



AGENDA FOR THE ANNUAL MEETING OF TOTNES TOWN COUNCIL MONDAY 12TH MAY 2025 IN THE GUILDHALL

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

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

You are hereby **SUMMONED** to attend the Annual Meeting of the Town Council, on **Monday 12th May 2025 at 7.00pm** for a maximum of 120 minutes the purpose of transacting the following business:

1. WELCOME TO ALL ATTENDING AND OBSERVING

The Chair will read out the following statement:

Welcome to everyone attending and observing the meeting.

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

This meeting is limited to 120 minutes and therefore members are asked to raise their points succinctly and not repeat the same view expressed by colleagues if it does not add to the debate.

2. ELECTION OF MAYOR AND TO CONSIDER ROLES AND RESPONSIBILITIES

- a) To elect the Mayor and the Chair of the Council for the Council Year 2025-2026.
- b) To note the Mayor's appointment of the Deputy Mayor/Chair.

3. APOLOGIES FOR ABSENCE AND DECLARATION OF INTERESTS

To receive apologies and to confirm that any absence has the approval of the Council. The Mayor will request confirmation that all Members have completed or made any necessary amendments to their Declaration of Interests.

The Committee will adjourn for the following items:

Reports from County and District Councillors:

- a. County Cllr Hodgson – no document.
- b. District Cllr Allen – no document.
- c. District Cllr Birch – document attached [page 4].
- d. District Cllr Presswell – no document.

The Council will convene to consider the following items:

4. COMMITTEE MEMBERSHIP

To elect: members to committees; committee chairs; Strategy Delivery Working Groups; outside representatives; and link councillor roles. Document attached [page 8].

5. CLERK'S REPORT (Standing Item)

To note the Clerk's Report for April 2025 (general updates and correspondence). Document to follow.

6. CONFIRMATION OF MINUTES

To approve and sign the minutes of the following meeting:

(Please note confidential minutes can be agreed but any discussion must be held in the Confidential session)

- a. Full Council 7th April 2025 – document attached [page 11].

To note the following minutes:

- b. Council Matters 14th April 2025 – document attached [page 18].
- c. Planning Committee 28th April 2025 – document attached [page 22].

7. CONSIDERATION OF ANY MATTERS ARISING REQUIRING A DECISION

To consider any matters arising from the Minutes and to approve any recommendations from Committees (document enclosed page 26):

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

- a. Full Council 7th April 2025.
- b. Council Matters 14th April 2025.
- c. Planning Committee 28th April 2025.

8. STRATEGY DELIVERY WORKING GROUP UPDATES

To receive an update from the Chairs of the Strategy Delivery Working Group Chairs and consider the following (document attached page 27):

- a. Environment and Public Realm Working Group – Bridgetown Alive Map in Coronation Road bus shelter; mosaics in bus shelters.

9. TRAFFIC AND TRANSPORT FORUM

To consider an urgent recommendation from the Traffic and Transport Forum (verbal update):

The group agreed to endorse and fully support a **RECOMMENDATION** to Full Council to release the funds for a bridge feasibility study.

10. LOCAL GOVERNMENT REORGANISATION

To consider any feedback from SHDC and DCC on Local Government Reorganisation and the devolution of assets. Verbal update.

11. STANDING ORDERS

To consider the revised Standing Orders (see document for a summary of changes). Document attached [page 28].

12. CODE OF CONDUCT

To consider a review of the Councillor's Code of Conduct. Document attached [page 62].

13. LIST OF MEETING DATES, COMMUNICATIONS POINTS AND LINK COUNCILLOR UPDATES

To note a list of upcoming meeting dates and annual meetings calendar, Council communications points and link Councillor/Councillor representatives on outside bodies updates. Document attached [page 77].

14. NEXT MEETING

To note the next meeting date of Monday 2nd June 2025, 6.30pm public session, 7.00pm formal meeting in the Guildhall.

The Council will be asked to RESOLVE to exclude the press and public "by reason of the confidential nature of the business" to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960.

15. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing Item)

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

16. STAFFING REPORT

To consider a staffing report including details on priorities and hours of work. Document to follow.

17. BANKRUPTCY DECLARATION REQUIREMENTS

To confirm declarations from officers and Councillors of bankruptcy in line with insurance requirements (personal). Verbal update.

18. ELMHIRST PROJECT (Standing Item)

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

Agenda produced by:

Catherine Marlton

Town Clerk

7th May 2025

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.

ITEM 3 – DISTRICT COUNCILLOR REPORTS

Item 3c – District Cllr Birch

John Birch, SHDC Member for Totnes

Report to the meeting to be held on Monday 12 May 2025

I report on the following.

Totnes Community Economic Plan

The following news release was recently issued by SHDC:

“Totnes businesses and organisations are being invited to have their say on how to shape the town’s economic future with the launch of a new consultation.

As part of our priority to grow the economy and job opportunities, we are developing Community Economic Plans (CEP) across the District.

Totnes is the third town to take part in the project, with CEPs currently being developed in Ivybridge and Salcombe.

Feedback from local business owners and organisations through the consultation and other engagement activity will be used to develop a CEP for Totnes, building on the town’s existing Neighbourhood Plan.

With tackling climate change a top priority for us, the project will look at ways local businesses can thrive while reducing their carbon emissions and adapting to the changing environment.

The project is being supported by a local steering group made up of business owners, Ward Members and Totnes Town Council. The group has been set up to make sure all voices of the business community are heard.

Our Executive Member for Economic Development, Cllr John Birch, said: “With beautiful countryside, independent shops, a bustling market and so many local food and drink places to enjoy, Totnes already has a lot to offer, so it makes perfect sense to build on its economic success.

“Totnes like so many of our towns is a place where people want to work, live and visit so we want to help local business thrive as well as attract visitors to the area.”

All businesses and organisations across the town to have their say on what they want and need by taking part in an online survey until 31 July at www.mytotnes.commonplace.is

There will also be opportunities to join business breakfast events and local focus groups over the next three months."

SHDC is working with towns across the District to help boost the local economy and improve sustainability.

The Community Economic Plan (CEP) project will support five towns across the South Hams with work already happening in Ivybridge, Totnes and Salcombe. With economy and jobs being one of the Council's top priorities, the project will develop more collaboration with business communities, empowering them to help write the next chapter for their town.

The project being led by the community will build on existing Neighbourhood Plans and will create a clear economic vision for each town. Plans will focus on business growth, sustainability and providing more opportunities for local training, apprenticeships, and employment.

Further UKSPF funding for South Hams

The Government Ministry for Housing, Communities and Local Government (MHCLG) recently awarded additional UKSPF funding to the Devon Combined Authority. The funding is lower than in previous years, however it still represents a significant opportunity for the Council to implement a wide-ranging programme of activity to the benefit of the Council's residents and businesses. **The new UKSPF funding for South Hams is £275,000 for 2025-26.**

The Council has a strong track record of delivery in 2024/25 under its current programme, supporting more than 300 business and community organisations and achieving more than 500 outcomes against a wide range of objectives. It has also secured a national award from the NFU for innovation and the programme received an audit verdict of Substantial Assurance.

The range of activity, implementation and support that the existing UKSPF programme has provided in 2024/2025 is impressive. Examples range from the implementation of decarbonisation plans for local businesses and community groups, securing baseline evidence for active travel through a Local Cycling and Walking Infrastructure Plan and

training more than 60 agricultural workers and farm owners to implement regenerative farming practices.

The objectives and activities had been agreed by the Council under four themes in the summer of 2022 which represented the intersect between the Council's priorities, the Government's wider strategic objectives, and those required under the UKSPF programme. The agreed themes are: Agricultural Support and Regenerative Farming; Active and Inclusive Travel, Marine Economy & Decarbonisation and Business and Community Support.

It is proposed to build on this success into 2025/26, albeit tailored to meet the new budget constraints.

Tourism in South Hams

Tourism in South Hams is a key contributor to the overall economy of the area. The tourism sector contributes approximately 10% of employment in the South Hams (4,465) with an estimated direct visitor spend of £255,957,000 in 2023 (the latest data available) and an extra £10,299,095 from other related spend, bringing the total visitor related spend to £266,256,095.

SHDC commissions annual reports from the South West Research Company that offers an overview of the visitor economy and its impact in South Hams. The data that populates these reports dates from as far back as 2005 is useful for establishing trends and changes in the sector. The headline data from the latest report shows a decrease in visitor numbers since 2005, but a *significant increase* in overall visitor spend over the same period.

The 2023 South West Research Tourism Report shows that South Hams receives a significant volume of visitors each year. These are measured as staying visitors (people who spend one or more nights in South Hams during their visit) and as day visits (people who do not stay overnight during their visit). In 2023, the number of staying visitors was 340,000 and the number of day visits was 2,676,667.

Staying visitors are split into visitors from the domestic market (UK) and those from overseas. South Hams saw a small decrease in domestic staying visitors compared to 2022, although overseas staying visitors increased. South Hams saw similar volumes of day visits to 2022 but *with a significant increase in day visit spend*.

