

AGENDA ITEM No 3 (a)

MINUTES

of the Meeting of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **TUESDAY 23rd October 2018 at 6.49pm.**

PRESENT

Councillor Paul Ward (Mayor)

Councillor Mrs A Johnson (Deputy Mayor)

Councillors A Fey, A Hutton, A Lewis, Mrs U Mann, P Palfrey, E Sanders, P Sanders, J Sheldon, P Squire, A Venning, Mrs J Whitcomb and P Williamson.

IN ATTENDANCE

Town Clerk, Solicitor to the Council, General Manager, Assistant to the Town Clerk.

Noted That prior to the Meeting, there was an opportunity for quiet reflection lead by Reverend R Weston of Tavistock United Reform Church. An update was also received from County Councillor Mrs D Sellis.

169. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Ms L Crawford and Mrs M Ewings.

170. DECLARATIONS OF INTEREST

There were no declarations of interest made at this point in the Meeting.

171. CONFIRMATION OF MINUTES

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on Tuesday 18th September, 2018 be confirmed as a correct record and signed by the Chairman (Appendix 1)

EXCLUSION OF PRESS AND PUBLIC

172. 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

173. PROPERTY AND LEGAL MATTERS

(CONFIDENTIAL by virtue of relating to Legal and/or Commercial matters and/or the Financial or Business affairs of a person or persons other than the Council).

The Council considered a presentation from, and asked questions of, the Council's Solicitor with regard to the following confidential matters:-

a) The Corn Market

The Solicitor to the Council provided a detailed oral update on the situation to date and associated issues and options.

Arising therefrom it was:-

RESOLVED THAT pursuant to Minute Number 127 A(a) Tavistock Town Council further authorise proceedings to determine the outstanding reviews subject to legal advice.

b) Barley Market Street

The Solicitor to the Council provided a general overview of the situation to date. However, it was noted that it would be inappropriate to provide more detail on the matter with a member of the other party remaining in the room given the potential prejudicial affect upon the rights of the parties, a conflict of interest and legal privilege.

Council being thereby incapacitated from seeking information in sufficient detail so as to be able to make an informed decision it was:

RESOLVED THAT authority be delegated to the Budget & Policy Committee to determine how to proceed in this matter, subject to legal advice.

Noted That Councillor P Sanders declared a personal and prejudicial interest in the above matter by virtue of his

membership of West Devon Borough Council and left the room during consideration thereof.

c) Mediation

The Solicitor to the Council provided an update on the outcome of the recent mediation that had taken place in connection with a Restriction on the Land Register arising from which an amended entry upon the Register had been agreed, together with a Deed of Modification, to the satisfaction of both parties.

In the discussion arising Members noted with disappointment that it had not been possible to resolve this matter upon an informal and amicable basis without recourse to the time and expense of proceedings.

d) St Eustachius Churchyard

The Council was advised of the background to, and issues associated with, the above. In particular it welcomed agreement between the Town Council and representatives of the Church that the Council would continue to voluntarily assist with grass cutting and trimming/ pruning of trees from ground level to assist the Church on a goodwill basis if the Diocese so wished, but without accepting any liability for maintenance.

Noted That

- i. Councillor P Sanders declared a personal non prejudicial interest in the above matter by virtue of family association;
- ii. Councillor Mrs A Johnson declared a personal and non prejudicial interest in the above matter by virtue of membership of the Parish Church.

e) Tennis Club

The Council Solicitor outlined progress and completion in connection with the Tennis Club lease. More generally the challenges and costs associated in cases such as this (and the Guildhall) were noted with bodies which were not themselves represented by legal advisors during much or all of the process seeking to enter into legal agreements with the Council with consequential impacts upon Council resource.

The Press and Public were readmitted to the Meeting

ITEMS REQUIRING A DECISION

174. GENERAL FINANCE

The Council considered the following:

a) Schedule of Payments

The Council received and considered, copies of the monthly accounts as at 31st August, 2018 (Appendix 2);

b) Budget Monitoring Report

The Council received and considered a copy of the Budget Monitoring Report as at 31st August, 2018 (Appendix 3);

c) Internal Audit Report

The Council received and considered a copy of Report of the Internal Auditor as at Financial Year End (Appendix 4).

Noted That the Auditor would be attending to provide training to Councillors in connection with the General Data Protection Regulation prior to it's next Meeting on 11th December, 2018.

