off the list and a fresh vote taken.

b) This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote.

11. Previous resolutions

a) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 Councillors to be given to the Proper Officer.

b) When a motion moved pursuant to Standing Order 11(a) above has been disposed of, no similar motion may be moved within a further six months.

12. Management of Information including handling confidential or sensitive information a) The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

b) The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).

c) The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.

d) Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

e) Councillors and staff will not disclose information given to them in confidence, or which they believe or ought to be aware, is of a confidential nature. Any confidential papers issued should be returned to the Clerk at the end of each meeting for appropriate disposal.

13. Proper Officer

a) The Council shall appoint a Proper Officer who shall be the Town Clerk. The management team will undertake the work of the Proper Officer when the Proper Officer is absent.

b) The Proper Officer shall:

i. **give public notice of the time, date, venue and agenda at least three working clear days before a meeting of the**

- Council or a meeting of a committee or subcommittee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);
- ii.; serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email),
 - iii. convene a meeting of Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;
 - iv. attend Council meetings OR delegate to the a member of the management team;
 - v. make the minutes of meetings available for inspection by the public;
 - vi. receive and retain copies of byelaws made by other local authorities;
 - vii. receive and retain declarations of acceptance of office forms from Councillors;
 - viii. process all requests made under the Freedom of Information Act 2000 and General Data Protection Regulation;
 - ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - x. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
 - xi. arrange for legal deeds to be executed;
 - xii. arrange authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
 - xiv. have overall managerial responsibility for the organisation, including staff;
 - xv. implement the decisions of the Council via delegated authority;
 - xvi. provide objective, professional advice on all matters.

14. Financial Matters

The Council shall appoint the Proper Officer to be the Responsible Financial Officer. The Finance, HR and Lettings Manager shall undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

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

- i. the keeping of accounting records and systems of internal controls;
- ii. the assessment and management of financial risks faced by the Council;
- iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually; and
- iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments.

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

15. Financial controls and procurement

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

b) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of

the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).c) Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. The invitation to tender shall be advertised on the Town Council website and Facebook page. If Public Contracts Regulations apply it must be placed on the Contracts Finder website regardless of what other means it uses to advertise.
- d) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and In OJEU.
- e) A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.
- f) The Council or committees are not bound to accept the lowest value tender.
- g) Procedures for the management of capital projects require payments only against certified completions under a planned and approved programme of works governed by a properly negotiated contract supervised by a named Council officer.
- h) Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.

16. Accounts and accounting statements

- a) "Proper practices" in Standing Orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).
- b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. The Council Matters Committee with a budget spreadsheet summarising the Council's receipts and payments for the last year to date for information; and
 - ii. to the Full Council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e) The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a year to 31 March.
- f) The annual return of the Council, which is subject to external audit, including the annual governance statement, shall be

presented to Council for consideration and formal approval before 30 June.

17. Annual budget and precept

- a) At least one community participatory budget process (event/survey) will take place per Council term (i.e. once every four years) prior to the annual budget setting by the Council.
- b) The Council shall approve a budget for the coming financial year before the end of January and instruct the Responsible Financial Officer to submit the precept demand to the District Council.

18. Execution and sealing of legal deeds

- a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b) Subject to standing order 18(a) above, any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

19. Allegations of Breaches of the Code of Conduct

- a) Alleged breaches of the Code of Conduct by a Councillor must be referred to the Monitoring Officer at the District Council.
- b) On receipt of a notification that the District Council is dealing with a complaint that a Councillor has breached the code of conduct, the Town Clerk will report this to Council.
- c) Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.
- d) Where that notification relates to a complaint made by the Town Clerk, the Governance and Projects Manager will assume the duties of the Town Clerk in relation to the complaint.
- e) Where a notification relates to a complaint made by an employee (not being the Town Clerk), the Town Clerk will ensure that the employee in question does not deal with any aspect of the complaint.
- f) The subject matter of notifications will be confidential.

20. Handling staff matters

- a) A matter personal to a member of staff that is being considered by a meeting of Council OR the Council Matters Committee is subject to Standing Order 12 above.
- b) In relation to matters of staff absence and sickness all staff will conform to the Absence Management Policy adopted in July 2021. In the case of the Town Clerk (Proper Officer) being absent the Chair of the Council and a Councillor of the Proper Officers preference will undertake the management role and report back to the Council Matters Personnel Sub Committee.
- c) The Chair of the Council and a Councillor of the Proper Officers preference shall conduct a review of the performance and annual appraisal of the work of the Proper Officer.
- d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee shall contact the Chair of the Council or in their absence, the Deputy Chair of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by the Council Matters Committee.
- e) Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Proper Officer relates to the Chair or Deputy Chair of the Town Council, this shall be communicated to another member of the Council Matters Committee which shall be reported back and progressed by resolution of the Council Matters committee OR the Town Council.

- f) Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g) The Council shall keep all written records relating to employees secure.
- h) Only persons with line management responsibilities shall have access to staff records referred to in Standing Orders 20(f) and (g) above if so justified.
- i) Access and means of access to records of employment referred to in Standing Orders 20(f) and (g) above shall be provided only to the Clerk and the Finance, HR and Lettings Manager.

21. Responsibilities to provide information

- a) In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.
- b) The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

22. Responsibilities under Data Protection Legislation

- a) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.
- b) The Council shall have a written policy in place for responding to and managing a personal data breach.
- c) The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- d) The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- e) The Council shall maintain a written record of its processing activities.

23. Restrictions on Councillor activities

- a) No individual Councillor will, in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. make decision or issue orders, instructions or directions.

24. Standing Orders generally

- a) All or part of a Standing Order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b) A motion to add to or vary or revoke one or more of the Council's Standing Orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 3 Councillors to be given to the Proper Officer in accordance with Standing Order 9 above or by recommendation of the Town Clerk in relation to national best practice, to be considered by Full Council.
- c) The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor as soon as possible after they have delivered their acceptance of office form.
- d) The decision of the Chair of a meeting as to the application of Standing Orders at the meeting shall be final.