When staying and day visitor data is combined, South Hams saw a slight decrease in visitor volume overall (-1%) for 2023 although spend increased by 8%.

Compared to the wider UK market, South Hams is performing well. Across England, in 2023 trips fell by an average of 5%, overnight stays by 10% and spend by 3% with the decreases primarily driven by a decline in longer holiday trips. South Hams is therefore bucking the trend.

When comparing data over a longer period of time, the data shows that there is an approximate 40% drop in domestic visitor staying numbers in 2023 compared to 2005, however day visit numbers have increased over the same period and total visitor spend has increased by 13%.

The increase in spending, despite fluctuations in visitor numbers suggests that the visitor economy is buoyant in South Hams, but that there is a changing trend in how visitors are choosing to spend their time here. It would appear that people are favouring shorter or day trips over long stays whilst still spending their money in the local economy during their visit.

SHDC delivers a range of activities to support this vital sector, and works collaboratively with a range of stakeholders, including the Town Councils, local Chambers of Commerce and Destination Management Organisations as well as the newly formed Devon & Partners Local Visitor Economy Partnership (LVEP). It has also led the Town Economic Plan programme to facilitate local town scale aspirations and plans to strengthen the local economy.

The Council at a recent Executive meeting agreed to commission an in-depth study on the visitor economy across the District that will provide an insight into how the challenges are impacting our Towns and what opportunities there may be to offer further support. The aim is to complete the study over a 3 month period. This will allow a small pilot programme of support to be put in place to support the visitor economy throughout the rest of the 2025/26 financial year.

Private Sector Housing

SHDC has an important role in improving and maintaining the condition of private sector housing. Living in a good quality home is essential to the overall health and wellbeing of our residents. It is a priority for South Hams District Council to deliver improved accommodation standards in the District in terms of both quality and sustainability.

In recent years the condition of the homes that we live in has come under increased Government scrutiny, as the direct link between good housing conditions and good life outcomes becomes ever clearer. The Government has introduced new legislation to secure improvements in this area.

The Council's Environmental Health Teams have an important role in responding to complaints from tenants of both social housing and private landlords. In the past year, guided by the Council's Delivery plan, the private sector housing team have carried out interventions aimed at improving housing quality and the wellbeing of the occupants

Many of these interventions have also been successful in eliminating hazards in properties, reducing the carbon footprint of many domestic properties and reducing emissions and fuel bills.

A report recently put before the Council's Executive Committee provided members with some details of the work that has been carried out over the last 12 months.

The Council plan identifies *Housing Primary Aim 2 – Tackle Damp and Repair in rented properties*. Under this theme, there are numerous strands of work that the Council undertakes:

1. Inspections and enforcement of standards within Private Sector Housing
2. Home Upgrade Grants - to reduce running costs
3. Disabled Facility Grants (DFGs) - to allow people to remain in their homes for longer
4. Supporting private sector landlords
5. Social Housing Regeneration Act & Renters Reform Bill associated functions.

This report that went before the Executive Committee and which can be found on the SHDC website sets out the activity that has been carried out by the Council within these strands, and the positive impact it has had on the homes and residents of the District.

Cllr John Birch

SHDC Member for Totnes

7 May 2025

ITEM 4 – COMMITTEE MEMBERSHIP

Committee/Working Group	Frequency	Members
Full Council	Monthly - first Monday @7pm	ALL CLLRS ATTEND
Council Matters Committee	Monthly - second Monday @6.30pm	Cllrs Auletta, Beavis, Bennett, Chinnock, Hannam, Peters, Price and Trant Chair: Cllr Peters
Planning Committee	Monthly - third Monday @6.30pm	Cllrs Auletta, Bennett, Collinson, Cooper, Cummings, Hodgson, Trant Chair: Cllr Auletta
Town Matters Committee	Bi-monthly - fourth Monday @6.30pm	Cllrs Auletta, Beavis, Chinnock, Collinson, Cummings, Peters, Presswell, Roberts, Robshaw Chair: Cllr Roberts
Strategy Delivery Working Groups	Frequency	Members
Community Working Group	Bi-monthly	Cllrs Bennett, Chinnock, Collinson, Cooper, Hannam, Presswell, Robshaw and Trant
Devolution Working Group	Bi-monthly	Cllrs Auletta, Bennett, Chinnock, Peters, Price, Roberts, Trant
Economy Working Group	Bi-monthly	Cllrs Auletta, Beavis, Chinnock, Peters, Roberts and Price
Environment and Public Realm Working Group	Bi-monthly	Cllrs Auletta, Collinson, Cummings, Hodgson, Peters, Price, Cooper, Robshaw
Link Councillors		
Cultural Links		Cllr Cooper

Arts		Cllr Hannam
Elderly and Vulnerable People		Cllr Hannam
Young People/Youth		Cllrs Hannam & Hodgson
Heritage		Cllrs Auletta, Bennett & Price
Open Space, Sports Provision and Leisure		Cllrs Auletta, Price & Roberts,
Traffic and Transport		Cllrs Auletta, Hodgson, Presswell & Roberts
Environment, Sustainability & Air Quality		Cllrs Cummings, Hodgson & Robshaw
Disability		Cllrs Collinson, Hodgson, Price & Robshaw
Business and Employment		Cllrs Peters & Roberts
Representatives on Outside Bodies Frequency of meetings depends on the various organisations - monthly is the most frequent. Where information is known it is shown below.		
TADPOOL		Cllrs Hannam & Peters
Totnes Allotments Association		Cllr Hodgson
Vire Twinning Association		Cllrs Cooper, Hodgson & Price
Totnes Municipal Charities		Cllrs Bennett & Hannam
KEVICC Foundation Governors		Cllrs Beavis, Bennett, Hannam & Price
Parish Paths Partnership		Cllrs Bennett & Robshaw
Totnes Hospital League of Friends		Cllrs Bennett & Hannam
DALC		Cllr Bennett
Dart Harbour Community Group		Cllrs Collinson & Peters
Totnes Chamber of Commerce		Cllrs Peters & Roberts
Fairtrade		Cllr Hannam
Museum Trust		Cllr Presswell
Caring Town		Cllrs Collinson, Peters, Price & Robshaw

Network of Wellbeing		Cllrs Cummings & Robshaw
Bridgetown Alive		Cllrs Bennett, Hodgson & Presswell
Friends of Totnes Museum		Cllr Presswell
Daisy and Rainbow Childcare		Cllr Bennett
Inclusive Totnes [Disability]		Cllrs Cummings, Hodgson, Price & Robshaw
Police & Crime Commissioner Councillor Advocate		Cllrs Peters & Trant
Totnes Community Development Society		Cllrs Beavis & Price
Devon Countryside Forum		Cllr Hodgson
Rural Service Network		Cllr Hodgson
Friends of Salfit		Cllrs Cooper, Price & Robshaw
TQ9 Partnership		Cllrs Bennett, Chinnock, Hodgson, Peters & Price
Schools Engagement		Cllr Bennett
Stepping Stones		Cllrs Hannam & Robshaw

ITEM 6 – CONFIRMATION OF MINUTES

ITEM 6A AND 7A – FULL COUNCIL 7TH APRIL 2025



DRAFT MINUTES FOR THE MEETING OF TOTNES TOWN COUNCIL **MONDAY 7TH APRIL 2025 IN THE GUILDHALL**

Present: Councillors E Price (Chair), L Auletta, C Beavis, T Bennett, J Chinnock, S Collinson, T Cooper, J Cummings, J Hannam, J Hodgson, D Peters, A Presswell, N Roberts, T Robshaw, and M Trant.

Apologies: Cllr Smallridge, District Cllr Allen.

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

1. WELCOME TO ALL ATTENDING AND OBSERVING

2. APOLOGIES FOR ABSENCE AND DECLARATION OF INTERESTS

To receive apologies and to confirm that any absence has the approval of the Council. The Mayor will request confirmation that all Members have completed or made any necessary amendments to their Declaration of Interests.

It was **RESOLVED** to accept the apologies. There were no amendments to Declarations of Interest.

The Committee will adjourn for the following items:

Reports from County and District Councillors.

- a. County Cllr Hodgson
- b. District Cllr Allen
- c. District Cllr Birch
- d. District Cllr Presswell

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

- a. County Cllr (C Cllr) Hodgson had submitted a report before the meeting and answered questions on: the condition of the road surface on the Totnes to Kingsbridge Road, and the Morrisons roundabout; and a request that the 30mph road signs on St

Katherine's Way are removed when the 20mph speed limit is introduced.

b. District Cllr Allen was not present and had not submitted a report.

c. District Cllr Birch was present and answered questions on her written report, including: the future of the Freeport investment and its management with local government reform; if a safety check had been completed on the proposed Ramblers route for the South Hams Way; and the viability of the Sout Hams District Council/West Devon/Teignbridge and Torbay proposal to Government for local government reform.

d. District Cllr Presswell was present and answered questions on her written report, including: the Longmarsh boardwalk and concerns about the surface becoming slippery and pedestrian and cyclist use due to its width; and difficulties in applying for the residents discount for car parking.

