

**AGENDA ITEM No 3(a)**

**MINUTES** of the Meeting of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **TUESDAY** the **4<sup>th</sup>** **December, 2012** at **7.15pm**

**PRESENT** Councillor Mrs A Johnson (Mayor)

Councillor H Smith (Deputy Mayor)

Councillors Mrs S Bailey, R Eberlie, Mrs J Metcalf, D Rose, Mrs L Rose, E Sanders, P Sanders, J Sellis, J Sheldon, E Sherrell, D Whitcomb, Mrs J Whitcomb

**IN ATTENDANCE** Town Clerk, Works Superintendent, Assistant to the Town Clerk

Note – Prior to the meeting presentations were made to Members from Mrs M Luscombe (Strategic Planning Officer West Devon & South Hams Councils) and Mr M Hickie and Mrs S Spackman of the Devon Historic Buildings Trust regarding the Retail Survey for Tavistock and proposals for the development of the Guildhall respectively.

In addition there was an opportunity for quiet reflection led by Father J Greatbatch of Our Lady and St Mary Magdalen Roman Catholic Church, and to receive a report from County Councillor Mrs D Sellis. The Police had tendered their apology and a summary of their views was reported.

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**289. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Mrs M Ewings, A Tossell and B Trew.

**290. DECLARATIONS OF INTEREST**

Councillor P Sanders advised that, subject to the nature of the subject matter, he might be obliged to declare an interest in the item relating to traffic management in Tavistock in his capacity as Chairman of a related County Council Sub-Committee.

**291. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on Tuesday 23<sup>rd</sup> October, 2012 be confirmed as a correct record and signed by the Chairman.

Noted That the Council was updated regarding progress relating to working in partnership with West Devon Borough Council and the Environment Agency toward the development of a Tavistock Flood Plan.

**292. COMMITTEES**

The Council considered the following reports of Standing Committees:-

a) Plans Committee – 30<sup>th</sup> October, 2012

The Minutes of the Meeting of the Plans Committee held on Tuesday 30<sup>th</sup> October, 2012 (Minute Nos. 236-244 inclusive)

b) Plans Committee – 20<sup>th</sup> November, 2012

The Minutes of the Meeting of the Plans Committee held on Tuesday 20<sup>th</sup> November, 2012 (Minute Nos. 258-266 inclusive)

c) Properties Committee – 27<sup>th</sup> November, 2012

Subject to

- i) the deferral of Minute Nos. 275-276 to a later point in the meeting in view of the confidential nature of the business to be transacted; and
- ii) the addition to Minute No. 271(c) of the name of Councillor Mrs S Bailey to those participating in the initiative

The Minutes of the Meeting of the Properties Committee held on 27<sup>th</sup> November, 2012 (Minute Nos. 267-274 inclusive)

d) Finance and General Purposes Committee – 27<sup>th</sup> November, 2012

Subject to

- i) The deferral of Minute Nos. 286-288 to a later point in the meeting in view of the confidential nature of the business to be transacted; and
- ii) Minute No. 282(a) – The amendment of the recommendation (b) to an objection to the Town-wide Proposal in view of it not being supported by submitted or sufficient evidence of problems across the Town, it being inappropriate and any matters that might arise being capable of being dealt with by the Police under existing legislation.

The Minutes of the meeting of the Finance and General Purposes Committee held on 27<sup>th</sup> November, 2012 (Minute Nos. 277-284 inclusive)

RESOLVED THAT subject to any amendments listed above, the recommendations included in the foregoing reports of Committee Meetings be approved and the reports be received.

**293. REPORTS OF THE TOWN MAYOR**

a) Christmas Tree Celebrations

The Mayor expressed appreciation to Councillor Mrs S Bailey and the Assistant to the Town Clerk for the work undertaken in connection with the provision of a Christmas Tree for the Festival being held in St Eustachius' Church.

b) Christmas Event

The Mayor reminded Members and staff of arrangements for the Town Council Christmas event.

**294. 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 which involved the financial and/or business affairs and/or consideration of legal matters and/or personal data of persons other than the Council it was:

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

**295. COMMITTEES (CONTINUED)**

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

The Council considered the outstanding reports of the following Standing Committees held on 27<sup>th</sup> November 2012, consideration of which had previously been deferred (Minute No. 292 refers):

1) Properties Committee - 27<sup>th</sup> November, 2012

Minute Nos. 275-276

2) Finance and General Purposes Committee – 27<sup>th</sup> November, 2012

Minute Nos. 285-288

RESOLVED THAT subject to any amendments listed above the recommendations included in the foregoing reports of Committee Meetings be approved and the reports be received.

