

## **AGENDA ITEM No. 3a**

**MINUTES** of the Meeting of the **TAVISTOCK TOWN COUNCIL** held on **TUESDAY 19<sup>th</sup> SEPTEMBER, 2023 at 6.45pm** 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 Hipsev, J Irvine, Mrs A Johnson, A Lewis, U Mann, N Martin, 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:

- Town Councillors to informally receive the recent proposal put forward by Devon County Council, on a confidential basis, for the introduction of charges for on-street parking in Tavistock;
- Town Councillors to provide feedback to representatives of Devon Communities Together regarding a 'Housing Stories' Project;
- a few moments of Quiet Reflection led by the Father Cyracius Uzochukwu of Our Lady of the Assumption and St Mary Magdalene Roman Catholic Church, Tavistock.

### **COMMENCEMENT OF MEETING**

#### **169. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Mrs B Moody and J Moody.

#### **170. DECLARATIONS OF INTEREST**

The following Declarations of Interest were made;

- i. Councillors A Hutton (Mayor), T Munro and B Smith in respect of the request for Grant Funding from The Lions Club of Tavistock, by virtue of being members of the organisation;
- ii. Councillor Mrs A Johnson, also for the item above, by virtue of family association with the applicant body;
- iii. Councillor J Irvine, for the same item, by virtue of being a member of an organisation which was supported by the applicant body.

Noted That in response to a question, arrangements applicable for dispensation requests were outlined.

### **171. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Special Meeting of Tavistock Town Council held on Tuesday 29<sup>th</sup> August, 2023 be confirmed as a correct record and signed by the Chairman (Appendix 1).

### **172. PUBLIC REPRESENTATIONS & QUESTIONS**

The following written questions had been received:-

- a) Mr P Peers of Buzzard Road – (note - additional detail had been circulated under separate cover) that:-

*'It is submitted by myself that this Town Council should debate and declare that Tavistock is subject to a "Housing Crisis". Will it do so, and either adopt the recommendations herein or an alternative set of recommendations?'*

In the absence of the questioner the question was reported, together with a draft full response.

RESOLVED THAT the Council agree and send the response as reported.

- b) Ms J Sanders of Tavistock Business Improvement District, that:

*'Does Tavistock Town Council continue to agree with the BID Co that the introduction of charging for on-street parking proposed by the County Council would negatively impact the vitality of our local economy, the viability of town centre businesses, and that it would make life even more difficult for local residents and visitors struggling with the cost-of-living crisis?'*

In the absence of the questioner the BID Co was represented by Mr J Taylor, Director Tavistock BID Co Ltd.

In response it was reported that the Council had previously worked with, and concurred with the views of the BID Company, Chamber of Commerce and Borough Council in objecting to the emerging proposals for a wide range of reasons that had been extensively reported. A Meeting had taken place recently which had provided more information and the matter would be discussed in more detail, later in the Meeting (Minute No. 176 below refers).

Noted That the Council was thanked for its support of the BID's opposition to the proposal to install parking meters in Tavistock.

## **ITEMS REQUIRING A DECISION**

### **173. GENERAL FINANCE**

The Council considered the following:-

i) Schedule of Payments

The Council received and considered copies of the monthly accounts as at 31<sup>st</sup> July and 31<sup>st</sup> August, 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 31<sup>st</sup> August, 2023.

### **174. BUDGET & POLICY COMMITTEE**

The Council considered the Minutes of the Meeting of the Budget & Policy Committee (Appendix 4) held on Tuesday 5<sup>th</sup> September, 2023 the recommendations being reported by rote.

RESOLVED THAT subject to the consideration of Minute No's 167 - 168 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 157 - 166) be approved and adopted.

Noted That

a) the Mayor left the Meeting during consideration of Minute No. 163, having previously Declared an Interest in the matter (Minute No. 170 (i) above refers). The Deputy Mayor took the Chair during consideration of this item.

b) Councillors Mrs A Johnson, Ms J Irvine, T Munro and B Smith remained in the Meeting but took no part in the discussion or voting on the ((a) above refers) item.

### **175. DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE (DM&L)**

The Council considered the following: -

- i) Development Management & Licensing Committee - Minutes of the Meeting held on Tuesday 15<sup>th</sup> August, 2023 (Appendix 5) (Minute No's 132 - 141 inclusive) the recommendations being reported by rote;
- ii) Development Management & Licensing Committee - Minutes of the Meeting held on Monday 4<sup>th</sup> September, 2023 (Appendix 6) (Minute No's 147 - 156 inclusive) the recommendations being reported by rote.