The Council reconvened.

3. CONFIRMATION OF MINUTES

To approve and sign the minutes of the following Meeting:

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

a. Full Council 3rd March 2025.

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

To note the following minutes:

b. Council Matters Committee 10th March 2025.

Noted.

c. Planning Committee 17th March 2025.

Noted.

d. Town Matters Committee 24th March 2025.

Noted.

4. CONSIDERATION OF ANY MATTERS ARISING

To consider any matters arising from the Minutes and to approve any recommendations from Committees:

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

a. Full Council 3rd March 2025.

No matters arising.

b. Council Matters Committee 10th March 2025

Item 7 – Civic Budget and Mayoral Allowance Policy. It was **RESOLVED** that the revised Civic Budget and Mayoral Allowance Policy is adopted.

Item 8 – Civic Protocol and Procedure. It was **RESOLVED** that the revised Civic Protocol and

Procedure is adopted.

Item 9 – Privacy Notice [for website and external use]. It was **RESOLVED** that the revised Privacy Notice is adopted.

Item 10 - Privacy Policy [internal guidance for Councillors and officers]. It was **RESOLVED** that the revised Privacy Policy is adopted.

c. Planning Committee, 17th March 2025

Item 5 – Date of next meeting. It was **RESOLVED** that delegated authority is given to the Clerk for early April to respond to planning applications based on comments from members of the Planning Committee.

d. Town Matters Committee 24th March 2025.

Item 4 – Devon Wildlife Trust Atlantic Rainforest Project.

- a. It was **RESOLVED** that the Atlantic Rainforest project at Bowden Pillars Farm is added to the Open Space, Sports, Recreation and Wellbeing Plan as an accessible natural space.
- b. It was **RESOLVED** that it supports in principle any future request from Devon Wildlife Trust to erect specific signage on Kingsbridge Hill about the Atlantic Rainforest Project, and that accessible features should be considered (for example an audio description, raised images, braille description).

Item 7 – Community Award Scheme. Confidential report to Full Council.

5. GENERAL POWER OF COMPETENCE

To consider adopting the General Power of Competence.

It was **RESOLVED** unanimously to adopt the General Power of Competence.

6. ELECTION OF MAYOR FOR 2025/26

To elect the Mayor and the Chair of the Council for the Council Year 2025-2026 (effective May 2025).

It was **RESOLVED** to elect Cllr Bennett as Mayor for 2025-26. Cllr Bennett appointed Cllr Trant as his deputy.

7. MAYOR MAKING AND MAYORAL ELECTION

To appoint Councillors to undertake the following duties at the Mayor Making ceremony on 21st May 2025:

- a. **To propose the election of the new Mayor;**
Cllr Price
- b. **To second the election of the new Mayor;**
Cllr Hodgson
- c. **To propose and endorse the election of all other Council positions and Committees; and**
Cllr Trant
- d. **To propose a vote of thanks to the outgoing Mayor.**
Cllr Bennett

8. MEMBERSHIP OF COMMITTEES, WORKING GROUPS AND LINK COUNCILLORS FOR 2025/26

To elect members to committees, outside representatives and link councillor roles.

The following appointments and Chairs of Committee were **RESOLVED** for 2025/26:

Committee/Working Group	Frequency	Members
Full Council	Monthly - first Monday @7pm	ALL CLLRS ATTEND
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Town Matters Committee	Bi-monthly - fourth Monday @6.30pm	Cllrs Auletta, Beavis, Chinnock, Collinson, Cummings, Peters, Presswell, Roberts, Robshaw Chair: Cllr Roberts
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Devolution Working Group	Bi-monthly	Cllrs Auletta, Bennett, Chinnock, Peters, Price, Roberts, Trant
Economy Working Group	Bi-monthly	Cllrs Auletta, Beavis, Chinnock, Peters, Roberts and Price
Environment and Public Realm Working Group	Bi-monthly	Cllrs Auletta, Collinson, Cummings, Hodgson, Peters, Price, Cooper, Robshaw
Link Councillors		
Cultural Links		Cllr Cooper
Arts		Cllr Hannam
Elderly and Vulnerable People		Cllr Hannam
Young People/Youth		Cllrs Hannam & Hodgson
Heritage		Cllrs Auletta, Bennett & Price

Open Space, Sports Provision and Leisure		Cllrs Auletta, Price & Roberts,
Traffic and Transport		Cllrs Auletta, Hodgson, Presswell & Roberts
Environment, Sustainability & Air Quality		Cllrs Cummings, Hodgson & Robshaw
Disability		Cllrs Collinson, Hodgson, Price & Robshaw
Business and Employment		Cllrs Peters & Roberts
Representatives on Outside Bodies Frequency of meetings depends on the various organisations - monthly is the most frequent. Where information is known it is shown below.		
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KEVICC Foundation Governors		Cllrs Beavis, Bennett, Hannam & Price
Parish Paths Partnership		Cllrs Bennett & Robshaw
Totnes Hospital League of Friends		Cllrs Bennett & Hannam
DALC		Cllr Bennett
Dart Harbour Community Group		Cllrs Collinson & Peters
Totnes Chamber of Commerce		Cllrs Peters & Roberts
Fairtrade		Cllr Hannam
Museum Trust		Cllr Presswell
Caring Town		Cllrs Collinson, Peters, Price & Robshaw
Network of Wellbeing		Cllrs Cummings & Robshaw
Bridgetown Alive		Cllrs Bennett, Hodgson & Presswell
Friends of Totnes Museum		Cllr Presswell

Daisy and Rainbow Childcare		Cllr Bennett
Inclusive Totnes [Disability]		Cllrs Cummings, Hodgson, Price & Robshaw
Police & Crime Commissioner Councillor Advocate		Cllrs Peters & Trant
Totnes Community Development Society		Cllrs Beavis & Price
Devon Countryside Forum		Cllr Hodgson
Rural Service Network		Cllr Hodgson
Friends of Salfit		Cllrs Cooper, Price & Robshaw
TQ9 Partnership		Cllrs Bennett, Chinnock, Hodgson, Peters & Price
Schools Engagement		Cllr Bennett
Stepping Stones		Cllrs Hannam & Robshaw

9. SPECIAL EDUCATIONAL NEEDS UNIT AT KEVICC CONSULTATION

To consider any Council response to a Consultation on proposal to establish a Special Educational Needs (SEN) Unit at King Edward VI College, Totnes.

It was **RESOLVED** to support the proposal.

10. LIST OF MEETING DATES AND COMMUNICATIONS POINTS

To note a list of upcoming meeting dates, Council communications points and link Councillor/ Councillor representatives on outside bodies updates.

Noted.

11. NEXT MEETING

To note the next meeting date of Monday 12th May 2025, 6.30pm public session, 7.00pm formal meeting in the Guildhall.

Noted.

The Council will be asked to RESOLVE to exclude the press and public “by reason of the confidential nature of the business” to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960.

12. CONFIDENTIAL ITEMS FROM COMMITTEE (Standing Item)

To consider any recommendations or matters arising that are considered confidential in nature (item 7 report from Town Matters Committee, personal information).

It was **RESOLVED** to agree two winners for the individual award, two winners for the group

award and one winner for the lifetime achievement award, as outlined in the confidential report. It was **AGREED** that:

- Certificates will be produced for all nominees.
- All nominees will be invited to the Town Meeting on 15th May, and those who were nominated but did not win will be made aware of how difficult it was to choose and how much their work is appreciated.

13. STRATEGIC PLAN

To consider any actions from the Councillor session to discuss the strategic plan and priorities of the Council (financial and commercially sensitive).

It was **RESOLVED** to agree all recommendations as outlined in the confidential report, including:

- a. Writing to South Hams District Council as outlined
- b. Writing to Devon County Council as outlined
- c. The removal of a Strategy Delivery Group from the Standing Orders.
- d. The creation of a Devolution Working Group (to be added to the Standing Orders) who will meet as required and whose membership will be comprised of the Mayor, Deputy Mayor, Chairs of Committees plus two other members (for 2025/26 this will be Cllrs Bennett, Trant, Auletta, Roberts, Peters, Chinnock and Price).

14. ELMHIRST PROJECT (Standing Item)

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

It was **RESOLVED** to write to the Secretary of State for Education expressing concern that the Town Council has had no update on the disposal or future use of the site and reiterating the importance of the site as a green lung, especially given the Air Quality Management Area.

It was **AGREED** to copy the letter to Caroline Voaden MP, Inclusive Totnes and the County Councillor to encourage them to write.

The meeting closed at 9.00pm.