The press and public were re-admitted to the meeting.

**296. COUNCIL SEAL**

RESOLVED THAT The Council Seal be affixed to the various deeds and documents to be made or entered into for the carrying into effect of the decisions and matters approved.

The Meeting closed at 7.53 p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

**MINUTES** of the Meeting of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **TUESDAY** the **23<sup>rd</sup>** **October, 2012** at **7.18pm**

**PRESENT** Councillor Mrs A Johnson (Mayor)

Councillor H Smith (Deputy Mayor)

Councillors Mrs S Bailey, R Eberlie, Mrs M Ewings, Mrs J Metcalf, D Rose, Mrs L Rose, P Sanders, J Sellis, E Sherrell, A Tossell, B Trew, D Whitcomb, Mrs J Whitcomb

**IN ATTENDANCE** Town Clerk, Works Superintendent, Assistant to Town Clerk

Mr R Bagwell – Solicitor to the Council

Note – Prior to the meeting there was an opportunity for quiet reflection led by Major Dawn McGarvey (Salvation Army) and to receive a report from County Councillor Mrs D Sellis.

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**227. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors E Sanders and J Sheldon.

**228. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**229. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Special Meeting of the Tavistock Town Council held on Thursday 13<sup>th</sup> September, 2012 be confirmed as a correct record and signed by the Chairman.

**230. COMMITTEES**

The Council considered the following reports of Standing Committees:-

a) Plans Committee – 18<sup>th</sup> September, 2012

The Minutes of the Meeting of the Plans Committee held on Tuesday 18<sup>th</sup> September, 2012 (Minute Nos.183-191 inclusive)

b) Plans Committee – 8<sup>th</sup> October, 2012

The Minutes of the Meeting of the Plans Committee held on Tuesday 8<sup>th</sup> October, 2012 (Minute Nos.197 -205 inclusive)

c) Properties Committee – 16<sup>th</sup> October, 2012

Subject to

- i) the deferral of Minute No. 214 to a later point in the meeting in view of the confidential nature of the business to be transacted; and
- ii) the amendment of the list of those in attendance to include Councillor Mrs M Ewings (in her capacity as Acting Chairman of the Finance and General Purposes Committee)
- iii) Minute No. 212- Pannier Market – Christmas Opening

The addition of the following Resolution - that in view of the short timescale should an offer be received from the BID Company in relation to Christmas Opening that authority be delegated to the Town Clerk in consultation with the BID Company and Traders to determine same.

The Minutes of the Meeting of the Properties Committee held on 16<sup>th</sup> October, 2012 (Minute Nos. 206-213 inclusive)

Noted That

- in respect of Minute 210(a) particular reference was made to the benefits and drawbacks associated with bank holiday opening of the Pannier Market and, in particular, the extent to which such opening was/was not reflected by the wider support of stores in the Town for such arrangements;
- Councillor E Sherrell left the Meeting.

d) Finance and General Purposes Committee – 16<sup>th</sup> October, 2012

Subject to

- i) The deferral of Minute Nos. 224-226 to a later point in the meeting in view of the confidential nature of the business to be transacted
- ii) Minute No. 220(a) review of Tavistock Town Council Standing Orders

Arising from consideration of the above it was

RESOLVED THAT Councillor R Eberlie be appointed to serve on the working party established to review the Tavistock Town Council Standing Orders in place of Councillor J Sellis

iii) Minute No. 220(c) – Tavistock ‘Town Team’

Arising from consideration of the above it was

RESOLVED THAT subject to agreement upon his return, Councillor J Sheldon be appointed to represent the Tavistock Town Council upon the Tavistock ‘Town Team’.

iv) Minute No. 221 – Tavistock Townscape Heritage Initiative

Arising from consideration of the above and, in particular, the risks/benefits associated with the designation of status as an accountable body item (d) of the recommendation of the Finance and General Purposes Committee was amended to include, at the end, the following words ‘and will be the accountable body in the event of a successful bid’.

Noted That it was recognised and understood that the amendment listed to the above in no way prejudiced the ongoing commitment of both (Town/Borough) authorities to collaborative working toward the delivery of a successful Townscape Heritage Initiative Scheme.

v) Minute No. 222(k)

In response to a Member’s question the Clerk undertook to forward the papers circulated with the agenda of the Finance and General Purposes Committee meeting to Devon County Council.

The Minutes of the meeting of the Finance and General Purposes Committee held on 16<sup>th</sup> October, 2012 (Minute Nos. 215-223 inclusive)

RESOLVED that subject to any amendments listed above, the recommendations included in the foregoing reports of committee meetings be approved and the reports be received.