175. BUDGET & POLICY COMMITTEE

The Council considered Minute numbers 151-158 of the Meeting of the Budget & Policy Committee (Appendix 5) held on Tuesday 16th October, 2018, the recommendations being reported by rote.

RESOLVED THAT subject to an amendment to the following recommendation:

Minute Number 156 – that more detailed consideration of this matter be referred to the Standing Orders Revision Working Party for consideration.

the recommendations included in the foregoing report of the Committee be approved and the Minutes be received.

Noted That in connection with Minute Number 156 a discussion took place regarding the potential merits and drawbacks associated with the prospective filming of pre-Council meeting activities and/or the inclusion of same within Council business.

On another subject it was reported a matter had been raised regarding value for money in connection with the West Devon Borough Council Dog Warden Service which would be brought before the Budget & Policy Committee at its next Meeting.

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

The Council considered the following:

- a) **Development Management & Licensing Committee Meeting held on 2nd October, 2018** (Appendix 6) – Minutes of the Meeting of the Development Management & Licensing Committee held on 2nd October, 2018 (Minute Numbers 142 – 150 inclusive) the recommendations being reported by rote.

- b) **Development Management & Licensing Committee Meeting held on 22nd October, 2018** (Appendix 7) – Minutes of the Meeting of the Development Management & Licensing Committee held on 22nd October, 2018 (Minute numbers 160 – 168 inclusive) the recommendations being reported by rote.

RESOLVED THAT the recommendations included in the forgoing reports be approved, and the Minutes be received.

ITEMS CIRCULATED FOR INFORMATION ONLY

The following items had been circulated for information only.

177. SERVICE REPORTS

The Council received and noted the reports of the General Manager, Works Department, Town Hall and Pannier Market (Appendices 8 – 11 refer).

Noted That in the discussion arising congratulations were extended to staff involved in the organisation and delivery of the Goose Fair 2018, and best wishes extended to staff leaving the Council to take on new opportunities elsewhere.

178. FINANCE & OTHER MATTERS

The Council received, for information the following:-

- a) Report of the Assistant to the Town Clerk (Appendix 12)

Noted That in response to an enquiry it was reported that discussions were ongoing with the Chamber of Commerce and BID Company regarding a joint newsletter. Notwithstanding the

uncertainty there would be a publication in the early part of 2019;

- b) Southern Links – Notes of the Meeting (Appendix 13) held on Thursday 27th September, 2018;
- c) Guildhall Gateway Centre – the Council received an oral update and was advised that the next meeting of the Steering Group was scheduled to be held in November;
- d) Goose Fair Operational Meeting – Notes of the Meeting (Appendix 14) held on 26th September, 2018;
- e) Tavistock BID Company – Minutes of the Meeting (Appendix 15) held on 19th September, 2018.

Noted That arising from consideration of the above a Member made reference to recent changes within the BID Company, matters arising around co-delivery activities with the Town Council, and associated matters.

- f) Town Hall and Markets Consultative Group – Notes of the Meeting (Appendix 16) held on 25th September, 2018.

REPORTS OR COMMUNICATIONS FROM THE TOWN MAYOR

179. PROJECT COMMUNITY FUND

The Mayor drew the attention of the Council to correspondence which had been received seeking the Council's assistance in the promotion of a small Community grant pot, arising from which it was agreed to seek more information from the prospective Donor and place a copy of the correspondence on the Council website.

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 a person or persons other than the Council).

The Council considered Minute Number 159 of the Meeting of the Budget & Policy Committee (Appendix 17) held on Tuesday 16th October, 2018, the recommendation being reported by rote.

RESOLVED THAT subject to the addition of the following words to the recommendation included in Minute number 159 (d) –
"contingent on acceptance of the offer of three months additional engagement"

the recommendations included in the foregoing report of the Committee be approved and the Minute be received.

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 a person or persons other than the Council).

i. **DEBTORS**

The Council considered and noted a list of all those with debt's to the Council dating from earlier than the last quarter day (Appendix 18).

Noted That concern was expressed in particular regarding recurrent issues associated with Debtor (c).

The Press & Public were readmitted to the Meeting

183. COUNCIL SEAL

RESOLVED THAT the Council's Seal be affixed to the various Deeds and Documents to be made or entered into for the carrying into effect of those decisions or matters approved by the Council this day.

The Meeting closed at 8.45pm.

Signed.....

Dated.....

CHAIRMAN