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

Noted That it was reported that Officers from Locality would be visiting Tavistock on 26<sup>th</sup> September 2023 to visit/view relevant parts of the Town. Members who were aware of sites of interest were invited to contact Councillor Mann (as Chairman of the Neighbourhood Development Plan Steering Group), should they have any particular housing matters they would like brought to the attention of said Officers.

## **176. ON-STREET PARKING**

A meeting had been held the previous week with Officers from Devon County Council, representatives of the Town and Borough Councils, Tavistock BID Company and the Chamber of Commerce, to receive a briefing on the County Council's proposal to introduce charging for on-street parking in Tavistock.

In view of the secrecy restrictions imposed by the County Council preventing public distribution/discussion of prospective configurations, a pre-meeting open to all Councillors had been held immediately prior to the Council Meeting to afford opportunity to fully understand the proposals. Council was reminded that, to accord with those restrictions of DCC, no reference should be made in the Council Meeting to the details of the configurations beyond broad descriptions.

During the ensuing deliberations reference was made in particular to the three potential proposals which DCC had worked up for the Town. In summary they included, by way of broad description:-

- a 'main' proposal which covered most of the town centre; or

- an 'intermediate' proposal, but which still covered much of the centre of the town;
- a 'restricted' proposal which affected one street in the town.

Having considered the foregoing in some detail, including previously under the restrictions of confidentiality imposed by the County Council, it was the consensus of the Meeting that none of the options were either acceptable or appropriate for the Town, especially the full and intermediate (DCC officers having indicated it was their intention to progress the latter to advertisement/Order) schemes.

Reference was further made to:

- Surprise and grave concern regarding the failure of Devon County Council to gather any evidence to support or justify proceeding to consultation and Order, and its statement that furthermore it had no intention of doing so on the basis that 'an officer's judgement', without evidence, was sufficient to meet any statutory tests.
- The disregard shown by the above approach for objective evidence as an appropriate and necessary prerequisite for the County Council to meet the relevant requirements of s45 Road Traffic Regulation Act 1984, or for reasonable and proportionate decision making by a public authority more generally.
- In addition to the foregoing, the Town Council's prior and continuing grounds for objection which, together with lack of evidence were reiterated. They included but were not limited to the proposal: -
  - being ill-conceived during a cost of living crisis, especially for a town with a substantial and sparsely populated rural hinterland which was unavoidably largely dependent on private transport to access services.
  - failing to acknowledge the unique street scene of the UNESCO World Heritage Site (the only WHS Town in Devon), and the Tavistock Conservation Area.
  - failing to recognise or respect the views of the business community, which was potentially most affected.

- being contrary to the tests set by legislation insofar as it:
  - would not benefit businesses or the local economy as these were already well served by existing vehicle turnover;
  - would not encourage the use of off-street parking given that visitor off street parking was frequently at capacity in the main car parks and DCC enforcement appeared to take place only once per week;
  - would encourage the undesirable displacement of vehicles into residential parts of the Town, where there were already major daytime parking problems;
  - would not enable enforcement to be undertaken more efficiently – not least as West Devon Borough Council had previously offered this service to DCC and the offer remained open, and DCC’s arrangements appeared weak;
  - would not make a material difference to sustainable travel choices in the absence of improved public transport provision. Most especially given the size and low population density and sparsity of the rural hinterland, complicated by the proximity to the borders of a County and City that managed their own public transport systems. Local public transport was therefore in the medium term, unlikely to materially improve to the point where sustainable travel choices were economically viable for many.
  
- That an extensive survey to gather and analyse evidence had been undertaken by the BID Co which demonstrably supported the assessments made regarding the tests as set out above. By contrast DCC had chosen to gather no evidence to support its case (or if evidence had been gathered, it had not been disclosed). DCC’s decision to disregard available evidence, gathered on a proper basis by another statutory organisation representing business interests, but to gather none itself was perverse. Furthermore, the BID’s survey also identified extensive

adverse traffic/business, economic and financial impacts on the Town should the proposals proceed in their current form and circumstances.

- the 'retail vacancy' figures which the County Council had produced represented a wholly inadequate 'proxy' for turnover/enforcement/ business benefit, and which were in any event demonstrably out of date, flawed and selective to the point of being misleading.
- Devon County Council's approach on this matter, to proceed to consultation and Order without objective evidence or procedural justification, was undemocratic and arrogant, demonstrating a disregard for the interests of the communities it served and the principles of probity and governance which public authorities were reasonably and rightly expected to uphold. As such it represented the high-handed introduction of a de facto Council Tax increase by DCC on the Town.

Having regard to the unprecedented strength and depth of concerns expressed, in particular regarding apparently flawed governance and process, the potential for collaborative working with Councils representing other affected communities who might share those concerns was discussed.