25. Matters that must be Resolved only by Council

- a) These include:
 - i. Agreeing the Strategic Plan, the annual work programme, and the annual budget
 - ii. Setting the precept demand

iii. Borrowing money

iv. Approving the end of year Accounts and approving submission of the Annual Return to the External Auditors

26. Committee Terms of Reference

26.1 Council Matters Committee

1. Authority

The Council Matters Committee is a Principal Committee of the Town Council and its membership is appointed by the Town Council annually. The Committee's remit is defined and agreed by the Full Council. These powers will be exercised in accordance with any policy adopted or directions given by the Town Council and subject to the Council's Standing Orders, Standing Orders on Contracts and Financial and Administrative Regulations and Personnel Policies. Meetings of the Council Matters Committee will be held monthly.

A Personnel Sub-Committee will be formed, consisting of the Chair and 3/4 other elected members of the standing committee and will meet only when needed. For example; staffing appeals committee. The quorum of this committee will be a third of the agreed membership.

2. Membership

The Committee will consist of no fewer than 6 elected Town Councillors and a maximum of 8, and its membership and the Chair will be elected by the Full Council annually. Both the Chair and Committee members will be re-elected each year in March/April. A Deputy Chair can be elected by the committee to fulfil the role of the Chair in their absence (if both are absent then any elected member can take the chair by agreement of the committee).

The *quorum* will be a minimum of a third of the elected committee membership (not less than three).

3. Remit

The Council Matters Committee will act as the Scrutiny Committee of the Council, monitoring the operational, civic, administrative, staffing and financial responsibilities as well as the assets of the Council. The day to day management of Council matters rests with the Town Clerk. The Council Matters Committee will be responsible for initiating, developing and monitoring any policies required for the Town Council to carry out its functions.

The Committee will be responsible (and have delegated authority) for all staff appointments; annual appraisal; training and development; the setting of staff salaries, hours of work and all matters relating to their individual contracts; sickness and staff welfare issues; and grievance and disciplinary matters.

The Committee must ensure that matters relating to the personal matters of staff are not published and that all staff records are held securely.

The Committee will consider actions related to expenditure from the notes of the Community, Economy and Environment Strategy Delivery Groups as required .

4. Operating Principles

The Council Matters Committee will meet monthly to accept reports, raise issues and act as a conduit to the Full Council on all of its responsibilities.

The Committee will be able to recommend the creation of subcommittees which need to be constituted to aid the work of the Committee. Membership of the subcommittee would come from the membership of the Council Matters Committee. However, it is envisaged that most work will be done by the Committee itself, as it is from the Committee that recommendations to Full Council need to emerge.

The Committee may, of course, ask individual members to undertake any work which needs to be undertaken in relation to the workings of the committee e.g. developing a proposal, implementing tasks, working with the Clerk etc.

The Council Matters Committee may also recommend establishing Working Groups to undertake specific tasks within the responsibilities of the Committee (or across committee responsibilities) as defined within Standing Orders. Working groups are constituted with fixed terms of reference, and are time limited to the Council year they are constituted in. If they are to continue they will need to be reconstituted. Working groups may include Councillors not on the Council Matters Committee and members of the public, and their membership will be agreed at Full Council. They may be a task and finish group, or have a broader remit e.g. cemetery.

All committees, subcommittees and working groups are subject to the Town Council Standing Orders. The quorum for subcommittees and working groups would be a third of the agreed membership (not less than 3 Councillors present).

Prior to the commencement of the Committee meeting members of the public will have the opportunity to speak to the Committee, as defined within Standing Orders. With the agreement of the Committee, the Chair may suspend Standing Orders, if appropriate, to enable any interested parties to speak on a particular issue during the meeting.

5. Delegated Powers

The Council Matters Committee may approve the income and expenditure of the Council on behalf of the Council, within the remit of existing agreed Town Council financial regulations.

The Council Matters Committee has delegated powers to act on behalf of the Council in all matters relating to staff appraisals, staff appointments, staff grievances, the setting of staff salary scales and staff training.

6. Records of Proceedings

Written minutes will be taken to record the Committee's deliberations and decisions. They will be received at the next Full Council meeting. Formal adoption of minutes and any matters arising would be brought up at the next Council Matters Committee meeting. The minutes of any subcommittee will be included into the Council Matters Committee minutes to inform Council of the workings of that subcommittee. Working groups are not required to publish minutes, but are expected to prepare a report for consideration by the Council Matters Committee on completion of their work, and may choose to prepare interim reports if they wish.

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

7. Administrative Support

The Town Clerk will be or will nominate an officer to be responsible for the support and administrative duties of that Committee.

26.2 Town Matters Committee

1. Authority

The Town Matters Committee is a Principal Committee of the Town Council and its membership is appointed by the Town Council annually. The Committee's remit is defined and agreed by the Full Council. These powers will be exercised in accordance with any policy adopted or directions given by the Town Council and subject to the Council's Standing Orders, Standing Orders on Contracts and Financial and Administrative Regulations and Personnel Policies.

Meetings of the Town Matters Committee will be held every other month (where possible) on a set date.

2. Membership

The Committee will consist of no fewer than 6 elected Town Councillors, and a maximum of 10 and its membership and the Chair will be elected by the Full Council annually. Both the Chair and Committee members will be re-elected each year in March/April. A

Deputy Chair can be elected by the Committee to fulfil the role of the Chair in their absence (if both are absent then any elected member can take the chair by agreement of the committee).

The *quorum* will be a minimum of a third of the elected committee membership (not less than three).

3. Remit

The Town Matters Committee will consider on behalf of the Town Council any matters, excluding the physical nature of the town, and anything concerning the quality of life of people who live, work in or visit the town. This will include:

- The welfare of the elderly and vulnerable.
- Enrichment for children and young people
- Provision of social, leisure, sporting and recreational facilities.
- Provision of adult education, cultural and library services.
- Employment Strategy.
- Tourism Development.
- Crime and anti-social behaviour.
- Climate Emergency.
- Community Arts.

The Committee will consider non-expenditure actions from the notes of the Community, Economy and Environment Strategy Delivery Groups. n.b. Where these areas overlap with services provided by the Town Council e.g. the Civic Hall, the Council Matters Committee will deal with the issue.

4. Operating Principles

The Town Matters Committee will meet every two months to consider any significant issues in relation to its remit. The Town Matters Committee may consider any matter referred to it by a member of the public. The Committee will work in partnership with relevant organisations in the town and where necessary will seek to provide leadership or coordination for the activities of individuals or organisations involved in quality of life issues. In issues in conjunction with outside groups and with a Council mandate it can act in an advocacy capacity to support specific issues.