**231. REPORTS OF THE TOWN MAYOR**

a) Flood Risk

The Mayor advised of a recent meeting with representatives of the Environment Agency regarding the possibility of flood risk in the Town. The Works Superintendent would be working closely with the Environment Agency in respect of same.

b) Civic Service 2012

The Mayor thanked Members of the Council who had attended the successful 2012 Civic Service. In turn Members of the Council expressed their appreciation to the Mayor for the event.

**232. 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 which involved the financial and/or business affairs and/or consideration of legal matters and/or personal data of persons other than the Council it was

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

**233. LEGAL MATTERS**

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

The Council reviewed progress in relation to legal matters in discussion with its solicitor, Mr R Bagwell and further considered the report of the Town Clerk entitled ‘Expenditure on Legal Matters’ as previously considered by the Finance and General Purposes Committee.

a) Former Market Trader

It was noted that the Council had determined not to undertake any further discussions or negotiations in this case

b) Cattle Market

Consideration was given to matters appertaining to alleged breaches of condition in respect of the lease for the above premise.

Arising from consideration of the above a motion was put and duly seconded that

In view of the significant ongoing nature of the breaches occurring at the Cattle Market the Council take and continue to take such legal proceedings as are necessary to secure the recovery of the premises and long term continuation of a cattle market in Tavistock.

A request was received that the vote be taken by recorded ballot.

The voting was as follows

In favour Councillors Mrs S Bailey, Mrs M Ewings, Mrs A Johnson, D Rose, Mrs L Rose, P Sanders, H Smith, A Tossell, B Trew, D Whitcomb.

Against Councillors J Sellis, Mrs J Whitcomb.

Abstained Councillors D Eberlie, Mrs J Metcalf.

The motion was carried by 10 votes to 2 with 2 abstentions.

RESOLVED THAT the above recommendation be implemented.



c) Finance Matters

The Council endorsed the recommendation of the previous meeting of the Finance and General Purposes Committee.

**234. COMMITTEES (CONTINUED)**

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

1) Properties Committee - 16<sup>th</sup> October, 2012

Minute No 214

a) Pannier Market Surround

It was noted that, following a meeting with the prospective tenant, the consensus of opinion between the parties had been that neither were in a position to proceed with the proposal at the current time. The premises would therefore be placed upon the general market for rental.

b) Returning Premises

The addition of a further recommendation (c) namely ‘the Works Superintendent assess the condition of loose cabinets, lockers, safety cabinets and furniture at the Depot and, for the benefit of all concerned, arrange for these to be replaced upon removal to the temporary site with items suitable for the new Depot facility in due course’.

2) Finance and General Purposes Committee – 16<sup>th</sup> October, 2012

Minute Nos. 224-226

RESOLVED THAT subject to any amendments listed above the recommendations included in the foregoing reports of committee meetings be approved and the reports be received.

**235. COUNCIL SEAL**

RESOLVED THAT The Council Seal be affixed to the various deeds and documents to be made or entered into for the carrying into effect of the decisions and matters approved.

The press and public were re-admitted to the meeting.

The Meeting closed at 9.30 p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

**MINUTES** of the Special Meeting of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **THURSDAY** the **13<sup>th</sup> SEPTEMBER, 2012** at **7.00pm**

**PRESENT** Councillor Mrs A Johnson (Mayor)  
Councillor H Smith (Deputy Mayor)

Councillors Mrs S Bailey, R Eberlie, Mrs M Ewings, D Rose, Mrs L Rose, E Sanders, P Sanders, J Sheldon, A Tossell, B Trew, D Whitcomb

**IN ATTENDANCE** Town Clerk, Works Superintendent

Mr I Morgan, Ms E Turner (South West Councils – Human Resource Advisors to the Council)

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**178. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Mrs J Metcalf, J Sellis, E Sherrell and Mrs J Whitcomb.

**179. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**180. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on 11<sup>th</sup> September, 2012 be confirmed as a correct record and signed by the Chairman.

**181. 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 which involved the contractual financial or legal affairs of persons other than the Council it was:-

RESOLVED THAT the press and public be excluded from the Meeting for the following item of business.

Noted That prior to consideration of the following item it was:

RESOLVED THAT in accordance with the provisions of General Standing Order Number 1.32.1 Standing Order number 1.11.11 (of the Rules of Debate) be suspended for the duration of consideration of this item.

