

## **MINUTES**

of the Meeting of the **BUDGET & POLICY COMMITTEE** held at the Council Chamber, Drake Road, Tavistock on **TUESDAY 3<sup>RD</sup> SEPTEMBER, 2019 at 6.50pm**

## **PRESENT**

Councillor A Hutton (Chairman)

Councillors Ms L Crawford, Mrs M Ewings, Mrs A Johnson, H Smith.

Councillors J Ellis, Mrs U Mann, G Parker (part meeting) (Ward Members)

## **IN ATTENDANCE**

Town Clerk, General Manager.

**NOTE** the Meeting was preceded by a presentation from, and discussion with, Mrs A James (Chief Executive University Hospitals Plymouth NHS Trust) and Ms Caroline Dawe (Care Group Manager for Medicine) in connection with the operation (and current temporary closure) of the Tavistock Hospital Minor Injuries Unit (MIU).

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### **139. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors P Ward and P Williamson.

### **140. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes (Appendix 1) of the meeting of the Budget & Policy Committee held on Wednesday 24<sup>th</sup> July, 2019 be confirmed as a correct record and signed by the Chairman.

### **141. DECLARATION OF INTEREST**

Councillor Mrs M Ewings declared a personal non-prejudicial interest in Minute No 155 by virtue of membership of another Public Body.

## **ITEMS FOR RECOMMENDATION TO COUNCIL**

### **142. FINANCIAL PLANNING AND RESILIENCE**

The Committee considered the Report (Appendix 2) of the Town Clerk in respect of the above.

In the ensuing discussion particular reference was made to:-

- i. The importance attached, if the Council were to adopt this approach, to ensuring a rigorous and evidence led basis to the linking of organisational priorities and funding arrangements to

avoid devaluing the process through ad hoc/incremental additions. Failure to do so would be an unnecessary drain on capacity and counter-productive;

- ii. Challenges in respect of organisational capacity;
- iii. The benefits (including improved assurance, control and co-ordination) which might accrue from bringing together the financial risks, opportunities and priorities facing the Council - thereby aligning current and future budgets, strategic and service plans;
- iv. Acknowledgement that any first iteration would necessarily be to some degree a "work in progress" which could be developed and refined going forward.

RECOMMENDED THAT:-

- a. A Medium Term Financial Strategy (MTFS) be developed alongside and for consideration with, the 2020/21 Tavistock Town Council Budget and informed by the Council's Strategic Plans;

to facilitate same

- b. No new significant spend be incurred/committed on projects not already agreed and funded within the budget or service planning process prior to completion of the draft MTFS and adoption of the 2020/21 Budget in December/January.

#### **143. COUNCIL TAX SUPPORT GRANT – PROPOSED WITHDRAWAL**

The Committee considered the Report (Appendix 3) of the Town Clerk in connection with the above which set out the arrangements for the proposed withdrawal of the Council Tax Support Grant.

In the ensuing discussion particular reference was made to:-

- i. The financial impact of the proposal upon the Council, including the cumulative impact when looking at other draws on funding arising from decisions of the Borough Council (ie public conveniences);
- ii. The background to, and operation of, the Council Tax Support Grant Scheme;
- iii. The importance of being clear in communications with rate payers as to the reasons why the Precept might need to increase in future;
- iv. The extent to which costs could be absorbed or, in the alternative, necessitated tax increases in the current financial climate (noting the Council had overspent on the previous year's budget by in the order of £26,000).

RECOMMENDED THAT the Council:-

- a. Express it's concern and disappointment to West Devon Borough Council at the adverse impact of the proposed withdrawal of the

Council Tax Support Grant on Public Services within the Borough, and Tavistock in particular, and associated increased costs to the Taxpayer;

- b. In the event that the withdrawal does occur continue the existing policy regarding the replacement of lost Council Tax Support Grant.

Noted That

- i) in connection with recommendation (b) above same was without prejudice to the option for the Council to review the position when setting the Budget later in the year;
- ii) Councillor Mrs M Ewings declared a personal non-prejudicial interest in the above item by virtue of membership of another Public Body.

**144. SCHEDULE OF PAYMENTS**

The Committee considered options available to the Council associated with the existing practice of circulating Payment Schedule information with the Council Agenda. In the ensuing discussion reference was made to a range of options, arising from which it was:-

RECOMMENDED THAT the Council Agenda continue to have an item relating to the "Schedule of Payments" and listing those payments arising in the prior accounting period, the Schedule itself to be posted on the Council Website for inspection, rather than circulated with the Agenda.

**145 CAPITAL PROGRAMME**

The Committee received and noted a spreadsheet (Appendix 4) outlining the Capital Programme of the Council. Attention was drawn, in particular, to the current allocated budget in connection with the Guildhall Car Park Public Realm – IRO £225,000 and contingencies which had provisionally been made by officers in respect of Public Realm/Market Road resurfacing and Guildhall/Bedford Car Park Toilets.

**146 SUSTAINABILITY AND THE ENVIRONMENT**

The Committee considered the Report (Appendix 5) of the Town Clerk in connection with the above.