The Committee may, of course, ask individual members to undertake any work which needs to be undertaken in relation to the workings of the Committee e.g. developing a proposal, implementing tasks, working with the Clerk etc.

The Town Matters Committee will also be able to recommend the creation of Working Groups to undertake specific tasks within the responsibility of the Committee (or across Committee responsibilities) as defined within Standing Orders. Working groups are constituted with fixed terms of reference and are time limited to the Council year they are constituted in. If they are to continue they will need to be reconstituted. Working groups may include Councillors not on the Committee and members of the public, and their membership will be agreed at Full Council.

All committees, subcommittees and working groups are subject to the Town Council Standing Orders. The quorum for subcommittees and working groups would be 50% of the membership and in no case less than 3 Councillors present.

Prior to the commencement of the Committee meeting members of the public will have the opportunity to speak to the Committee, as defined within Standing Orders. With the agreement of the Committee, the Chair may, during the Committee meeting suspend Standing Orders, if appropriate, to enable any interested parties to speak on a particular issue during the meeting.

5. Delegated Powers

The Committee does not have delegated authority, and will be expected to make recommendations to Full Council for consideration.

6. Records of Proceedings

Written minutes will be taken to record the Committee's deliberations and decisions, will be received at the next Full Council meeting. Formal adoption of minutes and any matters arising will be brought up at the next Town Matters Committee meeting. The minutes of any subcommittee will be included into the Town Matters Committee minutes to inform Full Council of the workings of that subcommittee. Working groups are not required to publish minutes, but are expected to prepare a report for consideration by the Town Matters Committee on completion of their work, and may choose to prepare interim reports if they wish.

7. Administrative Support

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

26.3 Planning Committee

1. Authority

The Planning Committee is a Principal Committee of the Town Council and its membership is appointed by the Town Council annually. The Committee's remit is defined and agreed by the Full Council. These powers will be exercised in accordance with any policy adopted or directions given by the Town Council and subject to the Council's Standing Orders, Standing Orders on Contracts and Financial and Administrative Regulations and Personnel Policies.

Meetings of the Planning Committee will be held every month to allow any urgent planning applications to be considered by Full Council.

2. Membership

The Committee will consist of no fewer than 6 elected Town Councillors, and a maximum of 10 and its membership and the Chair will be elected by the Full Council annually. Both the Chair and Committee members will be re-elected each year in March/April. A Deputy Chair can be elected by the Committee to fulfil the role of the Chair in their absence (if both are absent then any elected member can take the chair by agreement of the committee).

The *quorum* will be a minimum of a third of the elected committee membership (not less than three).

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

3. Remit

The Planning Committee will consider on behalf of the Town Council any matters, including the physical nature of the town, and anything concerning the quality of life of people who live, work in or visit the town. This will include:

- Planning applications, tree orders, licensing applications etc
- Traffic and Transport.
- Housing.
- Neighbourhood Plan review and inputs to Joint Local Plan review.

n.b. Where these areas overlap with services provided by the Town Council e.g. the Civic Hall, the Council Matters Committee will deal with the issue.

4. Operating Principles

The Planning Committee will meet every month to consider any significant issues in relation to its remit e.g. planning. The Planning Committee will consider all but only matters referred to it by the Full Council by letter evidence. The Planning Committee may consider any matter referred to it by a member of the public. The Committee will work in partnership with relevant organisations in the town and where necessary will seek to provide leadership or coordination for the activities of individuals or organisations

involved in quality of life issues. In issues in conjunction with outside groups and with a Council mandate it can act in an advocacy capacity to support specific issues.

The Committee may, of course, ask individual members to undertake any work which needs to be undertaken in relation to the workings of the Committee e.g. developing a proposal, implementing tasks, working with the Clerk etc.

The Planning Committee will also be able to recommend the creation of Working Groups to undertake specific tasks within the responsibility of the Committee (or across Committee responsibilities) as defined within Standing Orders. Working groups are constituted with fixed terms of reference and are time limited to the Council year they are constituted in. If they are to continue they will need to be reconstituted. Working groups may include Councillors not on the Committee and members of the public, and their membership will be agreed at Full Council.

All committees, subcommittees and working groups are subject to the Town Council Standing Orders. The quorum for subcommittees and working groups would be one third of the agreed membership and in no case less than 3 Councillors.

Prior to the commencement of the Committee meeting members of the public will have the opportunity to speak to the Committee, as defined within Standing Orders. With the agreement of the Committee, the Chair may, during the Committee meeting suspend Standing Orders, if appropriate, to enable any interested parties to speak on a particular issue during the meeting.

5. Delegated Powers

The Planning Committee has full delegated powers to make a Council decision regarding representations to South Hams District Council or other appropriate bodies on all planning applications in the town re Standing Orders, unless the Committee decides, following Council guidelines, that the application should be passed to Full Council due to its size, controversial nature or potential effect on local people.

The Committee may also comment on behalf of the Town Council on licenses or street naming if requested to do so.

On all other aspects of its activity, the Committee does not have delegated authority, and will be expected to make recommendations to Full Council for consideration.

6. Records of Proceedings

Written minutes will be taken to record the Committee's deliberations and decisions, will be received at the next Full Council meeting. Formal adoption of minutes and any matters arising would be brought up at the next Planning Committee meeting.

The minutes of any subcommittee will be included into the Planning Committee minutes to inform Full Council of the workings of that subcommittee. Working groups are not required to publish minutes, but are expected to prepare a report for consideration by the Planning Committee on completion of their work, and may choose to prepare interim reports if they wish.