**182. REVIEW OF STAFF CONTRACTS**

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

Prior to consideration of the Report the Council received a short presentation from Mr I Morgan outlining the background to, and current situation regarding, the national negotiating framework for local government with particular reference to the 'Green Book'.

It was reported the majority of Councils were currently adopting a watching brief regarding the outcome of national negotiations in recognition of the difficult financial environment for local government and the potentially substantial resource implications for any Councils which might leave the national negotiating framework. Reference was also made to the process applicable in any review of staff contracts and the options open to the Council should agreement be reached/not reached with the employee side in respect of same.

The Council proceeded to consider the Report of the Town Clerk in connection with the above which had been prepared pursuant to the previous decisions of the Council to undertake a review of staff contracts. In particular it set out principles to:

- promote the consistent and equitable treatment of staff, most especially those who found themselves in similar/comparable posts to others;
- recognise the importance attached to the organisation having modern and fit for purpose contractual arrangements with its staff;
- provide contracts which accurately reflected the demands of the business;
- maintain and promote competitiveness in those areas of the business which operated more or less directly in competition with other commercial enterprises;
- (linking to the first two bullet points) provided clarity as to which positions were, as a matter of fact, to be classified as permanent and which casual.

The matter of salary/wage levels had not been included as this was capable of being addressed outside of national terms and conditions of service through local agreement should the Council so wish.

Following consideration of the Report it was

**RESOLVED THAT Tavistock Town Council**

- a) reconvene the Sub-Committee previously constituted to appoint an HR Provider (membership being the Chairman and Vice Chairman of the Finance and General Purposes Committee, Councillors R Eberlie, D Rose and D Whitcomb (Mayor and Deputy Mayor ex- officio)) to oversee the consultation stages of the review of staff contracts;
- b) continue to apply the mandatory provisions of the Green Book to Council employment contracts for the time being (pending the outcome of national negotiations) subject to such local agreements or variations to the discretionary provisions as may be determined by Council;
- c) Direct a consultation on staff contracts to focus, in particular, on securing effective and sustainable arrangements regarding the harmonisation and application of terms

and conditions of employment as/where appropriate to meet the requirements of good practice and operational efficiency including:-

i) **The Operation of Permanent, Temporary and Casual Contractual Arrangements**  
(eligible casual staff)

The opportunity for any of those staff members currently employed as ‘casual workers’ and who may have acquired rights to be treated as ‘employees’ the opportunity to be treated comparably with temporary/permanent members of staff if they so choose.

ii) **Working Patterns and Overtime**

a) **Depot**  
(affected permanent staff in this area of work)

For Depot staff undertaking weekend litter pick/on call duty and similar recurrent standard duties the introduction of an appropriate fixed fee to replace overtime (i.e. one rate of pay applying to the particular job).

b) **Town Hall/Pannier Market**  
(affected permanent staff in this area of work)

Compliance with/introduction of measures whereby those (non-casual) staff engaged to work in the Town Hall and Pannier Market may be required to work on any day of the week<sup>1</sup> at their standard rate until such time as they have worked 37 hours in a week (or their contracted hours if higher) after which overtime will become payable at the applicable rate.

iii) **Premium Payments – Town Hall and Pannier Market**  
(affected staff in this area of work<sup>2</sup>)

To review

- with a view to removal, existing premium payment arrangements<sup>3</sup>;
- the possibility of introducing a ‘late night allowance’ for those expected to work after a certain time in the evening.

iv) **Bank Holiday Working**  
(all ‘permanent’ staff)

Variation of existing arrangements for the payment of staff working on Bank Holidays to give staff the choice of selecting either

- payment at double time; or

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<sup>1</sup> Regarding days of working flexibility is currently an expectation for the posts located in these areas

<sup>2</sup> Affected staff being – removal of premium payments (general hands), introduction of late night allowance (potentially general hands and/or casual workers)

<sup>3</sup> Such including Town Hall ‘supervisory’ payments and Pannier Market ‘office premium’

- time off in lieu (at straight time)<sup>4</sup>.

v) **Staff Sickness**  
(all 'permanent' staff)

The review of provisions available to staff regarding sickness entitlements.

vi) **Salary/Wage Payment and Notice Periods**  
(all 'permanent' staff)

The phased<sup>5</sup> introduction of monthly payments (salary replacing wages) for Council staff currently being paid on a weekly basis and the accompanying amendment of the period of notice those staff can give the employer to terminate their employment from one week to one month.

vii) **Other Local Agreements**  
(all 'permanent' staff)

Given the existence of some posts within the establishment appointed via local agreements<sup>6</sup>, in particular to salary 'spot' points<sup>7</sup> together with others appointed to grades, to seek to regularise the situation by moving all staff to either spot points or grades.

viii) **Mileage Rates**  
(all staff)

Mileage payments for eligible staff be set at the maximum HMRC rate applicable which does not attract tax<sup>8</sup>.

ix) **Staff Handbook**  
(all staff)

The consequential rewriting, updating and improvement of the staff handbook.