Cllr Emily Price
Chair



DRAFT MINUTES FOR THE MEETING OF COUNCIL MATTERS

MONDAY 14TH APRIL 2025 AT 6.30PM IN THE GUILDHALL

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

Apologies: Cllrs Hannam and Robshaw.

In Attendance: C Marlton (Town Clerk).

1. APOLOGIES FOR ABSENCE

The Chair read a statement about how the meeting would be conducted and recorded. The apologies were accepted.

The Committee adjourned for the following items:

PUBLIC QUESTION TIME

There were no members of the public present.

The Committee convened to consider the following items:

2. CONFIRMATION OF MINUTES

To approve the minutes of 10th March 2025 and update on any matters arising.

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

3. STRATEGY DELIVERY WORKING GROUPS

To consider any budgetary recommendations from the following (documents attached):

a. Community Working Group, 1st April 2025.

Item 2b – Christmas Lights. It was **RESOLVED** to the appointment of the Christmas lighting installation contractor as outlined.

b. Economy Working Group, 19th March 2025.

No recommendations.

c. Environment and Public Realm Working Group, 26th March 2025.

Item 2 - Bridgetown Alive! Bus Shelter Maps. It was **RESOLVED**:

- To purchase [previously agreed in principle] and install as follows:

- Higher Westonfields: to install a large landscape map and accompanying Bridgetown information (as detailed in the leaflet). The bus shelter will need painting and weeds/vegetation cut back by the TMO before installation.
- Coronation Road: a large landscape profile map (with a suitable heading but omitting the detailed information about Bridgetown) is purchased and erected on the inside wall at the left hand end of the shelter (which needs to be repainted and fly posters removed).
- That a further £80 is allocated to cover the revised art work required.
- That the Bridgetown Map/walk is added to the Visit Totnes website.

Item 3a - Request to place a memorial bench for Judy Westacott on The Plains (privately funded purchase).

It was **RESOLVED** that the Council accepts the request to place a memorial bench on The Plains on the understanding that the Town Council will provide routine upkeep but that it reserves the right to remove the bench if it becomes unsafe/unserviceable.

Item 3e - Vire Island. It was **RESOLVED** that the following tasks are considered as part of the Phase 1 work to tidy up Vire Island and that quotes are obtained to carry out this work (with the agreement of SHDC):

- Removal of vegetation – spotted laurel and spiky shrub.
- Cut back laurel to 1m in height.
- The purchase and installation of a bench on an existing concrete pad.
- Request that SHDC erect signs to ask dog owners to take care of their animals and stop them digging around the tree bases.

4. MAYOR'S ENGAGEMENTS AND BUDGET

To consider the Mayor's engagements since January 2025 and the current budget.

The Mayor's engagements and budget was **AGREED** unanimously.

5. STANDING ORDERS REVIEW

To review Standing Orders and make a recommendation to Full Council.

To **RECOMMEND** to Full Council that the revised Standing Orders are adopted with the following amendments:

- Section 26 Committee Terms of Reference - 'Remit' section update with 'Strategy Delivery Working Groups' for clarity for all applicable committees.
- Under section 28, 1.5, include reference to hybrid meetings being used as required.
- Update of the Scheme of Delegation with the proposed changes, including removal of Strategy Delivery Group references and from the organogram.

6. RISK REGISTER

To review the Risk Register.

To **RECOMMEND** to Full Council that the revised Risk Register is adopted.

7. EARMARKED RESERVES

To review the earmarked reserves.

To **RECOMMEND** to Full Council that the Earmarked Reserves is adopted.

8. CODE OF CONDUCT

To review the Council's Code of Conduct

To **RECOMMEND** to Full Council that the revised Code of Conduct is adopted.

9. LEGIONELLA MANAGEMENT PLAN

To review the Legionella Management Plan.

The Legionella Management Plan was **AGREED**.

10. APPRAISAL POLICY

To review the Appraisal Policy for officers.

The Appraisal Policy was **AGREED**.

11. BUDGET MONITOR FORMAT

To consider what Budget Monitor information members want to receive monthly.

It was **AGREED** that the monthly budget monitor print outs from Rialtas will be used with wider budget monitor documents quarterly.

12. YEAR END TIMELINE

To note the year end timeline for financial year 2024/25.

Noted.

13. S137 VALUE FOR 2025/56

To note the revised S137 value for 2025/26.

Noted. However, the Council has subsequently adopted General Power of Competence which supersedes this.

14. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 19th May 2025 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)*

15. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

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

These were reviewed and **AGREED**.

16. GUILDHALL MUNIMENTS ROOM INVENTORY

To consider an inventory of the muniment room (financial).

To **RECOMMEND** to Full Council that:

- the process for considering relocation and disposal is as outlined in the report; and
- to dispose of four boxes of old leaflets, papers, cassette tapes and two candlestick holders.

17. BUILDING CONDITIONS SURVEY

To note a summary of the building conditions survey and to consider a quote for works (financial and commercial).

Noted. To **RECOMMEND** to Full Council that the quote for stone masonry work is accepted, and that an exception to financial regulations be agreed regarding chasing a third quote due to the specialist nature of the work required.

18. ANNUAL APPRAISALS

To note the outcome of the annual officer appraisal process (staffing).

Noted.

19. STAFF ATTENDANCE

To note sickness and overtime balances (staffing).

Noted.

20. STAFFING UPDATE

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

A staffing report was tabled at the meeting. The following decisions/recommendations were **AGREED**:

- The Clerk will draft a business case for an additional member of the Town Maintenance Team, including job plan, hours, salary and job description. This will go directly to Full Council for consideration.
- The Clerk will draft a report on priorities and hours of work as outlined in the report, for consideration by May Full Council.
- The performance related increment payment proposed.

The meeting closed at 8.45pm

Catherine Marlton

Town Clerk

April 2025



DRAFT MINUTES FOR THE PLANNING COMMITTEE

MONDAY 28TH APRIL 2025 IN THE GUILDHALL

Present: Councillors T Bennett (Chair), S Collinson (from 1850), T Cooper, J Cummings, J Hodgson (from 1840) and M Trant.

Apologies: Cllrs Auletta and Smallridge.

In Attendance: Cllr Beavis and S Halliday (Governance and Projects Manager).

1. WELCOME AND APOLOGIES FOR ABSENCE

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

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

The apologies were accepted.

PUBLIC QUESTION TIME

There were no members of the public present.

2. CONFIRMATION OF MINUTES

To approve the minutes of 17th March 2025 and update on any matters arising.

The minutes were approved as an accurate record of proceedings.

3. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

Note: Cllr Hodgson observes and does not vote on any applications which would potentially be discussed at a Development Management Committee meeting at South Hams District Council (SHDC).

3a. 1030/25/HHO - Householder application for two-storey extension reducing to single-storey extension to the rear of the dwelling. Attic House, Jubilee Road, Totnes, TQ9 5BW.

Support. However, the Committee has concerns about the increase in the number of rooflights proposed (eight in number, previous application three) in relation to light spill and light pollution.

3b. 0923/25/HHO and 0924/25/LBC – Householder and Listed building consent for rear extension with associated landscaping, internal alterations, replacement rear windows & replacement garden room. 12 Plymouth Road, Totnes, TQ9 5PH.

Object. The Committee has concerns about:

- The proposed 4m length rear utility extension includes the need for substantial ground excavation which could be detrimental to impacts on historic stone walls and potential disruption of natural ground water flows.
- The proposed Drainage Validation Survey figures appear to be incorrect as they state 10sq. m impermeable increase which accounts only for the new extension roof and doesn't include the proposed additional excavated paved patio area (which would total approximately 27sq. m).
- Rear Windows – existing windows could be repaired and use secondary glazing to minimise carbon use, noting that proposed slimline double glazing in softwood frames have a short lifespan.
- Construction traffic and blocking of the public highway and footways on a busy pedestrian route on this narrow road for extensive ground works, particularly if large quantities of earth is to be excavated and removed off site – the Construction Management Plan states that the road will only be blocked for 5-10 mins at a time seems unrealistic for the loading of the quantity of earth that will be generated.

3c. 0617/25/FUL – Demolition and rebuild of fire damaged dwelling. 19 Bridgewater Gardens, Totnes, TQ9 5RN.

Support.

3d. 0941/25/HHO – Householder application for single storey front extension. Steamer Quay Wharf, 5 Steamer Quay Road, Totnes, TQ9 5AL.

Support in principle. However, the Committee would encourage the use of timber cladding rather than painted render to retain the street scape.

3e. 0758/25/HHO – Householder application for proposed side and rear extensions. 9 Manor Way, Totnes, TQ9 5HP.

Support.

3f. 0944/25/HHO – Householder application for proposed rear single-storey extension. 9 Higher Westonfields, Totnes, TQ9 5QY.

Support.