7. Administrative Support

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

27. Terms of Reference for Link Councillors

1. Link Councillors

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

<ul style="list-style-type: none">• Business and Employment• Cultural Links• Elderly and Vulnerable People• Young People/Youth	<ul style="list-style-type: none">• Arts• Traffic and Transport• Environment, Sustainability and Air Quality• Open Space, Sports Provision and Leisure
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• Heritage	• Disability
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Links on outside bodies

<ul style="list-style-type: none"> • TADPOOL • Totnes Allotments Association • Vire Twinning Association • Totnes Municipal Charities and Totnes Bounds Charity • KEVICC Foundation Governors • Parish Paths Partnership • Totnes Hospital League of Friends • Devon Association of Local Councils Committee • Dart Harbour Community Group • Totnes Chamber of Commerce • Totnes Fairtrade • Museum Trust 	<ul style="list-style-type: none"> • Caring Town • Network of Wellbeing • Bridgetown Alive • Friends of Totnes Museum • Daisy and Rainbow Childcare • Inclusive Totnes • Police and Crime Commissioner Advocate • Totnes Community Builders • Devon Countryside Forum • Rural Services Network • Friends of Salfit • TQ9 Partnership • Schools Engagement
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2. Aims

The Town Council created these roles in order to provide nominated Councillors who can:

- a) develop particular knowledge about each key area;
- b) liaise with groups in the town with relevant interests to be aware of current issues and activity;
- c) take up particular cases for individuals with an issue in their remit;
- d) develop relationships with relevant service providers;
- e) take information and views from the Town Council back to the groups;
- f) take matters for consideration back to Full Council via a motion or report.

28. Terms of Reference for Strategy Delivery Groups

[Note: this section is to be updated following Council Matters Committee recommendation to align with the Strategic Plan objectives.]

27.1 Community Strategy Delivery Group

27.2 Economy Strategy Delivery Group

27.3 Environment Strategy Development Group

29. Terms of Reference for Advisory Bodies (Forums)

Advisory:

There is currently one group operating as an advisory body to the Town Council. This is:

- The Traffic and Transport Forum, which reports through the Planning Committee

The forum has developed its own Terms of Reference which indicate why it exists and how it wishes to operate. These Terms of Reference do not wish to cut across those stated aims, and are written solely to clarify the nature of the relationship with the Town Council, to whom each acts as an advisory body only.

1. The Town Council will nominate at least one Councillor to act as a link point with each forum.
2. The Council will seek the views of its advisory bodies on all matter of relevance to them.
3. Where an issue needs further consideration, the Town Council could request consideration of the issue by the forum. Or the Council could set up a working group, asking the forum if they would nominate members to join with the Council on the working group to consider the relevant issues.
4. It must be noted that ultimately responsibility lies with Councillors, and they may not always choose to take the advice of the forum.
5. The Town Council values the forum members. It will encourage people from across the town to join the Forum, as the recognised place for members of the community to air their detailed concerns and become involved on matters of relevance to the forum. A Forum may establish a smaller Steering Group drawn from the community which meets on a monthly basis (as required) to progress work, with the wider public Forum meetings held on a quarterly basis. In return it expects the Forums to:
 - Regularly promote their meetings and seek to encourage individuals and community groups to join them, in order to make them as representative as possible.
 - achieve transparency and openness by holding open meetings, publicising the agenda and reporting on their activity.
 - recognise the right of any individual or organisation to operate unilaterally, respecting everyone's opinions.

30. Terms of Reference for the Mayor and Deputy Mayor

The Mayor should provide a visible and strong presence in the town representing the Town and the Council. The Mayor should act within their role as a way for the Town Council to engage with the community as agreed by the Council and set out within Town Council policies and procedures. They act as an independent advocate for both Totnes and the Council on all occasions both within and outside of the Town.

The Mayor's role in all Civic events is to act as the senior public face of the Town/Council, representing its continuity and heritage and using the dress and regalia of the Town Mayor when appropriate. They are expected to attend events.

In undertaking the role of community leader the Mayor should help to develop partnerships with all sectors of the community for the benefit of Totnes. In achieving this they will reflect policies and recommendations of the Council in an independent manner, to further the interests of Totnes.

As Chair of the Council the Mayor fulfils both the statutory responsibilities of the Chair of the Council and the specific responsibilities of the role as directed by the Council within its Standing Orders. Their principal role is to preside at meetings of the Town Council:

- a) To determine that the meeting is properly constituted and that a quorum is present;
- b) To inform themselves as to the business and objects of the meeting;
- c) To preserve order in the conduct of those present;
- d) To confine discussion within the scope of the meeting and reasonable limits to time;
- e) To decide whether proposed motions and amendments are in order;
- f) To formulate for discussion and decision questions which have been moved for the consideration of the meeting;
- g) To decide points of order and other incidental questions which require decision at the time;
- h) To ascertain the sense of the meeting by:
 - putting relevant questions to the meeting and taking the vote thereon (and if so minded giving a casting vote);

- declaring the result
 - To approve the draft of the minutes or other record of proceedings (with the consent of the meeting);
- k) To adjourn the meeting when circumstances justify or require that course; and
- l) To declare the meeting closed when its business has been completed.

Additionally, together with the Committee Chairs, all Councillors and the Town Clerk, the Mayor through the Council committee meetings who report to Full Council, will oversee the effective management of all the resources of the Town Council, to deliver services to achieve the greatest benefit for the residents and businesses, including support for health and wellbeing, infrastructure, heritage and the economy of the town.

In undertaking the role of the Mayor they will receive support in their Civic role and in communications by the Administrator. In their statutory and non-civic role, the Mayor will be supported by the Clerk, including through regular one-to-one meetings.

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

31. Operational Support Group

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

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

The quorum for this group will be half of the agreed membership and in no case less than 3.

This is an informal meeting to discuss current and upcoming issues within and impacting the Town Council and to review agenda items for consideration. This group is advisory only and does not have delegated authority to make decisions.

32. Nolan Principles

All Councillors will adhere to the 7 principles of public life:

1. Selflessness

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

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

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

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

ITEM 8 – REVIEW OF TOTNES CEMETERY FEES

Totnes Town Council increased the fees for Totnes Cemetery in 2023 by 20 percent – the previous increase was made in 2018. In order to inform the Council Matters Committee of whether a review of the current cemetery fees would be prudent for financial year 2024/25, and with increase in grounds maintenance costs for 2024/25, the following information is provided:

- Comparison of fees charged by Totnes and neighbouring towns/districts;
- Options for consideration of a 5, 10, 15 or 20 percent increase in fees for 2024/25.