Noted That it was determined not to include pension arrangements.

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<sup>4</sup> This would replace the current provision of double time plus toil

<sup>5</sup> Phased in order to enable a smooth transition to new arrangements for those staff currently receiving weekly wages

<sup>6</sup> Clerk - performance related pay and 3+3 months sick entitlement

<sup>7</sup> ie a single salary point without entitlement to incremental progression within a band - Clerk and Assistant to the Town Clerk

<sup>8</sup> Currently 45p per mile

The press and Public were readmitted to the Meeting

The Meeting closed at 8.37pm.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

**MINUTES** of the Meeting of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **TUESDAY** the **11<sup>th</sup>** **September, 2012** at **7.20pm**

**PRESENT** Councillor Mrs A Johnson (Mayor)

Councillor H Smith (Deputy Mayor)

Councillors Mrs S Bailey, R Eberlie, Mrs M Ewings, Mrs J Metcalf, D Rose, Mrs L Rose, E Sanders, P Sanders, J Sellis, J Sheldon, E Sherrell, A Tossell, B Trew, D Whitcomb, Mrs J Whitcomb.

**IN ATTENDANCE** Town Clerk, Works Superintendent, Assistant to Town Clerk

Note – Prior to the meeting a presentation was made to Members by Mr A Fleet, Tavistock BID Manager.

In addition there was an opportunity for quiet reflection led by Reverend Pam Stranks (Tavistock Methodist Church), to receive reports from the Police (Sergeant D Anning and Beat Manager C Veale), and County Councillor Mrs D Sellis.

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**170. APOLOGIES FOR ABSENCE**

There were no apologies for absence – all were present.

**171. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**172. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on 31<sup>st</sup> July, 2012 be confirmed as a correct record and signed by the Chairman.

**173. COMMITTEES**

The Council considered the following reports of Standing Committees:-

a) Plans Committee – 7<sup>th</sup> August, 2012

The Minutes of the Meeting of the Plans Committee held on Tuesday 7<sup>th</sup> August, 2012 (Minute Nos.131-139 inclusive)



b) Plans Committee – 28<sup>th</sup> August, 2012

The Minutes of the Meeting of the Plans Committee held on Tuesday 28<sup>th</sup> August, 2012 (Minute Nos.140 -148 inclusive)

c) Properties Committee – 4<sup>th</sup> September, 2012

Subject to the deferral of Minute Nos. 155-156 to a later point in the Meeting in view of the confidential nature of the business to be transacted the Minutes of the Meeting of the Properties Committee held on Tuesday 4<sup>th</sup> September, 2012 (Minute No's 149-154 inclusive)

d) Finance and General Purposes Committee – 4<sup>th</sup> September, 2012

Subject to the deferral of Minute Nos.167-169 to a later point in the Meeting in view of the confidential nature of the business to be transacted the Minutes of the Meeting of the Finance and General Purposes Committee held on 4<sup>th</sup> September, 2012 (Minute numbers 157 –166 inclusive).

Noted that pursuant to the provisions of Minute Number 166 the consensus of opinion was that, at an appropriate juncture, a site meeting should be held to enable Members to fully appreciate the area proposed to be utilised for a new Depot at Pixon Lane.

**174. COMMUNICATIONS AND REPORTS SUBMITTED BY THE TOWN MAYOR**

The Council noted the following:

a) Special Meeting of Tavistock Town Council

The Council was reminded of a Special Meeting of the Town Council scheduled to be held at 7pm on Thursday 13<sup>th</sup> September, 2012.

b) Working Together in the Interests of Tavistock

Council was given advance notice of a meeting to which all Town, Borough and County Councillors representing wards in Tavistock would be invited (to be held on the evening of 26<sup>th</sup> September, 2012). This followed on from a joint meeting held earlier in the year and would provide an opportunity for Councillors to discuss and identify how best to work together in the interests of Tavistock.