3g. 2967/24/VAR - Application for variation of conditions 2 (approved drawings), 4 (roof materials & fixings) 6 (details of external attachments) 7 (rooflights/patent glazing) 8 (windows & doors) & 16 (cattle grid) of planning consent 03/1200/05/F. Higher Weston Farm, Weston Lane, Berry Pomeroy, Totnes, TQ9 6LB. [Consulted as a neighbouring parish.]
Comment – as the application states, some of the regulations have changed over the past 20 years. The Committee makes the following comments:

- The benefits of the installation of Air Source Heat Pumps is welcome and would be greater without the inclusion of wood burning stoves.
- There are a lack of ecological mitigations and insufficient details of landscaping measures to be implemented. For example the early installation of swallow nesting boxes would be welcomed.

3h. 0410/25/FUL – Creation of an Earth Lines Slurry Store. Gerston, Totnes, TQ9 7RY.

Cllr Hodgson declared a personal interest.

Comment – the Committee would:

- Prefer to see a contained/covered tank/store or a higher fence (2m) to improve safety.
- Request that additional scrub and woodland is included on the banks of the store to ensure that there is habitat betterment (as suggested by the Ecological Consultant).

3i. 0193/25/FUL – Installation of PV panels on south parapet roof. St Mary's Church, High Street, Totnes.

All Committee members declared a personal interest.

Support. The Committee welcomes the use of PVs on a listed building as it provides a positive example of the sensitive use of renewable energy technology.

3j. 0908/25/LBC - Listed building consent to remove existing roof sates, replace with new Spanish slates, repair lead flashing to chimney & replace guttering if necessary using Lindab raingear. 63 Fore Street, Totnes, TQ9 5NJ.

Support, subject to the Heritage Officer's views.

4. LICENSING APPLICATIONS

To consider the following applications for a new premises licence:

4a. Premises license: Blue Rider Group Ltd, 3-4 Birdwood Court, Totnes, TQ9 5SG.

Cllr Trant declared a personal interest.

Object as the proposed application to permit plays, films, live music and performance of dance is not in accordance with the Class E café/restaurant classification of this premises. These activities are more in keeping with a Sui Generis classification.

4b. Pavement licence: The Curator Cafe, 2 The Plains, Totnes, TQ9 5DR.

Support for 8 x tables and 28 x chairs.

Additional: Pavement licence: Food For Thought, 10 The Plains, Totnes, TQ9 5DW.

Support for 4 x tables and 16 x chairs.

5. ENVIRONMENT AND PUBLIC REALM WORKING GROUP – PAVEMENT OUTSIDE THE ROYAL SEVEN STARS

To consider a recommendation from the Environment and Public Realm Working Group about the footway and planters outside of the Royal Seven Stars.

Cllr Hodgson explained the background to the complaint received and discussions with Devon Highways.

To **RECOMMEND** to Full Council that it informally writes to the Royal Seven Stars saying that it has received a complaint about the planters and useable amount of footway remaining, and requests that they consider moving the planters back towards the building to provide 1m clearance from the planters to the road as originally agreed with Devon Highways. This 1m footway over the cobbled area will enable a pushchair/ wheelchair and pedestrians to be able to pass safely alongside the road.

6. DATE OF NEXT MEETING

To note the date of the next meeting of the Planning Committee – Wednesday 28th May 2025 at 6.30pm in the Guildhall.

Noted.

The meeting closed at 7.55pm.

Sara Halliday
Governance and Projects Manager
April 2025

ITEM 7 - RECOMMENDATIONS FROM COMMITTEE

7a. Full Council 7th April 2025

No recommendations.

7b. Council Matters 14th April 2025

Item 5 – Standing Orders Review. See item 9 on the agenda.

To **RECOMMEND** to Full Council that the revised Standing Orders are adopted with the following amendments:

- Section 26 Committee Terms of Reference - ‘Remit’ section update with ‘Strategy Delivery Working Groups’ for clarity for all applicable committees.
- Under section 28, 1.5, include reference to hybrid meetings being used as required.
- Update of the Scheme of Delegation with the proposed changes, including removal of Strategy Delivery Group references and from the organogram.

Item 6 – Risk Register. To **RECOMMEND** to Full Council that the revised Risk Register is adopted.

Item 7 – Earmarked Reserves. To **RECOMMEND** to Full Council that the Earmarked Reserves is adopted.

Item 8 – Code of Conduct. See item 10 on the agenda.

To **RECOMMEND** to Full Council that the revised Code of Conduct is adopted.

Item 16 – Guildhall Muniments Room Inventory (confidential: financial). To **RECOMMEND** to Full Council that:

- the process for considering relocation and disposal is as outlined in the report; and
- to dispose of four boxes of old leaflets, papers, cassette tapes and two candlestick holders.

Item 17 – Building Conditions Survey (confidential: financial and commercial). To **RECOMMEND** to Full Council that the quote for stone masonry work is accepted, and that an exception to financial regulations be agreed regarding chasing a third quote due to the specialist nature of the work required.

7c. Planning Committee 28th April 2025

Item 5 – Pavement outside the Royal Seven Stars. To **RECOMMEND** to Full Council that it informally writes to the Royal Seven Stars saying that it has received a complaint about the planters and useable amount of footway remaining, and requests that they consider moving the planters back towards the building to provide 1m clearance from the planters to the road as originally agreed with Devon Highways. This 1m footway over the cobbled area will enable a pushchair/ wheelchair and pedestrians to be able to pass safely alongside the road.

ITEM 8 – STRATEGY DELIVERY WORKING GROUP UPDATES

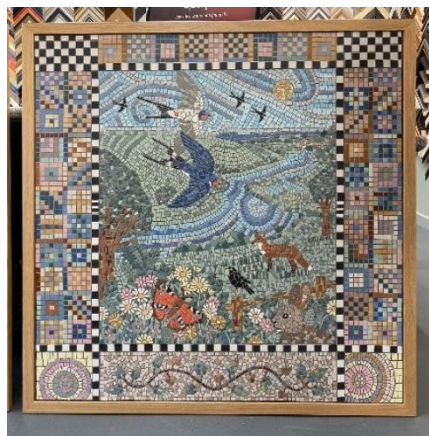
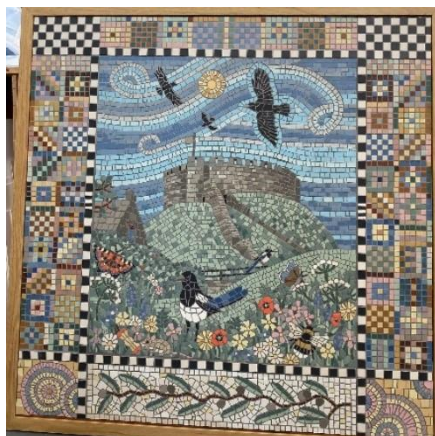
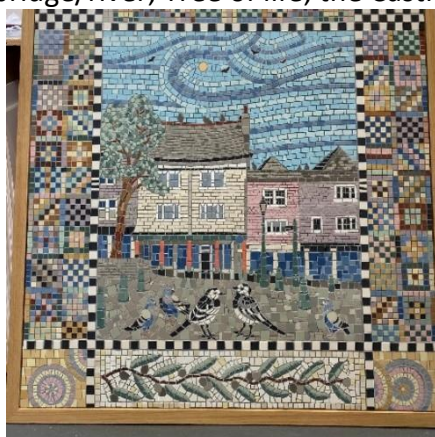
8a. Environment and Public Realm Working Group

Bridgetown Alive Map in the Coronation Road Bus Shelter. Bridgetown Alive have asked if it would be possible to include the information about Bridgetown on this map (so the two maps would be identical). The Working Group and Committee decision was to not include this information as it could be confusing.

Full Council is asked for a 'yes' or 'no' decision on the Coronation Road map so that the project can move forward and artwork drawn up accordingly.

Mosaics – permission has been given by South Hams District Council to install 2 x mosaic panels in the Coronation Road bus shelter which compliments the 2 x panels to be installed in the Totnes Town Council bus shelter across the road. Discussions are ongoing with GWR about the installation of a panel at the railway station, and if this is not successful the proposal is to install the panel inside the Civic Hall at the step entrance.