Comparison of fees charged by Totnes and Neighbouring Towns/Districts

The table below shows the range of cemetery fees in the local area. From this, the current fees charged by Totnes are generally lower than those charged elsewhere (Salcombe's Exclusive Right of Burial fees are high but their interment charge is much lower than the average). All towns/districts have differing levels of fees for residents and non-residents, as set out below:

- Totnes – residents fee (defined as Totnes voters; double fee for non-residents; policy to award single fees (on proof of residency) for those who have gone into residential care outside of Totnes within 3 years prior to death).
- Dartmouth – residents fee; and double fee for all non-parishioners and non-residents.
- Ivybridge – fess for all South Hams residents, double for non-South Hams and separate rate for Plymouth City Council residents. Fees include gravedigging (higher interment costs than exclusive right of burial cost).
- Salcombe - 3 categories: A - residents, including those moved away into care and have been resident within the last 5 years; B - children of current living residents (same fee as A); C - non-residents or second home owners residing less than 183 days in Salcombe for which fees are treble.
- Teignbridge – residents fee; and double fee for all non-parishioners and non-residents. Additional fees for funerals on Saturdays and Bank Holidays.
- Torbay – residents fee; and double fee for all non-parishioners and non-residents. Additional fees for funerals on Saturdays and Sundays.

In addition, Teignbridge and Torbay also charge for family enquiries into grave locations (TTC Offices do get a number of calls and emails of this nature) and for transfer of deeds to a new owner. Totnes Town Council do not charge for child graves (either for exclusive right of burial or interment): Torbay charge for the exclusive right of burial; Ivybridge charge at different rates for anything other than still births; Teignbridge don't charge up to 15 years of age; and there is no information on the Dartmouth or Salcombe websites.

Table showing comparison of fees:

Fees for Residents	Totnes 2018	Totnes 2023	Dartmouth 2023-24	Ivybridge 2023*	Salcombe 2019	Teignbridge 2024-25	Torbay 2024	Sharpham Dec 2023
Interment - Body	£380.00	£456.00	£507.00	£803 - £997.50	£95.00	£1,009.00	£1550-£1920	£450.00
Interment - CR	£200.00	£240.00	£363.00	£207.00	£95.00	£234 & £246	£310	£295.00
Exclusive Right of Burial - Single	£445.00	£534.00	£608.00	£338.00	£650.00	£1,086.00	£2,015	£1,395.00
Exclusive Right of Burial - Double	£665.00	£798.00	£1,031.00	-	£850.00	£1,086.00	£2,015	-
Exclusive Right of Burial - Treble	£880.00	£1,056.00	-	-	£1,050.00	£1,086.00	£2,015	-
Exclusive Right of Burial - Cremated Remains	£280.00	£336.00	£313.00	£456.50	£350.00	£505.00	£1,400.00	£495.00
Choice of Plot	£340.00	£408.00	-	£81.50	-	-	-	-
Transfer of Deed (discretionary)	£50.00	£60.00	-	£69.00	£75.00	£52.00	£70.00	-
Memorials								
A flat stone, headstone or monument	£280.00	£336	202 & 253	£59 - £163	£1,500.00	£211.00	£550.00	£450 to £700
Footstone not exceeding 2'height	£280.00	£336		£69.00	-	-	-	-
Kerbstones (not in lawn area)	£280.00	£336	-	£69.00	-	-	-	-
Vase	£95.00	£114	-	£59.00	£100.00	£113.00	£107.00	-
Tablet/Flat Stone not exceeding 3' x 2'	£125.00	£150	169 & 202	£69.00	£100.00	£113.00	£208.00	-
Additional Inscription	-		-	£30.50	£80.00	£71.00	£208.00	£300.00
Other								
Scattering of Ashes	From 2022, £50 resident, £75 non-resident in designated areas, £25 on existing		-	-	-	£78 or £126	-	-
Memorial Bench	Price on Application		-	-	-	-	-	-
Memorial Tree	£298.00		-	Not available	-	-		-
Search of burial/grave registers	No Fee	No Fee	-	On application	£30.00	£46.00	£40	-
*includes gravedigging								

Table showing a 5, 10, 15 and 20 percent increase to existing fees:

Fees for residents	Totnes 2018	Totnes 2023	% Change	5%	10%	15%	20%
Interment - Body	£380	£456	20	£479	£502	£524	£547
Interment – Cremated Remains	£200	£240	20	£252	£264	£276	£288
Exclusive Right of Burial - Single	£445	£534	20	£561	£587	£614	£641
Exclusive Right of Burial - Double	£665	£798	20	£838	£878	£918	£958
Exclusive Right of Burial - Treble	£880	£1,056	20	£1,109	£1,162	£1,214	£1,267
Exclusive Right of Burial – Cremated Remains	£280	£336	20	£353	£370	£386	£403
Choice of Plot	£340	£408	20	£428	£449	£469	£490
Scattering of ashes* resident	£50	£60	-	£63	£66	£69	£72
Non-resident	£75	£90	-	£95	£99	£104	£108
On existing purchased grave	£25	£30	-	£32	£33	£35	£36
Transfer of Deed (discretionary)	£50	£60	-	£63	£66	£69	£72
A flat stone, headstone or monument	£280.00	£336	20	£353	£370	£386	£403
Footstone not exceeding 2'height	£280.00	£336	20	£353	£370	£386	£403
Kerbstones (not in lawn area)	£280.00	£336	20	£353	£370	£386	£403
Vase	£95.00	£114	20	£120	£125	£131	£137
Tablet/Flat Stone not exceeding 3' x 2'	£125.00	£150	20	£158	£165	£173	£180
Monuments - additional inscription	No charge	No charge	0	£0	£0	£0	£0
Memorial tree (Plaque and inscription)	£POA	POA	-				

*reintroduced in January 2022



LEGIONELLA MANAGEMENT PLAN

TOTNES TOWN COUNCIL

AGREED XXX

NEXT REVIEW APRIL 2025

1. Introduction

The Legionella management Plan (LMP) details the duties and responsibilities of the Council officers who have a role in the management and control of Legionella bacteria within the Council's buildings.

2. General information

Legionella bacteria is commonly found in water. The bacteria multiply where temperatures are between 20-45°C and nutrients are available. The bacteria require a supply of nutrients to multiply. The presence of sludge, scale, sediment, algae and biofilm play an important role in harbouring and providing favourable conditions in which the legionella bacteria may grow. The bacteria are dormant below 20°C and do not survive above 60°C.

