

AGENDA ITEM No. 3a

MINUTES of the Meeting of the **TAVISTOCK TOWN COUNCIL** held on **TUESDAY 7th NOVEMBER, 2023 at 7.03pm** at **THE COUNCIL CHAMBER, TOWN COUNCIL OFFICES, DRAKE ROAD, TAVISTOCK**

PRESENT Councillor A Hutton (Mayor)
Councillor P Ward (Deputy Mayor)

Councillors Ms M Ewings, S Hipsey, Mrs A Johnson, A Lewis, U Mann, N Martin, Mrs B Moody, J Moody, T Munro, B Smith, P Squire, A Venning.

IN ATTENDANCE Town Clerk, General Manager, Assistant to the Town Clerk.

Prior to the commencement of the Meeting there was opportunity for:

- a member of the public to present a personal statement (in view of the matter arising elsewhere on the agenda) in connection with operation of the No's 86 and 89 bus services in Tavistock;
- opportunity for County Councillor Mrs D Sellis to respond to queries raised, both regarding bus services and, in particular, Devon County Council's proposal to introduce on-street parking charges in Tavistock contrary to the wishes of the community;
- a few moments of Quiet Reflection led by Jo Wright of Tavistock Street Pastors;
- a Minute's Silence held in memory of former Councillor Mrs Jenny Metcalf, who was also Mayor of Tavistock between 2004–2005 and 2005–2006, who had recently passed away;
- a personal tribute paid to the late Stephen Gill, a former town planner, who had been instrumental in Tavistock being included in the World Heritage Site designation, who had recently passed away.

COMMENCEMENT OF MEETING

227. APOLOGIES FOR ABSENCE

An apology for absence had been received from Councillor J Irvine.

228. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

229. CONFIRMATION OF MINUTES

RESOLVED THAT the Minutes of the Meeting of Tavistock Town Council held on Tuesday 19th September, 2023 be confirmed as a correct record and signed by the Chairman (Appendix 1).

230. PUBLIC REPRESENTATIONS & QUESTIONS

No public representations or questions had been received prior to the Meeting.

ITEMS REQUIRING A DECISION

231. GENERAL FINANCE

The Council considered the following:-

i) Schedule of Payments

The Council received and considered copies of the monthly accounts as at 30th September, 2023 (Appendix 2) as listed on the Council website;

ii) Budget Monitoring Report

The Council received and considered a copy of the Budget Monitoring Report (Appendix 3) as at 30th September, 2023.

232. BUDGET & POLICY COMMITTEE

The Council considered the Minutes of the Meeting of the Budget & Policy Committee (Appendix 4) held on Tuesday 24th October, 2023 the recommendations being reported by rote.

RESOLVED THAT subject to the consideration of Minute No's 215 - 216 being deferred to a later point in the Meeting in view of the confidential nature of the business to be transacted, the recommendations included in the foregoing report of the Committee, (Minute No's 204 - 214) be approved and adopted.

233. DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE (DM&L)

The Council considered the following: -

- i) Development Management & Licensing Committee - Minutes of the Meeting held on Tuesday 26th September, 2023 (Appendix 5) (Minute No's 184 - 193 inclusive) the recommendations being reported by rote;
- ii) Development Management & Licensing Committee - Minutes of the Meeting held on Tuesday 17th October, 2023 (Appendix 6) (Minute No's 194 - 203 inclusive) the recommendations being reported by rote;
- iii) Development Management & Licensing Committee - Minutes of the Meeting held on Monday 6th November, 2023 (Appendix 7) (Minute No's 217 - 226 inclusive) the recommendations being reported by rote.

RESOLVED THAT the recommendations included in the foregoing reports of the Committee be approved.

Noted That regarding the note to Minute No. 221a), attention was drawn to Devon County Council being the contact point for highways matters, and communication arrangements with the HATOC (Highways and Traffic Orders) Committee.

234. ON-STREET PARKING

The Council considered the response received from Devon County Council (DCC) (Appendix 8), pursuant to representations made by the Town Council.

It was noted, with both regret and disappointment, that the response received made clear the County Council did not intend to address the concerns raised on behalf of the Town, nor demonstrate any commitment to transparent, accountable and evidence led decision making in the interests of probity and the communities DCC existed to serve.

Accordingly the Town Council would wish to assess the extent to which the response from DCC was either: responsive and informative or, in the alternative, confused and dismissive.

In the ensuing discussion reference was made to the unacceptability of the approach being taken by the County Council, both in terms of flawed process, and potential for adverse impact on the town, its hinterland (and other communities).