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

- a) respond, in the strongest terms, detailing the Town Council's opposition to the proposals for Tavistock;
- b) liaise with those other affected Towns/parishes in the County to establish potential to adopt a collaborative approach regarding failure of the County Council to follow appropriate, compliant and evidence led arrangements in developing and implementing its proposals for the introduction of charges for on-street parking in Devon.

Noted That implementation of any such scheme by DCC, if progressed, was expected by it to occur in either the last quarter of this financial year, or the first quarter of the 2024 – 2025 financial year. Consequently, and

after allowing for a necessary consultation period prior to implementation, timescales for making representations were short.

### **177. CO-OPTION – TAVISTOCK SOUTH EAST WARD**

It was reported that the applicant for co-option (Ms Sarah Cohen), had withdrawn her application, so no longer wished to stand for co-option to Tavistock Town Council. Therefore the 2 Councillor vacancies (for the South East and North Wards respectively) remained.

RESOLVED THAT the vacancies continue to be advertised on the Councils website, and then publicised more widely in the New Year with a view to consideration of prospective candidates at/by Council its March Meeting.

### **ITEMS CIRCULATED FOR INFORMATION ONLY**

#### **178. SERVICE REPORTS**

The Council received, for information, the reports of the General Manager, Pannier Market/Town Hall/Butchers' Hall and Works Department (Appendices 7 - 10).

- i. General Manager's Report  
Noted That: it was reported that
  - a scheme to enhance the lighting to the front of the Town Hall was currently being considered;
  - the Project Team were commended on bringing the Market Road Retaining Wall works in on time, and within revised budget.
- ii. Pannier Market Report  
Noted That staff were commended on the Summer 'Super Hero' initiative to bring additional visitors to the Pannier Market, and for the partnership with Dartmoor Zoo which had kindly provided entry tickets as prizes.
- iii. Works Department Report;
- iv. Town Hall & Butchers' Hall Report.

#### **179. FINANCE & OTHER MATTERS**

The Council received, for information, the following:-

a) Report of the Assistant to the Town Clerk (Appendix 11)

Noted That:

- Members were encouraged to respond to the invitations received to various events, by the deadlines given;
- the potential re-scheduling of the Council Meeting from 30<sup>th</sup> January to 6<sup>th</sup> February 2024 would not take place if the Budget was agreed



at the Council Meeting on 19<sup>th</sup> December, 2023. If, however, Budget setting were delayed to the New Year then the scheduled January Meeting would be postponed 6<sup>th</sup> February;

- the 2023 Pay Settlement had not yet been agreed nationally.

b) Notes of the Meeting of the Goose Fair Consultative Group held on 3<sup>rd</sup> August, 2023 (Appendix 12);

c) Devon County Councillor Report – Report from County Councillor Mrs D Sellis (Appendix 13).

Noted That: County Councillor Sellis had tendered her apologies for the Meeting.

d) No Councillor updates or feedback were brought forward.

#### **EXCLUSION OF PRESS AND PUBLIC**

#### **180. 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**

#### **181. 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 167 – 168 of the Meeting of the Budget & Policy Committee (Appendix 4 refers) held on Tuesday 5<sup>th</sup> September, 2023, the recommendations being reported by rote.

RESOLVED THAT subject to the addition to Minute No 167 as indicated below, the recommendations included in the foregoing reports of the Committee be approved and adopted.

*Minute No. 167 the addition of the wording 'That in view of the timescales involved, authority be granted to the Town Clerk in*

*consultation with the designated Members - Mayor, Deputy Mayor and Councillor Mrs A Johnson, to agree any variations to the Licence to Occupy and/or consequential arrangements of a non-substantial nature'.*

## **182. PROPERTY, LEGAL & FINANCE MATTERS**

(**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).

### **i DEBTORS' REPORT AND OTHER MATTERS**

The Council considered and noted a list (Appendix 14) 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:

- Work commissioned by a Tenant to establish/identify the extent of any structural issues with a part of a demise and associated matters;
- A review being undertaken in connection with the rental levels for agricultural land in the ownership of the Council.

## **CONFIDENTIAL ITEMS CIRCULATED FOR INFORMATION ONLY**

## **183. PROPERTY, LEGAL & FINANCE MATTERS**

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### **i. GUILDHALL GATEWAY CENTRE ADVISORY FORUM**

The Notes of the Meeting held on Thursday 7<sup>th</sup> September, 2023 were received and noted (Appendix 15).

### **ii. LANDLORD TENANT MATTERS**

No updates were brought forward.

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

The Meeting closed at 7.59 pm.

Signed:

Dated:

CHAIRMAN