Legionnaires' disease is a potentially fatal type of pneumonia, contracted by inhaling airborne water droplets containing viable Legionella bacteria. Such droplets can be created, for example, by hot and cold-water outlets; atomisers; wet air conditioning plant; and whirlpool or hydrotherapy baths.

Anyone can develop Legionnaires' disease but the elderly, smokers, alcoholics and those with cancer, diabetes or chronic respiratory or kidney disease are at more risk.

HSE's Legionnaires' disease page provides information on managing the risks.

Infection is only a risk when there is inhalation of fine water droplets that are contaminated with high concentrations of Legionella bacteria. Healthy people are unlikely to contract an infection but can be serious for elderly people and others with respiratory problems or immune deficiency. Outbreaks are rare though well publicised.

Control is normally achieved by suitable design and maintenance of the water system and its associated plant. Additional control is achieved by appropriate storage of water and delivery of water at temperature which do not allow the bacteria to proliferate.

3. Legislation

As legislation is often amended and regulations introduced, the references made in this plan may be to legislation that has been superseded. For an up-to-date list of legislation and guidance documents please refer to the Health and Safety executive website <https://www.hse.gov.uk> . For the current version of this plan, relevant legislation and guidance include:

- The Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Control of Substances Hazardous to Health Regulations 2002
- The Health and Safety Executive's Approved Code of Practice L8 (Fourth edition), Legionnaires' disease: The control of legionella bacteria in water systems (ACOP) and HSG274.

4. Policy Application

Totnes Town Council recognises the need to protect its employees and others from the harmful effects of Legionella by;

- Complying with the above Regulations and the requirements of the Approved Code of Practise.
- Carrying out risk assessments reviews every year and ensure any required control measures are implemented.
- Appointing a person or persons to take managerial responsibility for the control of the disease.
- Taking all reasonable precautions to prevent its employees and others from breathing in droplets containing harmful levels of Legionella.
- Keeping records.
- Providing training.

5. Responsibility Structure

The Council delegates authority to the Town Clerk to act as Duty Holder. The Town Clerk is also the Responsible Person. The Town Clerk can be contacted via the phone number for the Council offices on the Council's website (01803 862147). The Town Clerk shall:-

- Accept management responsibility for all aspects of Legionella control.
- Ensure suitable arrangements are in place to identify all water systems managed by the Council and assess them for the potential risk of legionella infection.
- Establish suitable arrangements to manage identified risk areas, including identification of management responsibilities, training and competence.
- Ensure that adequate resources are available to address any needs identified in the risk assessments and that the risk assessments are acted upon.
- Review the risk assessments and any remedial measures implemented every year.
- Ensure that the established procedures are brought to the attention of all persons affected by them.
- Appoint the Town Maintenance Officer as 'Deputy Responsible Person' to implement and coordinate the procedures for the prevention of Legionnaires' disease.
- Review and sign the Legionella logbooks every 3 months.
- In the absence of the Town Clerk any member of the Management Team can cover as the Duty Holder and Responsible Person.

The Deputy Responsible Persons is the Town Maintenance Officer and shall:-

- Arrange for Risk Assessments to be carried out on the Council's water systems. The Risk Assessments shall be reviewed every year and when the original assessment may no longer be valid.
- Keep permanent records of all Risk Assessments.
- Arrange for remedial work to be carried out as highlighted by the Risk Assessment. This work is to be recorded on an Action Plan.
- Keep permanent records of all the remedial work with the Risk Assessments and also in the relevant property file. The records will be kept for 5 years and will be readily available for inspection.
- Put in place water temperature monitoring, cleaning, disinfection and certification routines and arrange for the routines and non-conformance to be fully recorded.
- Arrange for remedial work to be carried out as highlighted by water temperature nonconformance reports when the control limits are exceeded, where applicable.

- Keep permanent records of all the remedial work with the Risk Assessments and also in the relevant property file. The records will be kept for 5 years and will be readily available for inspection.
- Regularly review the Legionella logbooks to ensure the testing schedule is being adhered to and to identify any out of specification events which need further action.
- Provide the Town Clerk with the Legionella logbooks every 3 months for review and signature.
- In the absence of the Town Maintenance Officer the Duty Holder and Responsible Person will cover the Deputy Responsible Person's duties.

The Appointed Person is the Caretaker & Maintenance Assistant who shall:-

- Carry out and record the regular monitoring, testing and flushing as detailed in Appendices 1 & 2.
- Notify the Town Maintenance Officer of any out of specification events identified in the routine testing.
- In the absence of the Caretaker & Maintenance Assistant the Town Maintenance Assistant will take over the Appointed Person's duties.

Water Safety Group

- Members of Council's Water Safety Group are the Town Clerk as Duty Holder and Responsible Person and the Town Maintenance Officer as the Deputy Responsible Person.
- The Group members will meet weekly when any concerns or issues with the Council's water systems will be raised.
- Any agreed actions in relation to any issues raised or discussed will be recorded by e-mail.

5. Control measures

The Legionella risk assessment will be reviewed annually to ensure it is kept up to date and all required actions are implemented. The Risk Assessment reviews and details of any corrective action taken will be filed in the Risk Assessment folder in the Town Maintenance Officer's office.

To achieve ongoing control of Legionella, thorough flushing of the water system is required alongside any engineering controls.

Effective control measures will require the Council to:

- Monitor any water outlets that are not in regular use.
- Record the flushing of all water outlets.
- Record the temperature of hot and cold-water outlets.

Full details of flushing and testing regimes that need to be carried out can be found in Appendix 1.

Methods Statements for the flushing and testing regimes are included in the Legionella logbooks for each premises.

COSHH information on chemicals used is available at each Council premises.

7. Testing arrangements

Under certain circumstances, for example when there have been alterations or maintenance work to the water system, testing is to be carried out in accordance with Appendix 1.

Disinfection of the system will be necessary when testing indicates there is a sufficient level of Legionella present in the water system to require treatment.

8. Information, instruction & training

The Town Council will ensure that suitable and sufficient training and information is given to all maintenance, premises and facilities staff who have responsibilities for flushing, record keeping and taking temperature readings as required by the appendices.