**175. 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 which involved the financial and/or business affairs and/or consideration of legal matters and/or personal data of persons other than the Council it was

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

**176. COMMITTEES (CONTINUED)**

(CONFIDENTIAL – by virtue of relating to legal matters and/or the financial or business affairs of persons other than the Council)

The Council considered the outstanding reports of the following Standing Committees held on 4<sup>th</sup> September, 2012, consideration of which had previously been deferred (Minute No. 173 refers):

a) Properties Committee

Minute Nos. 155-156

Noted that in response to a Members question an oral update was provided in relation to negotiations in connection with Minute 156(a) and actions of an operational nature taken under delegated powers.

b) Finance and General Purposes Committee

Minute Nos. 167 and 169 together with:-

Regarding Minute No. 168 particular reference being made to the accompanying report, legal advice received by the Council and the merits or otherwise of continuing with the course of action previously determined. Following a period of discussion the following motion was duly proposed and seconded and, in accordance with the provisions of standing order number 1.6.2, a requisition was made for voting to be by recorded vote.

It was proposed by Councillor B Trew and seconded by Councillor Mrs M Ewings that:

a) the following conditional offer be made to the claimant

i) The Council offer to settle this matter on the basis that

- each party meets its own legal costs,
- a binding confidentiality agreement is entered into by each; and
- the claimant undertakes that same will be in full and final settlement of the claim presently being made and that no further claims will be brought in relation to any time preceding the date of the agreement.

Same to be strictly subject to

ii) the claimant signing a letter to be held by the Council's solicitors (and only released by the Council to any party in the event that the claimant is proven to have breached the accompanying confidentiality agreement (see above)) in which the claimant and (if possible) his representative(s) subscribe to words to the following effect:-

‘The claimant acknowledges that the Tavistock Town Council, Councillors, Council Officers, representatives and agents have always treated the claimant in a fair and appropriate manner throughout his tenure as a market trader and subsequently. In addition that he confirms that no indefinite license to trade had ever been granted or purported to be offered or granted to him.’

- b) In the event of the claimant rejecting the above offer the Town Council continue to defend the claim made against it and no further discussions be entered into with the claimant regarding same.

The voting was as follows

In favour Councillors Mrs S Bailey, Mrs M Ewings, Mrs A Johnson, D Rose, Mrs L Rose, E Sanders, P Sanders, E Sherrell, H Smith, B Trew.

Against Councillors D Whitcomb, Mrs J Whitcomb

Abstained Councillors R Eberlie, Mrs J Metcalf, J Sellis, J Sheldon, A Tossell

The motion was carried by ten votes to two with five abstentions.

RESOLVED THAT subject to the adoption of the amended motion listed above the recommendations included in the forgoing reports of Committee meetings be approved and the reports be received.

Noted that with regard to Minute No 168 particular reference was made by the RFO to potential longer term issues and implications associated with same.

The Press and Public were readmitted to the meeting.

**177. COUNCIL SEAL**

RESOLVED THAT The Council Seal be affixed to the various deeds and documents to be made or entered into for the carrying into effect of the decisions and matters approved.

The Meeting closed at 8.26 p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

**MINUTES** of the Meeting of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **TUESDAY** the **31<sup>st</sup>** **July, 2012** at **7.24pm**

**PRESENT** Councillor Mrs A Johnson (Mayor)

Councillor H Smith (Deputy Mayor)

Councillors Mrs S Bailey, R Eberlie, Mrs M Ewings, Mrs J Metcalf, D Rose, Mrs L Rose, P Sanders, J Sellis, J Sheldon, E Sherrell, A Tossell, B Trew, D Whitcomb, Mrs J Whitcomb.

**IN ATTENDANCE** Town Clerk, Works Superintendent, Mayor's Secretary, Works Administrator

Note – Prior to the meeting a presentation was made to Members from Mrs K Royston regarding Transition Tavistock and opportunities for partnership working.

In addition there was an opportunity for quiet reflection led the Mayor, and to receive reports from County Councillor Mrs D Sellis. Questions from the Public were received in respect of the proposed car parking places order at the Alexander Centre, litter in the Town and charging in Borough Council car parks.

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**121. APOLOGIES FOR ABSENCE**

An apology for absence had been received from Councillor E Sanders.

**122. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**123. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Special Meeting of the Tavistock Town Council held on Wednesday 27<sup>th</sup> June, 2012 be confirmed as a correct record and signed by the Chairman.