Full Council is asked to consider which panels should be installed at the three locations (so that installation can go ahead soonest). The five designs are: the Butterwalk; old bridge/river; Tree of life; the Castle; the river:



STANDING ORDERS

TOTNES TOWN COUNCIL

Last reviewed May 2024, updated July 2024

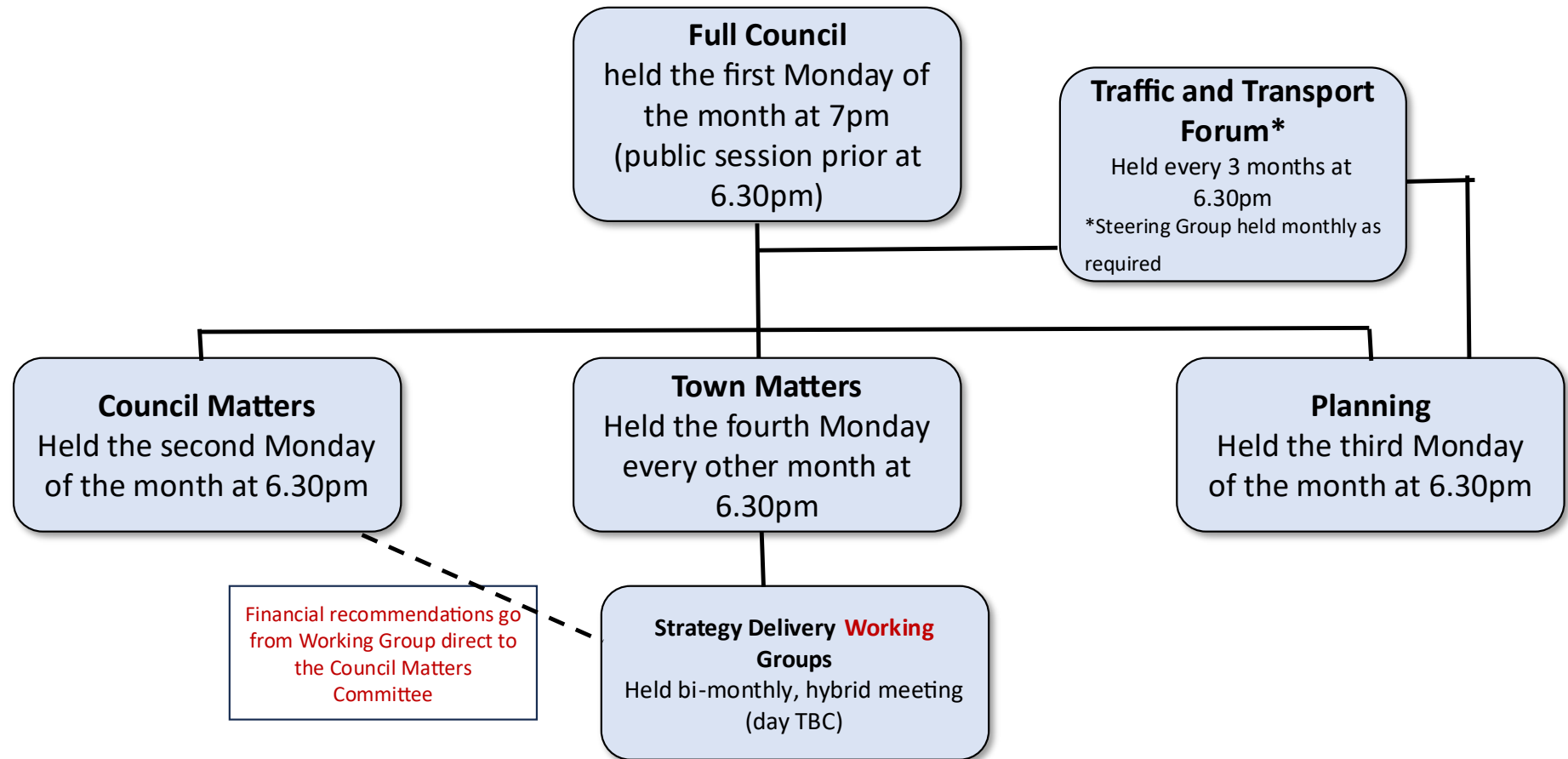
Proposed Amendments May 25

- Structure updated to reflect:
 - Removal of Strategy Delivery Group.
 - New Devolution Working Group to sit alongside the Community, Economy and Environment strategy delivery Working Groups and the reporting chain.
- Section 4m – new sentence to reflect inclusion of the Council's Scheme of Delegation into this document.
- Sections 14 and 22 – updated to reflect change in post title to Finance and HR Manager.
- Section 15 – 2025 update to the NALC model Standing Orders to comply with new procurement legislation and to ensure consistency with the model financial regulations.
- Section 19 – 2025 update to the NALC model Standing Orders to serials a) and b) deleted and 'Principal Councils' replaces 'District and Unitary Councils' to better reflect Code of Conduct requirements.
- Existing Section 28 – Strategy Delivery Group deleted.
- New Section 28 (previously Section 29) Renamed Strategy Delivery ~~Group~~ Working Groups. Terms of Reference for Working Groups, which includes updates to language to reflect how the Working Groups have been functioning, increase in the maximum number of members, and details for the new

Devolution Working Group (proposed membership and purpose). Renumbering of subsequent sections.

- New Annex A – Scheme of Delegation (previously agreed, and will need to be updated if Standing Order amendments are agreed).

STRUCTURE



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Text in bold is required by statute

1. Meetings

- a) Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
- b) The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- c) Councillors are expected to attend meetings.
- d) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- e) Members of the public may make representations, raise questions, give evidence during a 30 minute open and informal session prior to Full Council, 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 to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting. The statutory public notice giving the time, venue and agenda for such a meeting 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.

m) A Scheme of Delegation at Annex A sets out the delegated powers and financial delegations held by the various Committees and Working Groups.

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, public and non-committee Councillors 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, press and non-committee Councillors;
 - 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.

g) Subject to standing orders 7(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required].

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 and 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 40 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.~~

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;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
- and
- v. whether contracts with an estimated value below [60,000] due to special circumstances are exempt from a tendering process or procurement exercise.

b) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

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. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer or electronically by email to the Proper Officer;
- iv. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for

submission of tenders has passed;

v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

d) Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

eh) 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.~~

ae) Upon notification by the ~~Principal 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.

~~bd)~~ 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.

ce) 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.

d) 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 and 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 Strategy Delivery **Working 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 Strategy Delivery **Working 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 • Heritage 	<ul style="list-style-type: none"> • Arts • Traffic and Transport • Environment, Sustainability and Air Quality • Open Space, Sports Provision and Leisure • 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 • Stepping Stones 	<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 Group

Purpose: The Strategy Delivery Group's role is to discuss and prioritise the objectives as set out in the Council's Strategic Plan under three areas: community, economy and environment, which will support and improve the social, economic and cultural life of residents, businesses and visitors.

The Strategy Delivery Group does not have any delegated authority but is a way of discussing issues and projects informally and including members of the community when relevant and by invitation only.

Membership: The Strategy Delivery Group will be made up of a minimum of three Councillors and no maximum number, with powers to co-opt as required named members of the public (with relevant experience) on a non-voting basis who must agree to abide by the Town Council Code of Conduct.

Quorum: Three Councillors.

Power: Local Government Act 1972, section 145.

Delegated Authority: no delegated authority, recommendations of a general nature to the Town Matters Committee for consideration and those of a financial nature will go to the Council Matters Committee direct.

1. Terms

1.1 — The Council's Standing Orders apply to all meetings of the Strategy Delivery Group.

1.2 — The Strategy Delivery Group shall be appointed on an annual basis at the Annual Meeting of the Town Council.

1.3 — The first order of business of the first meeting of the Strategy Delivery Group after its annual appointment will be to elect a Chair.

1.4 — The Mayor and Deputy Mayor of the Council shall be ex-officio, non-voting members of the Strategy Delivery Group.

1.5 — The Working Group will meet bi-monthly and made available as a hybrid meeting to encourage attendance.

1.6 — Meetings shall not be open to the public and any invites should be issued by Council Officers in advance of the meeting.

1.7 — Members of the Strategy Delivery Group will receive an agenda and supporting papers in advance of the meeting.

1.8 — A brief action note will be produced and fed back to the appropriate Council committee(s) for further discussion and decision making. These notes will form part of the committee papers made available to the public. The Clerk or member of the management team will attend and take notes, with other officers in attendance as required.

2. Responsibilities

2.1 — Each agenda will include an item for Community, Economy and Environment topics.

2.2 — To prioritise the Strategic Plan's objectives including the details of the question/package of work required in suggesting to the Town Matters Committee the setting up of any Task and Finish Groups.

2.3 — To monitor the progress, outcome and delivery against the prioritised objectives by the Strategy Delivery Group and any Task and Finish Groups created.

289. Terms of Reference for the Strategy Delivery Group Working Groups

Strategy Delivery Group Working Groups: Community; Devolution; Economy; and Environment and Public Realm

Purpose: Each Working Group's role is to discuss the detail, prioritise and deliver the objectives as set out in the Council's Strategic Plan under the three themes of: community; devolution; economy; and environment and public realm.

There is a no budget allocation for the each Working Groups to allocate. However, the budget allocation will be held by the Strategy Delivery Group Council Matters Committee who will consider recommendations from the Working Group. The working group does not have any delegated authority but is a way of discussing issues and projects informally and including members of the community when relevant.

Membership: The **community, economy and environment and public realm** Working Groups will be made up of a minimum of three Councillors and a maximum of **eight** ~~six~~ Councillors with powers to co-opt as required other Councillors and/or named members of the community (with relevant experience) on a non-voting basis who must agree to abide by the Town Council Code of Conduct. A Chair and Deputy will be elected.