In addition, postholders with specific responsibility for Legionella shall complete a minimum standard of awareness and testing training.

The Council will maintain a record of all instruction and training given to members of staff. Training shall be refreshed at least every 3 years.

9. Investigation in the case of a suspected outbreak

The Health Protection Agency in conjunction with the HSE are empowered to investigate all confirmed cases of Legionnaires' Disease in order to identify the source of infection.

An "Outbreak" is defined as "two or more confirmed cases of Legionellosis occurring on the same locality within a six month period". Location is defined in terms of the geographical locality and requires a degree of judgement.

In the unlikely event of an outbreak the Duty Holder will contact the Health Protection Agency immediately and arrange for the evacuation and sealing of the premises where the outbreak has occurred

The Health Protection Agency
Richmond Court, Emperor Way,
Exeter Business Park,
Exeter,
Devon,
EX1 3QS
Tel: 0844 225 3557

The enforcing authority may wish to see during their investigations;

- The Council risk assessment
- The Council's records of testing
- The Council's management plan

There may be a necessity to arrange for the emergency cleaning or disinfection of the water systems. If this is the case the Duty Holder will contact the Council's preferred contractors to arrange.

CONTROL SCHEME

(a) Schematic Diagram

The schematic diagram for the particular premises is contained in the Legionella Log Book, located at the premises. A further copy is held by the Town Maintenance Officer (TMO) in the Guildhall Council Offices.

(b) Description of correct and safe operation of systems

The water services systems at the premises operate under the following conditions of temperature: Hot water should be stored at >60C and should reach 50C across all parts of the hot system and cold water should not exceed 20C across all parts of the cold system.

Where hot water temperatures have been reduced in lieu of supplementary water treatment some of the following tasks may not be relevant, however a comprehensive microbiological sampling regime should be implemented.

(c) Requirements and Precautions to be taken

The recommended monitoring actions must be undertaken by suitably trained and competent persons as defined in fourth edition Approved Code of Practice during normal operation and use of the system.

Records of all work undertaken must be kept for a minimum of 5 years in an appropriate format. Actions must be taken in accordance with written procedures when control measures do not meet the specified requirements.

Where temporary changes of occupation or shut downs of the system for maintenance occur, separate procedures must be established and followed.

Where the previously identified remedial works have not been undertaken the following control measures may not be sufficient to control the risk of infection.

(d) Checks to be carried out to ensure efficacy of scheme

Action	No. at Civic Hall	No. at Guild Hall	Frequency	Responsibility
Point of Use Water Heaters (<15 Litres)				
Check flow, return and storage water temperatures.	1	0	Monthly	Caretaker & Maintenance Assistant
Hot & Cold Water Outlets				
Thoroughly flush any little used outlets.	2	1	Weekly	Caretaker & Maintenance Assistant
Thoroughly flush any supply to closed system top-up.	0	0	Weekly	N/a - none on the premises

Thoroughly flush any supply to expansion vessels that are not of the flow-through type.	1	0	Monthly	Caretaker & Maintenance Assistant
Check hot water temperatures at sentinel outlets.	0	0	Monthly	N/a - none on the premises
Check cold water temperatures at sentinel outlets.	5	4	Monthly	Caretaker & Maintenance Assistant
Check hot water temperatures at representative outlets.			Monthly on a rotational basis	N/a - none on the premises
Check cold water temperatures at representative outlets.	5	3	Monthly on a rotational basis	Caretaker & Maintenance Assistant
Dismantle, clean and descale spray outlets.	0	1	3 Monthly	Caretaker & Maintenance Assistant
Ensure appropriate actions are taken during periods of low occupation or temporary closure of the premises.			As required	Town Maintenance Officer
Ensure appropriate actions are taken when parts of the water system are temporarily unused.			As required	Town Maintenance Officer
Other water systems				
Maintain hot drinking water dispensers as per manufacturer's instructions.	1	0	As required	Caretaker & Maintenance Assistant
Maintain cold drinking water dispensers as per manufacturer's instructions.	1	0	As required	Caretaker & Maintenance Assistant
Legionella Sampling Plan				
Consider carrying out microbiological sampling to verify efficacy of the control regime.			As required	Town Clerk & Town Maintenance Officer
Consider carrying out Legionella sampling at points in the system to verify efficacy of the control scheme.			Annually	Town Clerk & Town Maintenance Officer
Consider carrying out microbiological sampling when evidence suggests that the control regime is not being carried out correctly / non-conformances are not being actioned / primary and secondary controls are out of specification (HSG 274/HTM 04-01).			As required	Town Clerk & Town Maintenance Officer
Consider carrying out Legionella sampling when evidence suggests that the control regime is not being carried out correctly / non-conformances are not being actioned / temperatures are out of specification (HSG 274/HTM 04-01).			Weekly until temperatures are back in acceptable ranges.	Town Clerk & Town Maintenance Officer
Check the log book to ensure tests are being carried out and recorded.			3 Monthly	Town Clerk

Notes

Temperatures shall be done using a simple digital thermometer with immersion probe.

Definitions and explanations

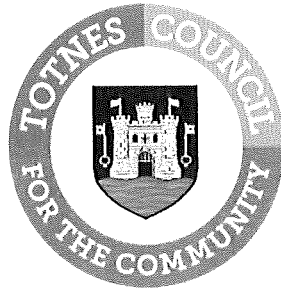
Sentinel tap: a 'sentinel' is a sentry who stands guard over something, watching and keeping an eye on safety, and the term is used to describe the taps which are used regularly to monitor, sample and check the water quality and temperature. Basically, the sentinel taps are defined as the first and last ones on the system. For the cold water, they will be the taps nearest to and furthest from the incoming cold water main or cold water storage cistern, and for the hot water, they will be the nearest to and furthest from the hot water source, be it calorifier, vessel or water heater. All buildings will have at least two mains cold water, two stored cold water and two hot water sentinel taps, and they are usually easy to identify. For larger buildings, and campuses with several blocks, there may be more sentinel taps, which can be identified by reference to the water services schematic diagram for the site. Once identified and labelled, they will not change unless some major alterations are done to the water systems. Schematic diagrams are prepared when a formal Risk Assessment is undertaken.