In the circumstances options available to the Council potentially included, but were not limited to:

- i. If the view were taken Tavistock Town Council had done all it could reasonably do to represent the Town to avoid the imposition of on-street parking charges, to acknowledge the County Council's determination to proceed to consultation and order, apparently irrespective of community views, and take no further action beyond responding to the consultation in due course;
- ii. If the view were taken the County Council's approach was not reasonable and/or fair, and DCC was not willing to meaningfully engage, then the Town Council could take matters forward more formally. That could be either on its own or with other affected Councils/communities. If the Town Council were minded to consider this approach it would be appropriate for the more detailed discussion around, legal, procedural and practical means of redress that might be available to it to be held in closed session later in the Meeting. It was common ground that any action taken by the Council should be consistent with legal advice.

In the ensuing discussion reference was made to the views expressed by County Councillor/public attendees prior to the Meeting. Also to other matters including but not limited to:

- The outcomes of an extensive survey undertaken by Okehampton Town Council in that community, and the detailed survey/analysis provided by the BID Co in Tavistock – in contrast to the decisions of DCC which lacked an objective evidence base;
- The extent to which there was, could or should be any relationship as between charges for on-street parking and bus services in/to the Town;
- Appreciation for the combined efforts of 5 other communities in making joint representations to the County Council;
- Detailed DCC options which had previously been subject to embargo by DCC which had since been published on the DCC website and were available for public inspection. DCC had been requested to confirm with which option it intended to proceed, but no response had been received to date.

Note subsequent to the Meeting a communication was received from DCC by way of response which declined to indicate which, if any, of the previously submitted schemes would proceed to

consultation, stating instead 'that a comprehensive scheme will be advertised'

Arising from the foregoing the consensus remained that the conduct of the County Council had been high handed, lacked procedural rigour and was dismissive of the legitimate interests of the community. Consequently that the Town Council should continue to represent the interests of the Town. Consideration of how best to do so, consistent with option (ii) above, would appropriately fall to the closed part of the meeting in view of the legal and related implications of same.

ITEMS CIRCULATED FOR INFORMATION ONLY

235. SERVICE REPORTS

The Council received, for information, the reports of the General Manager, Pannier Market/Town Hall/Butchers' Hall and Works Department (Appendices 9 - 12).

i. General Manager's Report

Noted That it was reported that;

- the installation of new play equipment at the Bannawell Play Area would be deferred until February/March 2024 in view of seasonal ground conditions;
- following a query raised regarding recurrent flooding issues in the area, it was confirmed that the County Council had undertaken extensive works to the drain in recent times. The problems manifesting themselves at the current time appeared to be of an historic nature;
- responsibility for the trimming of overgrown vegetation on the footpaths around football pitches at Crowndale would, it was anticipated, fall to either West Devon Borough or Devon County Council.

ii. Pannier Market Report;

iii. Works Department Report;

iv. Town Hall & Butchers' Hall Report.

Noted That appreciation was conveyed to Town Council staff for the delivery of events and activities post pandemic.

236. FINANCE & OTHER MATTERS

The Council received, for information, the following:-

- a) Report of the Assistant to the Town Clerk (Appendix 13)

Noted That:

- By way of reminder attention was drawn to arrangements for the Member Workshop scheduled for 6.30pm on Tuesday 14th November, 2024 regarding strategic planning to be held in The Guildhall;
- In response to a question the Meeting was advised of the position regarding tenant/landlord obligations in relation to the heating/ventilation of the Museum;
- a meeting with NatWest Bank, as referenced in the Report, had taken place that day. It was reported that:
 - for a 12-week period the Bank was providing a one day per week service in the Library to support existing customers through the transition period following the closure of the Branch;
 - there appeared no appetite for entering into a discussion regarding a prospective banking hub;
 - some additional resources could be provided to businesses by the Bank's Customer Relationship Managers;
 - concerns continued regarding access to both banking services – leading to financial exclusion and associated problems, including for the vulnerable and digitally excluded, and also other means of access to cash (cash machines) – accessibility/reliability and location;
- In response to a question it was reported that the legal/technical position remained unclear regarding Energy Performance Certificates (EPCs) in relation to Listed Buildings. It was therefore anticipated that, in due course:-
 - an assessment of each of the Council's properties would need to be undertaken, on a unit by unit basis;
 - any works identified would need to be costed, and if the Listing allowed for the works to be undertaken, then a budget would need to be established.
- DALC Conference – Members were reminded of the upcoming Devon County Council Leaders briefings. It was understood all Members would be able to attend virtually, but only one Member from each Council would be permitted to speak. The Council's DALC Larger Councils' representative was now unable to attend the 'Devolution Deal' event on 9th November, it was hoped that the Reserve representative would be able to attend instead.