In the ensuing discussion reference was made to a wide range of issues including, inter alia:-

- i. Work being undertaken by a partnership led by Devon County Council, the timetable for reporting (early 2020) and the importance attached to locally not running ahead of that high level county/regional activity in order to provide a consistent and co-ordinated approach;

- ii. The extent to which the Council was already showing leadership in connection with sustainability, the environment and climate change both through ongoing work and specific projects (such as the partnership with Tavistock Energy Community to provide insulation/energy efficiency support to owners of the Town's historic Bedford Cottages);
- iii. A general consensus that, following review of the information included in the report, the Council could, should it be so minded, appropriately declare a Climate Emergency, or similar, on the basis outlined therein;
- iv. An emerging related workstream at West Devon Borough Council;
- v. Prospective costs and benefits associated with anticipated future obligations in this arena;
- vi. The importance attached to, and benefits associated with, an evidence led and plan based approach as demonstrated in the report, to this work stream;
- vii. Appreciation of and for the extent to which an awareness of sustainability and environmental issues was already embedded within the operating culture of the Council.

RECOMMENDED THAT in accordance with the requirements of Minute Number 94 a Sustainability and Environment Working Group, reporting via the Budget and Policy Committee, be established, comprising up to four Members drawn from across the Membership of the Council (plus Chairman and Vice Chairman of the Budget & Policy Committee, ex officio voting) tasked, on the sequential basis set out in the Report, with:-

- a. Undertaking a review to identify and evaluate the best practice as regards the potential for Town/Parish Councils to promote sustainable and environmental initiatives including with regard to climate change;
- b. On completion of (a) above
  - i. To review and assess those projects put forward through voting at the Policy Workshop;
  - ii. Together with any others which had been identified;
- c. Then developing a draft Sustainability and Environment Action Plan for consideration and subsequent assessment against funding via the Strategic Plan and Medium Term Financial Strategy;
- d. Identifying and supporting the Member(s) who will lead researching and developing proposals in this area and also providing the nominee(s) from which the Town Council representation at WDBC Climate Change meetings would be drawn (if invited).

Following a further period of discussion, which welcomed the information provided enabling a more fully informed decision to be made (as sought by Council), it was furthermore:-

RECOMMENDED THAT the Council declare a Climate Emergency on the basis set out in the Report.

Noted That Councillor G Parker left the Meeting at 7.35pm

**147. WEST DEVON POLLING DISTRICT AND POLLING PLACES REVIEW 2019**

The Committee considered and thereafter noted the above Review.

**URGENT ITEMS**

In the interest of expediting the Business of the Committee the Chairman agreed to take the following two items as matters of urgency.

**148. REQUESTS FOR THE GRANT OF A BENEFIT IN CONNECTION WITH LAND**

In response to a question from a Member the Committee was advised of the arrangements in hand for the administration of requests for the grant of a benefit in connection with land from the Council which was as set out below.

Namely, the Council administers a wide range of interests in land which may variously be administered by Council itself or its officers acting under delegated authority. From time to time it receives requests for a benefit such as variations to leases, surrenders, easements, wayleaves etc.

In responding to these it is obliged to balance, inter alia, its obligations to secure best value (to protect the interests of the ratepayer) with acting in a fair and reasonable manner (as a public authority). To discharge these obligations, and alongside any other applicable policies, the Council will at the least:

- a) Engage the services of appropriately qualified professionals (typically Surveyor and/or Solicitor) to advise on
  - o what course of action is appropriate and whether this represents good practice when dealing with matters of each particular type;
  - o the prospective value and (where appropriate) risks and costs associated with the request.
- b) Where it chooses to accede to a request it will determine the matter taking into account the advice received and all other appropriate considerations and exceptional circumstances . In the latter case a record shall be kept of the reason for the decision (for example a new

benefit in kind to a community organisation) and such a decision shall only be agreed by Council unless specifically delegated to an officer.

- c) Seek to secure a fair market value by way of premium (or other benefits of equivalent value) and, wherever appropriate, recover Council costs reasonably incurred from those applying for the benefit.

**149. REVIEW – MARKET ROAD**

The General Manager advised the Committee, for information, that pursuant to the review of the operation and usage of Market Road (as agreed by Council through the Community Services Service Plan) preliminary works were being commissioned to understand design and configuration options in a sum not exceeding £5,000.

**EXCLUSION OF PRESS AND PUBLIC**

**150. 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.

**URGENT ITEMS (CONFIDENTIAL)**

In the interests of expediting the Business of the Committee the Chairman agreed to take the following three confidential items as matters of urgency.

**151. LAND OWNERSHIP/MAINTENANCE RESPONSIBILITIES**

(**CONFIDENTIAL** by virtue of relating to legal matters)

The Committee noted that enquiries were ongoing to establish the extent to which the Council did/did not have a liability in respect of a structure abutting land in it's ownership.

**152. TAVISTOCK TENNIS CLUB – REQUEST FOR CONSENT/LICENCE TO ALTER**

(**CONFIDENTIAL** by virtue of relating to tenancy matters and the financial affairs of an Organisation other than the Council)

The Committee was advised of a request received from a Tenant for the erection of a practice/rebound wall (approximately 5 metres long and to a height equivalent of that of the current chain link fence) in Court 3.