(e) Remedial actions to be taken

In the event of any out of specification results arising from the checking process set out in (d), these will be recorded and immediately reported to the Town Clerk. A repeat test will be carried out within 2 days and if the result is still out of specification arrangements will be made for any necessary sampling and/or maintenance work to be undertaken.

(f) Risk Assessment

The Risk Assessment will be reviewed annually by the Deputy Responsible Officer and a new formal risk assessment commissioned from a competent person/organisation if any changes to the buildings or water system have occurred since the last risk assessment.



Arts and Events Working Group Notes

Wednesday 20 March 2024 @ 12:00pm

Committee Members: Cllrs Allen, Hannam, Presswell and Price

Also Invited: J M [REDACTED]

TTC: Lucy Ferrier, Lisa Baumbach

1. Agree on a new chair for this working group.

Cllr Hannam was appointed as new chair.

The membership and format of working groups will be reviewed at May Full Council.

2. Note that the art on the wall by the toilets and on the pillars in the Market Square is now complete.

Noted

3. Receive post event review from Jo from Miss Ivy Events for the Christmas Markets.

Received and thanks to Jo at Miss Ivy Events

4. Agree on recommendations for the 2024 Christmas Market Plans.

Action – To **RECOMMEND** to Full Council that the recommendations in the 2023 Post-event report are approved.

In depth discussions were held in relation to several of the recommendations. In particular, it was agreed that:

- The Town Council will not organise any market stalls in the Rotherfold. Miss Ivy Events will speak to business owners in the area to invite them to arrange market stalls here if they wish. TTC will organise and pay for the road closure to include the Rotherfold. Miss Ivy Events will ask C [REDACTED] M [REDACTED] if he would coordinate the busking or open mic performers in the Rotherfold (cost tbd) but this will be on the proviso that one of the local businesses allows the council to connect to their electricity supply (the town council will pay for electricity used). The space lends itself to the Morris Dancing performances, so TTC will also pay for these to take place here.
- Bob the Bus will not drive through the Rotherfold. Cllrs suggested a meeting with the Mayor, TTC officers and J [REDACTED] from Miss Ivy Events with Bob the Bus could help to emphasise the need for an agreed route that does not use the Rotherfold to be strictly adhered to on each night.
- TTC will not organise and run its own mulled wine stall

- Shady Garden to be used as an entertainment for children area with acts such as Elfic and the Bubble Fairy.
- Suggested additional gas safety measure of paying for a gas safety engineer to attend was agreed. Miss Ivy Events also informed the group that she has introduced a new policy that requires all gas appliances to be contained within a cage. It was agreed that all market traders using gas would therefore not need to have a NCASS membership as the other measures are considered to reduce risk sufficiently.
- It was suggested that C [redacted] A [redacted] is asked if Totnes Carnival would like to hold the lantern festival over all 3 nights.
- The increase in price of stalls as outlined in the post-event report was discussed and is also recommended to Full Council.
- The proposal to increase the number of hot food pitches was discussed and agreed.

5. Note the 23/24 Arts budget expenditure.

It was noted that no future funds for 23 24 are currently allocated for expenditure.

6. Note Cllr Presswell's plans for D-Day celebrations.

Noted

It was also noted that TTC have no funds for this event.

7. Note plans for summer events and festivals.

Community Grants Funding Timeline.

- 25 March – any grant application process opens.
- 9 May – grant applications close.
- 20 May – Council Matters Committee considers grant applications and makes a recommendation to Full Council on allocations.
- 10 June – Full Council considers grant application recommendation.
- 11 June – Applicants informed.

Cllr Allen informed the group about plans for the return of 'Party in the Town'. Nothing is confirmed yet, but it looks likely to happen.

There will be a fundraising Gala at Dartington Hall on 21 June 2024 and TTC has been asked to provide an auction prize.

Action – To **RECOMMEND** to Full Council that Cllr Price offers a private guided tour of the Guildhall with afternoon tea to be paid for out of the Mayoral budget.

8. Note plans for an art project that is coming to the River Dart 'The Melt'

<https://www.sharphamtrust.org/news/view/the-sharpham-trust-supports-amazing-river-dart-iceberg-art-and-you-can-too>

Noted

9. Note increased capacity of Civic Hall and any upcoming events.

Noted

10. Note update on Graffiti on electrical boxes.

Noted. No budget currently allocated for 2024/5 for public art although councillors were enthusiastic for something to be done to improve the appearance of these boxes.

11. Review phone box adoption/upgrades.

Action – Lisa to get quotes for moving the phone box and making the area safe.

12. Any Other Business

None

13. Date of next meeting – Wednesday 15 May @ 12:00

ITEM 11 – COUNCILLOR CO-OPTION

8th April – confirmation that TTC can co-opt for the Bridgetown ward vacancy.

After 19th April – advice on whether Totnes Town vacancy will be filled by election or co-option.

22nd April – advertise Bridgetown (and potentially Town) ward casual vacancy(ies) for co-option.

14th May (minimum) - deadline for expressions of interest (form in the co-option policy for completion).

10th June – Full Council to consider co-option applications.

ITEM 13 – YEAR END TIMELINE

25th April 2024 – RBS year-end closedown of accounts.

9th – 10th May 2024 – Internal Audit.

Mid/late May – Internal Audit report received.

10th June 2024 FC meeting – Internal Audit report submitted, AGAR & Accounts approved.

Documents signed at meeting by Chair.

11th June 2024 – publish notice of the period for exercise of public rights.

11th June 2024 – submit signed AGAR and supporting paperwork to External Auditors (deadline 1/7/24).

12th June 2024 – 23rd July 2024 – Period for exercise of public rights (30 working days).

By the 30th September 2024 (statutory deadline) – publish the final audited accounts and confirmation of conclusion of audit.

ITEM 14 – S137 VALUE FOR 2024/25

The Department for Levelling Up, Housing and Communities has notified the National Association of Local Councils (NALC) that the appropriate sum for section 137(4)(a) of the Local Government Act 1972 (the 1972 Act) for local (parish and town) councils in England for 2024/25 is £10.81.

The amount is a result of increasing the amount of £9.93 for 2023/24 by the percentage increase in the retail index between September 2022 and September 2023 under Schedule 12B to the 1972 Act.

The electoral roll states 6217 electors so our cap for S137, which is the power of last resort, is £67205.77.