- a petition was being circulated at the Meeting which had been instigated by the MP for Torridge & West Devon, Sir Geoffrey Cox KC MP, in an effort to obtain additional funding for Devon County Council towards the costs of pothole repairs in Tavistock, and other areas in this Constituency. All Members were invited to subscribe.

b) Notes of the Meeting of the Goose Fair Consultative Group held on 21st September, 2023 (Appendix 14);

c) Notes of the Whitchurch Down Consultative Group held on 3rd October, 2023 (Appendix 15)

d) Devon County Councillor Report – Report from County Councillor Mrs D Sellis (Appendix 16);

e) West Devon Borough Councillor Report – Report from Borough Councillor P Squire (Appendix 17);

Noted That concern was expressed in connection with the redundant former Nurses' Home on Spring Hill, which was continuing to fall into disrepair whilst awaiting refurbishment.

f) No Councillor updates or feedback were brought forward.

237. URGENT MATTERS BROUGHT FORWARD AT THE DISCRETION OF THE TOWN MAYOR

The Mayor reported receipt of a petition in connection with Bus Services 86 and 89 and conveying concerns in connection with time-table changes initiated by Devon County Council. In the ensuing discussion reference was variously made to the failure of DCC to keep the Town Council informed of/engaged in decisions affecting services or the Town, together with:-

- should Council wish the matter considered further, and as it was not a tabled Agenda Item, it be referred to the relevant Committee (DM&L) for review in the normal way;
- the content of discussions on the topic held prior to the Meeting;
- should the Council decide to proceed with the matter - options available such as a public meeting or dedicated grouping (eg working group, sub-committee or other etc);
- prospective links to the emerging Neighbourhood Development Plan for the Town;
- the potential, if/as appropriate, to co-ordinate any arrangements with those for on-street charging for car parking.

EXCLUSION OF PRESS AND PUBLIC

238. PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

Pursuant to Section 1(2) of the Public Bodies Admission to Meetings Act 1960, and having regard to the confidential nature of the business to be transacted it was: -

RESOLVED THAT the Press and Public be excluded from the Meeting for the following items of business.

CONFIDENTIAL ITEMS REQUIRING A DECISION

239. BUDGET & POLICY COMMITTEE CONTINUED

(**CONFIDENTIAL** by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of person or persons other than the Council).

The Council received and considered Minute No's 215 – 216 of the Meeting of the Budget & Policy Committee (Appendix 4 refers) held on Tuesday 24th October, 2023.

RESOLVED THAT the recommendations included in the foregoing reports of the Committee be approved and adopted.

240. PROPERTY, LEGAL & FINANCE MATTERS

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i ON-STREET PARKING CHARGES

Pursuant to Minute No. 234 above, and the possible linking of issues, a discussion took place including regarding the other more formal, options available to the Council, including reference to potential legal avenues and costs.

Significant concerns were expressed regarding the content and tone of the letter from the DCC Portfolio Holder, together with the lack of respect shown by the County Council towards both Tavistock Town Council and the community which both Councils served.

Having regard to the exceptional circumstances, most especially the attitude and approach of the County Council and

its consequential failure to represent proper standards of probity and conduct, it was:

RESOLVED THAT authority be delegated to the Town Clerk, in consultation with the Mayor and Deputy Mayor and subject to legal advice:

- a) to initiate and conduct such actions or proceedings as appropriate to promote an appropriate approach from DCC to the evidence, methods and procedures and related matters for the proposed introduction of on-street charging for parking in the Town;
- b) to engage with other affected Communities to identify if collective action was considered an option;
- c) when scheme proposals were published, to convene a meeting for the public, to which the County Councillor and County Highways Officers be invited to attend to explain it's proposals.

Noted That updates would be brought to future Council Meetings, unless it were to become necessary to convene a Special Meeting beforehand.

ii. **DEBTORS' REPORT AND OTHER MATTERS**

The Council considered and noted a list (Appendix 18) of all those with debts to the Council dating from earlier than the last quarter day and received updates accordingly, together with updates on other tenancy matters including:

- o Designs for work commissioned by a Tenant to establish/identify the extent of any structural issues with a part of a demise and associated matters had been received, costings were now awaited;

iii. **TOWN HALL BAR STOCK AUDIT REPORT**

The Council considered and noted the Bar Stock Audit Report (Appendix 19)

CONFIDENTIAL ITEMS CIRCULATED FOR INFORMATION ONLY

241. PROPERTY, LEGAL & FINANCE MATTERS

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It was reported that correspondence had been received regarding the Council's policy regarding seating and other paraphernalia in the Pannier Market Surround and also tenancy matters (the latter of which could be addressed when rental payments were up to date).

Further updates would be provided as matters progressed.

The Press and Public were re-admitted to the Meeting.

The Meeting closed at 8.28pm.

Signed:

Dated:

CHAIRMAN