The Devolution Working Group will be made up of the Mayor, Deputy Mayor, Chairs of Committee and two members.

Quorum: Three Councillors.

Power: Local Government Act 1972, section 145.

Delegated Authority: no delegated authority, recommendations to ~~the Strategy Delivery Group through~~ the Town Matters Committee, or Council Matters Committee where it concerns a budgetary matter, for consideration.

1. Terms

- 1.1 The Council's Standing Orders apply to all meetings of the Working Group.
- 1.2 The Working Group shall be appointed on an annual basis at the Annual Meeting of the Town Council.
- 1.3 The first order of business of the first meeting of the Working Group after its annual appointment will be to elect a Chair.
- 1.4 The Mayor and Deputy Mayor of the Council shall be ex-officio, non-voting members of the Working Group.
- 1.5 The Working Group will meet bi-monthly **or as required, in person or as a hybrid meeting as required.**
- 1.6 Meetings shall not be open to the public, but it is the intention of members to liaise and involve relevant members of the community as required.
- 1.7 The Working Group will be allocated an officer whose role will be to act as a link, particularly with the Chair. The link officer will attend the Working Group meetings on an as required basis.
- 1.8 Brief bullet points of actions will be required for ~~the Strategy Delivery Group for further~~ Committee discussion and forming recommendations/**making decisions.**

2. Responsibilities

- 2.1 To prioritise the objectives set out in the Strategic Plan which aim to support and improv**ing** the social, economic, environment quality, and cultural life of the town for the benefit of its residents, businesses and visitors.
- 2.2 To deliver the objectives of the Strategic Plan, including providing details on how these objectives will be investigated or taken forward.
- 2.3 **To consider the matter of local government reform and devolution on the Town Council and the impact that such changes may have on its operation, the town and wider community.**

2930. 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 body 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.

301. 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.

312. 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.

323. 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.



TOTNES TOWN COUNCIL SCHEME OF DELEGATION

Adopted: October 2024

Review date: ~~May~~July 2025~~6~~

1. THE POWER TO DELEGATE

1.1 The power to delegate function by local councils is set out in the Local Government Act 1972 S.101 as follows:

- a. that a council may delegate its powers (except those incapable of delegation) to a committee or an officer (not a working group, forum or individual councillor).
- b. a committee may delegate its powers to an officer.
- c. the delegating body may exercise Powers that have been delegated (i.e. Full Council).

1.2 Any delegation to a Committee or the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and within the law.

1.3 The Proper Officer may nominate another named Officer to carry out any powers and duties which have been delegated to that Officer.

1.4 Where officers are contemplating any action under delegated powers which is likely to have a significant impact in a particular area, they should also consult the Members and must ensure that they obtain appropriate legal, financial, and other specialist advice before action is taken.

2. FINANCIAL REGULATIONS (EXCERPT)

2.1 Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- a. the Council for all items over £10,000;
- b. the Council Matters Committee for items over £5,000; or
- c. the Clerk/RFO for any items below £5,000.
- d. members of the management team for specific budget lines as decided by the Clerk/RFO for any items below £1000.
- e. The Town Maintenance Officer for the TMO Tools & Consumables budget up to £100 excluding VAT.

3. DELEGATION TO OFFICERS

3.1 The following matters are delegated to the Council's Officers to make decisions on behalf of the Council. These decisions must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget.

3.2 The Council may at any time, following resolution, revoke any delegated authority.

3.3 Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to a Committee or the Council. Similarly, where Officers have no delegated power to make a decision, they report the matter to Committee or the Council for a decision.

Responsible Financial Officer (currently Town Clerk)

3.4 The Responsible Financial Officer to the Council shall be responsible for the Town Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

Proper Officer (Town Clerk)

3.5 The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- a. To receive Declarations of Acceptance of Office.
- b. To receive and record notices disclosing personal and prejudicial interests.
- c. To receive and record notices of requests for dispensations.
- d. To receive and retain plans and documents.
- e. To sign notices or other documents on behalf of the Council.
- f. To receive copies of by-laws made by the local authority.
- g. To certify copies of by-laws made by the Council.
- h. To sign summonses to attend meetings of the Council.
- i. To arrange insurance.

3.6 In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- a. The day-to-day operation of services, together with routine inspection and control.
- b. Day-to-day supervision and control of all staff employed by the Council.
- c. The day-to-day administration and oversight for organised events and activities.
- d. Authorisation of routine expenditure within the agreed budget (up to £5,000 unless otherwise resolved by Council).
- f. Emergency expenditure up to £5,000 outside the agreed budget (see Financial Regulations).
- g. Matters and increased expenditure specifically delegated by Council or Committee.
- h. Payment of authorised continuing contracts, including but not limited to monthly salary payments.

4. FULL COUNCIL

4.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations for the Council's consideration:

- a. Approval of the budget.
- b. Setting the precept.
- c. Approval of the Annual Return and Audit of Accounts.
- d. Agreement to write off bad debts.
- e. Approval by resolution, before payment, of any grant or single commitment in excess of £10,000.
- f. Authorisation as to terms and purpose for any application for Borrowing Approval and subsequent arrangements for the loan.
- g. Approval of any financial arrangement which does not require formal borrowing approval from the Secretary of State (eg hire purchase or leasing of tangible assets).
- h. Approval of purchase, acquisition by other means, sale, lease or disposal of tangible moveable property £10,000 or over.
- i. Approval of purchase, acquisition by other means, lease, sale or disposal of real property (interests in land).
- j. Approval of changes in earmarked reserves as part of the budgetary process.
- k. Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
- l. Making, amending or revoking by-laws.
- m. Making of orders under any statutory powers.
- n. Matters of principle or policy.
- o. Appointment of Standing Committees.
- p. Appointing Council Representatives to outside bodies.
- q. Confirming the appointment of the Proper Officer (Town Clerk) – all other appointments can be agreed by Council Matters.
- r. Elect Chairs of committee.
- s. All other matters which must, by law, be reserved to the Full Council.

5. COMMITTEES

5.1 The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget.

5.2 The Council may at any time, following resolution, revoke any delegated authority.

5.3 Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where a Committee has no delegated power to make a decision it makes a recommendation to Council.

All Committees are authorised to:

- a. Elect a deputy Chair from within the membership of that Committee.
- b. Approve the Minutes of the last meeting of the Committee.
- c. Spend money from budget headings under that Committee's remit up to the limit of the budget and/or named reserve.
- d. Make recommendations on the budget requirement for the Committee for the coming Financial Year.
- e. Delegate any of their functions to a Sub Committee or Officer of the Council (not a working group, forum or individual Councillor)