Construction would be of 3 galvanised posts supporting a timber treated framework clad with a treated timber hitting face. The design and siting was such as to continue to enable competitive matches (Plymouth & District League) to be conducted.

In the ensuing discussion reference was made to a range of matters including, but not limited to:-

- Potential availability of funding streams;
- The extent to which the proposal might have a visual impact within the Conservation Area;
- The potential that hours of usage might be limited (for example to 9pm) to noise avoid impacting on residents in the area;
- That prior to determining this matter at it's Meeting on 10<sup>th</sup> September, it would be helpful for the Council to receive a photograph or manufacturers details showing the design and appearance of the proposed structure;
- Conditions which could appropriately attach (should the application be favourably viewed).

Noted That Councillor A Hutton declared a personal non-prejudicial interest by virtue of membership of the organisation concerned.

**153. TENANCY MATTER – COMMUNITY ORGANISATION**

(**CONFIDENTIAL** by virtue of relating to tenancy matters and the financial and other affairs of an Organisation other than the Council)  
The Committee was advised, for information only at this time, of issues arising in connection with alleged breaches by a Tenant of the Terms of their Lease and action has been taken in connection same.

**154. TOWN HALL AND MARKETS TEAM - STAFFING**

(**CONFIDENTIAL** by virtue of relating to personnel matters)  
The Committee was advised that arising from the related staff consultation no adverse responses had been received from employees or staff side representatives, accordingly the decision of the Council previously would now be progressed.

**155. PUBLIC CONVENIENCES SUB-COMMITTEE**

(**CONFIDENTIAL** by virtue of relating to contractual, financial and/or legal matters)  
The Committee considered and noted the Minutes (Appendix 6) of the Meeting of the Public Conveniences Sub-Committee held on Tuesday 20<sup>th</sup> August, 2019.

In the ensuing discussion reference was made to a range of issues including:-

- i. The importance attached to information which had been requested from the Borough Council to appropriately inform decision making;
- ii. Alleged anomalies in the operation of cleaning contract arrangements;
- iii. Ongoing negotiations it was understood the Borough Council were having in relation to toilets at the Bus Station;
- iv. The expectation that, once the information requested had been received from the Borough Council, an early meeting of the Sub-Committee would be held to review same and make recommendations going forward.

**156. GUILDHALL CAR PARK (THI PUBLIC REALM)**

(**CONFIDENTIAL** by virtue of relating to matters of a confidential, financial and contractual nature)

The Committee considered the Report (Appendix 7) of the Town Clerk and General Manager in connection with the above and an indicative (“preferred option”) scheme upon which it was proposed the Council might Tender.

In view of the disparity between pre-tender estimates for the Scheme and the allocated budget three elements (which had been added and were broadly considered desirable but not essential) were capable of being disaggregated and the Tender would be formatted accordingly. That would enable the Council, when tenders were received, to determine how it wished to proceed consistent with the Public Realm Strategy which had previously been consulted upon.

Attention was drawn, in particular, to the criticality of the deadline associated with the Project which had been subject to an extension by the National Lottery Heritage Fund in order to align it with work to the Guildhall Gateway Centre. Reference was furthermore made to a range of issues including the outcome of consultations, associated works, access, procurement, usage and the condition of the statue of the Duke of Bedford.

RECOMMENDED THAT the Council approve and endorse the appended proposals and seek Tenders accordingly on the basis set out in the Report.

**157. TENANCY MATTER**

(**CONFIDENTIAL** by virtue of relating to matters of a contractual nature and the financial affairs of an Organisation other than the Council)

The Committee considered the Report (Appendix 8) of the Town Clerk in connection with the above regarding a request from a Tenant to surrender their Lease.

In the ensuing discussion the importance attached to continuation of the community usage component of the Lease, which was both a longstanding objective of the organisation concerned and the Council, was stressed.

Having reviewed the request and in the special circumstances applying it was

RECOMMENDED THAT:- subject to legal advice and:

- a. Strictly subject to (b-c) below the Council agree to the early surrender of the Lease subject to the Tenant
  - i. Committing to making good at its own expense the internal structure of the premises to the satisfaction of the Council (such that Unit 2 may be separately let) and
  - ii. Meeting the reasonable Legal and Surveyor costs of the Council for surrender; and
- b. The Tenant entering into a new Lease on comparable terms for Unit 1, the continuation of the current community usage, and meeting the reasonable Legal and Surveyor costs of the Council for the new Lease; and

- c. In view of the Community benefit associated with the remaining community use (unit 1) the rent be set at 50% of the assessed commercial value.

**158. GUILDHALL GATEWAY CENTRE**

(**CONFIDENTIAL** by virtue of relating to matters of a Confidential, Financial and Contractual nature)

The Committee received an update from the General Manager which, inter alia, outlined progress with regard to value engineering, the views of NLHF and related matters.

The Meeting closed at 9.03pm.

Signed.....

Dated.....

CHAIRMAN