**124. COMMITTEES**

The Council considered the following reports of Standing Committees:-

- a) Plans Committee – 26<sup>th</sup> June, 2012

The Minutes of the Meeting of the Plans Committee held on Tuesday 26<sup>th</sup> June, 2012 (Minute Nos.72-80 inclusive);

b) Plans Committee – 17<sup>th</sup> July, 2012

The Minutes of the Meeting of the Plans Committee held on Tuesday 17<sup>th</sup> July, 2012 (Minute Nos.87-95 inclusive);

c) Properties Committee – 24<sup>th</sup> July, 2012

Subject to

- i) the deferral of Minute Nos. 102-103 to a later point in the Meeting in view of the confidential nature of the business to be transacted; and
- ii) the amendment of the recommendation included in Minute No 100(b) to include the following preamble:-

‘RECOMMENDED THAT subject to the following being considered from a whole town stand point’

the Minutes of the Meeting of the Properties Committee held on 24<sup>th</sup> July, 2012 (Minute Nos. 96-101 inclusive);

d) Finance and General Purposes Committee – 24<sup>th</sup> July, 2012

Subject to

- i) the deferral of Minute Nos. 118-120 to a later point in the meeting in view of the confidential nature of the business to be transacted ;
- ii) the addition of the following wording as a second part to the recommendation included in Minute No 116 – ‘Tavistock Town Council supports the County Council in its efforts to increase car parking provision in Tavistock and urges the County Council to consult existing neighbours and owners as soon as possible’
- iii) the amendment of Minute No 114 (c) to include the deletion of the section in brackets and the inclusion instead of the following addendum to the Minute:

‘Noted That Tavistock Matters – the incorrect minutes had been circulated in error, the correct ones would be placed before the next meeting’

the Minutes of the Meeting of the Finance and General Purposes Committee held on 24<sup>th</sup> July, 2012 (Minute Nos. 104-117 inclusive).

Noted That - Minute No. 116 – Devon County Council (Alexander Centre) (Pay & Display) Order

A copy of the above order had been circulated to Council pursuant to the above.

RESOLVED THAT subject to any amendments listed above, the recommendations included in the forgoing reports of Committee Meetings be approved and the reports be received.

**125. COMMUNICATIONS AND REPORTS SUBMITTED BY THE TOWN MAYOR**

The Council noted the following:

a) The Mayor's Charity

The Mayor announced that her Mayor's Charity would be the Tavistock Memory Café. This was a small group of people who worked with dementia patients and their carers. Information leaflets were distributed to Members.

b) 2<sup>nd</sup> Bid to Portas Pilot Funding

The Mayor announced that the second bid for Portas Pilot funding was unsuccessful but noted that the related work had the potential to lead to positive outcomes and partnership working for the Town.

c) Special Meeting of Council – Change of Date

Following Members' request at the Meeting of the Finance and General Purposes Committee of 24<sup>th</sup> July 2012 the Special Meeting of Council scheduled originally for 15<sup>th</sup> August 2012 would now be held on 13<sup>th</sup> September 2012 at 7.00 p.m.

d) Dates of Events

The Mayor announced the following dates for forthcoming events:-

- Civic Service – Sunday 14<sup>th</sup> October 2012
- Christmas Skittles Evening (Tavy Club) – Tuesday 18<sup>th</sup> December 2012
- Civic Ball – Friday 12<sup>th</sup> April 2013
- End-of-Term Gathering (Tavy Club) – Monday 20<sup>th</sup> May 2013

**126. 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 which involved the financial and/or business affairs and/or consideration of legal matters and/or personal data of persons other than the Council it was

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

**127. COMMITTEES (CONTINUED)**

(CONFIDENTIAL – by virtue of relating to legal matters and/or the financial or business affairs of persons other than the Council)

The Council considered the outstanding reports of the following Standing Committees held on 24<sup>th</sup> July, 2012, consideration of which had previously been deferred (Minute No. 125 refers):

a) Properties Committee

Minute Nos. 102-103

b) Finance and General Purposes Committee

Minute Nos. 117-120

RESOLVED THAT subject to any amendments listed above, the recommendations included in the foregoing reports of Committee Meetings be approved and the reports be received.

**128. MEDIATION**

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

An oral update was provided outlining the specific outcome(s) of the above. In addition the advice of the Councils Solicitors was circulated in connection with a related matter linking to the same tenant.

Having considered the advice it was :-

RESOLVED THAT

- a) the Mediation Panel be re-constituted in order to make a final offer subject to a 48 hour timeline for the tenant to agree (should they wish to accept same);
- b) Should agreement not be reached in connection with the above an offer be made in relation to both breaches of lease and costs on the terms outlined in para 3.3 of the report and, if not accepted in 14 days, a claim for forfeiture and possession be issued.

The Press and Public were readmitted to the Meeting

**129. COUNCIL SEAL**

RESOLVED THAT The Council Seal be affixed to the various deeds and documents to be made or entered into for the carrying into effect of the decisions and matters approved.