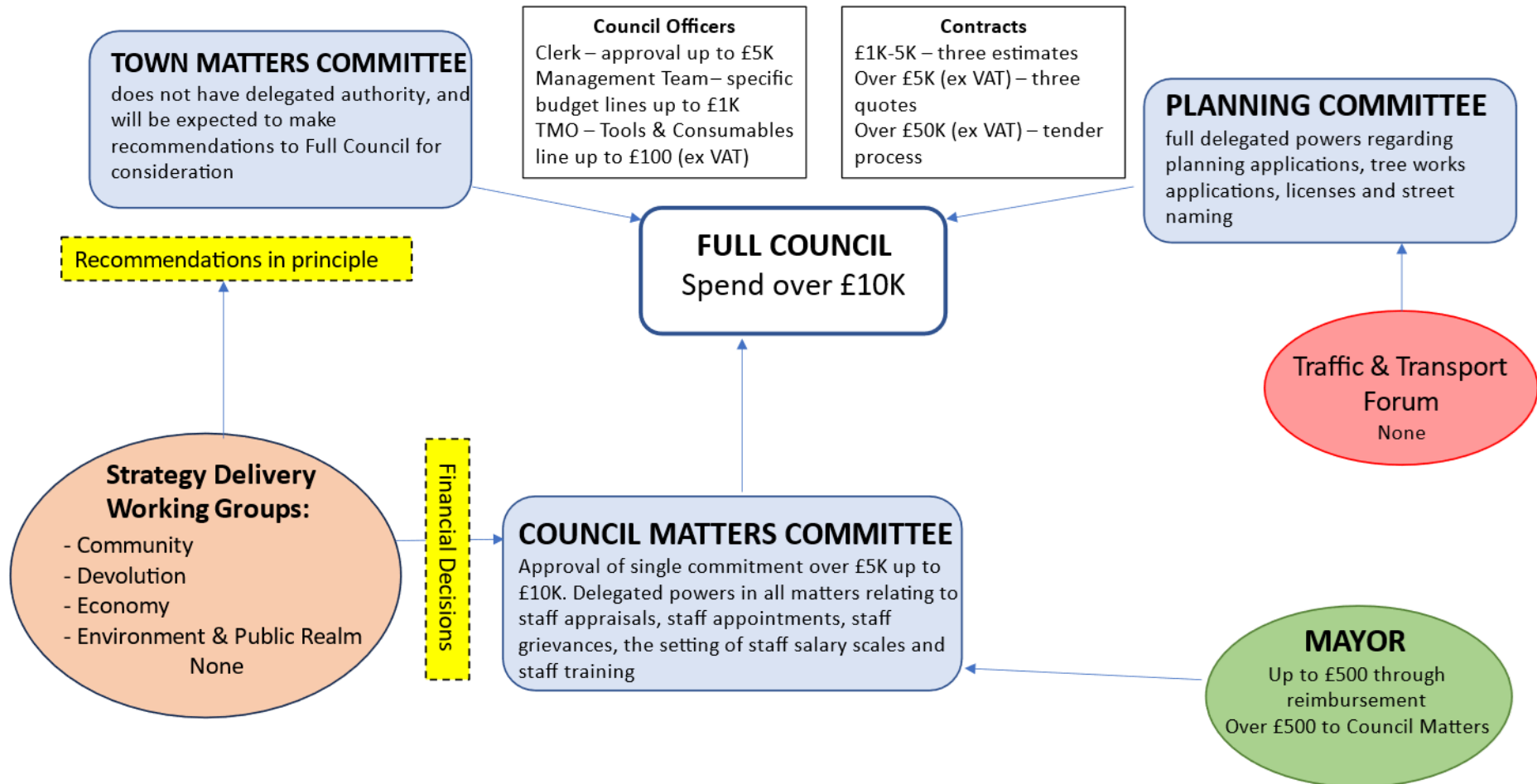
Overview

Committee/Working Group	Delegation
Full Council	Detail above. Approval of single expenditure over £10K.
Council Matters Committee	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 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 (single commitment over £5K up to £10K). 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, staff disciplinaries and dismissals, the setting of staff salary scales and staff training.
Planning Committee	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; Neighbourhood Plan; Traffic and Transport; Housing; licensing. 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 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.
Town Matters Committee	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: 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 does not have delegated authority, and will be expected to make recommendations to Full Council for consideration.
Strategy Delivery Group	None. Recommendations with budgetary implications to the Council Matters Committee. Recommendations seeking support/agreement of details to the Town Matters Committee.
Strategy Delivery Working Groups: - Community - Devolution - Economy - Environment and Public Realm	None. Actions/recommendations to the Strategy Delivery Group Council Matters Committee or Town Matters Committee for consideration.
Traffic and Transport Forum	None. Advisory group to the Town Council. Any recommendations to the Planning Committee.

Mayor	<p>Civic Budget for: the funding of formal and informal civic events associated with the role of Mayor; civic events supported by the Council; cost of events attended or hosted by the Mayor; supporting the Mayor in raising money for their chosen charity. Appoint a Deputy Mayor.</p> <p>Civic Budget - Up to £500 (through reimbursement) with authorisation by the Town Clerk. Amounts of £500 and over need to be agreed by the Council Matters Committee in advance of agreement.</p>
Council Officers	Delegation
Clerk/Responsible Financial Officer (RFO)/Proper Officer	As above, management of day-to-day operation of Council services and staff management matters. Approval of payments and expenses up to £5K. Emergency expenditure up to £10,000 in liaison with the Chair (if possible).
Finance and HR Manager	Approval of payments up to £1K on the following budget lines: staff training, travel & expenses; office supplies; Guildhall cleaning; Guildhall marketing & licences; Civic Hall caretaking, cleaning & supplies; Civic Hall Misc and marketing expenditure; Civic events; civic regalia; mayoral travel.
Marketing & Communications Manager	Approval of payments up to £1K on the following budget lines: marketing; other Tourist Information Centre expenses; Totnes Guide & Website.
Governance & Projects Manager	Approval of payments up to £1K on the following budget lines: Cllr IT equipment; Cllr training & travel; cemetery grounds maintenance; cemetery maintenance.
Town Maintenance Officer	Approval of payments up to £100 (excluding VAT) on the following budget line: TMO Tools & Consumables.
Contracts	<p>Over £1K and up to £5K – 3 estimates (ideally)</p> <p>Over £5K (ex VAT) – 3 quotations</p> <p>Over £50K (ex VAT) – tender process and award.</p>
Legal Deeds	<p>Authorisation through Council resolution.</p> <p>Signed by 2 x Councillors or the Chair and Clerk as required.</p> <p>Witnessed by the Proper Officer [Clerk]</p>

Chart showing the Council's scheme of delegation including reporting chains for working groups and forums to committees and Full Council.

TTC SCHEME OF DELEGATION & REPORTING CHAINS



Councillors Code

TOTNES TOWN

AGREED MAY 2023

NEXT REVIEW MAY



of Conduct

COUNCIL

2025

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

Joint Statement

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

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

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

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

Introduction

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

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

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

Definitions

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

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

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

Purpose of the Code of Conduct

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

support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General Principles of Councillor Conduct

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

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

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

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

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

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

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

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

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

- at face-to-face meetings
- at online or telephone meetings

- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

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

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

Standards of Councillor Conduct

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

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

General Conduct

1. Respect

As a councillor:

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

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

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

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

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the

relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

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

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

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

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

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

3. Impartiality of officers of the council

As a councillor:

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

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

integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

a. given to me in confidence by anyone

b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless

i. I have received the consent of a person authorised to give it;

ii. I am required by law to do so;

iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or

iv. the disclosure is:

1. reasonable and in the public interest; and

2. made in good faith and in compliance with the reasonable requirements of the local authority; and

3. I have consulted the Monitoring Officer prior to its release.

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

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

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

5. Disrepute

As a councillor:

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

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

You are able to hold the local authority and fellow councillors to account and are able to

constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

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

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

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

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

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

Examples include:

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

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

8. Complying with the Code of Conduct

As a Councillor:

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

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

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

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

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

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

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

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

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

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

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons

seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

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

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

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

Appendices

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

The principles are:

Selflessness

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

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty

Holders of public office should be truthful.

Leadership

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

Appendix B Registering interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a

‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

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

Disclosure of Other Registerable Interests

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

Disclosure of Non-Registerable Interests

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

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

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

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

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

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

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

Table 1: Disclosable Pecuniary Interests

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

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

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

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

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

Table 2: Other Registrable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <p>a) any body of which you are in general control or management and to which you are nominated or appointed by your authority</p> <p>b) any body</p> <p>(i) exercising functions of a public nature</p> <p>(ii) any body directed to charitable purposes or</p> <p>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)</p>

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on

Local Government Ethical Standards. If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

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

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

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

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

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

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

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

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

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

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

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible

on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

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

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

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

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

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

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

ITEM 13 - LIST OF MEETING DATES, COMMUNICATIONS POINTS AND LINK COUNCILLOR UPDATES

Month	Full Council, 7pm	Council Matters Committee, 6.30pm	Planning Committee, 6.30pm	Town Matters Committee, 6.30pm
May 2025	Monday 12 th	Monday 19 th	Wednesday 28 th	None
June 2025	Monday 2 nd	Monday 9 th	Monday 16 th	Monday 23 rd
July 2025	Monday 7 th	Monday 14 th	Monday 21 st	Monday 28 th

May

Full Council (Annual Meeting of the Council) – 12th May at 6.30pm

Annual Town Meeting – 15th May at 6pm in the Guildhall (to include the presentation of the Council Awards)

Council Matters Committee – 19th May at 6.30pm

Mayor Making – 21st May (formal invitation only, not a public meeting)

Environment and Public Realm Working Group – 28th May at 4.30pm

Planning Committee – Wednesday 28th May at 6.30pm

June

Full Council – 2nd June at 6.30pm

Council Matters Committee – 9th June at 6.30pm

Planning Committee – 16th June at 6.30pm

Town Matters Committee – 23rd June at 6.30pm

Community Working Group – 30th June at 6.00pm

July

Full Council – 7th July at 6.30pm

Council Matters Committee – 14th July at 6.30pm

Planning Committee – 21st July at 6.30pm

Town Matters Committee – 28th July at 6.30pm

Communications Points – please check the Totnes Town Council ‘News’ page Further verbal updates to be given by the Clerk at the meeting.

Link Councillor/Councillor Representative on Outside Body Updates

Cllr Auletta:

- South Hams Society - Land Use Strategy discussions (DEFRA consultation concerns).
- River Dart Action Plan Launch - attended and made contact with various groups.
- Active Travel England webinar "Spotlight on the Active Design Guide" showcasing need for the right design to support active travel and the health implications due to lack of activity. Likely to present some of this information to our MP in June in TTF meeting.
- Dart Valley Cycle Trail - meeting about getting progress on the Dartington section.
- Skatepark - liaison re community grant award process and progress.
- Signboard for Devon Wildlife Trust at Kingsbridge Hill viewing point - SHDC has now approved in principle, am working with DWT for input.
- Leechwell Garden Association - Easter Egg Hunt assistance given.
- Totnes Pavilions - liaison with Fusion manager about classes offered.