The Meeting closed at 8.43 p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_





**MINUTES** of the Special Meeting of the **TAVISTOCK TOWN COUNCIL** held in the Council Chamber, Drake Road, Tavistock on **WEDNESDAY** the **27<sup>th</sup> JUNE, 2012** at **6.30pm**

**PRESENT** Councillor Mrs A Johnson (Mayor)

Councillor H Smith (Deputy Mayor)

Councillors Mrs S Bailey, R Eberlie, Mrs M Ewings, Mrs J Metcalfe, D Rose, E Sanders,  
J Sellis, A Tossell, B Trew, D Whitcomb, Mrs J Whitcomb.

**IN ATTENDANCE** Town Clerk, Mr R Bagwell, Ms N Purcell (Foot Anstey – Solicitors to the Council)

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**81. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Mrs L Rose, P Sanders, J Sheldon and E Sherrell.

**82. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**83. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on Tuesday 19<sup>th</sup> June, 2012 be confirmed as a correct record and signed by the Chairman.

**84. 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 which involved the financial and/or business affairs and/or consideration of legal matters and/or personal data of persons other than the Council it was

RESOLVED THAT the press and public be excluded for the following item of business.

**85. MEDIATION**

The Council considered how best to proceed in relation to an upcoming mediation in respect of Council premises. In particular, the authority to be granted to those Members appointed to

conduct the mediation on behalf of the Council together with the related strategic and other issues.

The Council's Solicitor proceeded to outline:-

- The importance attached to such matters being considered in strict confidence;
- The basis of the proceedings currently in hand as between the Council and the tenant and vice versa;
- The differences between seeking to resolve disputes through alternative dispute resolution procedures (such as mediation) and through the courts. In particular that the court was constrained by the issues which formed the basis of proceedings. By contrast a mediation could adopt a broader approach with a view to achieving a more generally balanced settlement. Mediation could therefore, in appropriate circumstances, serve to reduce legal costs and achieve an agreement that a court would not be able to order;
- The operation and practices associated with alternative dispute resolution/mediation and potential benefits associated with giving a wide (as opposed to narrow) authority to the Mediation Panel to facilitate the process.

Following a period of discussion of the issues and questions of the legal team it was

RESOLVED THAT the Mediators have freedom to negotiate and settle on a majority basis regarding all premises concerned but at the same time have the authority to reject any and all proposals of the tenant including, but not limited to, both Council premises of which the other party was a tenant and with the authority to offer a sum of money.

Noted That

- a) copy correspondence received from Councillor E Sherrell was reported to the Meeting;
- b) in view of recent developments the Councils Solicitor reminded the Council of its obligations to seek legal advice, most especially where it was contemplating acts which could lead to criminal/civil proceedings against it or its staff. Not only could the Council become subject to costs/claims, staff could be put at risk and Councillors could themselves become personally liable for costs or damages awarded against the Council.

The press and public were re-admitted to the Meeting.

**86. CODE OF CONDUCT**

The Council considered the Report of the Town Clerk in respect of the above. In particular Members' attention was drawn to:-

- The dissolution of the Standards Board for England;
- The discontinuance of a nationally applicable 'Model Code of Conduct' for councils;

- The discontinuance of the obligation placed upon principal councils to operate Standards Committees.

The new standards regime included:-

- A requirement for the Council to have a Members Code of Conduct in place on or by 1<sup>st</sup> July, 2012 and to promote and maintain high standards of Councillor conduct;
- The Code :-
  - Being consistent with 7 General Principles of Public Life;
  - Making provision for disclosable pecuniary interests and other interests (the terms prejudicial and personal and prejudicial interests to no longer apply);
- Investigation of complaints being undertaken by West Devon Borough Council but sanctions (and dispensations) sitting with the Town Council;
- An obligation to maintain a register of Members' interests whereby:
  - Councillors were required to enter their disclosable pecuniary interests in a Register within 28 days of 1<sup>st</sup> July and upon any subsequent change;
  - Councillors were required to enter certain of the known interests of their spouse or partner on the Register;
  - The Register entries were available for public inspection;
  - The Register entries were posted on the websites of the principal council and town council.
- Failure to submit a registration form or to disclose relevant interests having the potential to lead to criminal proceedings against the Councillor and/or a fine of up to £5,000 and/or disqualification from office;
- In particular Members' attention was drawn to the points set out in Paragraph 3.5 of the Report.

The proposed Tavistock Code had been developed by the Member Working Group comprising the Mayor, Deputy Mayor, Councillors Eberlie and Trew who had reviewed available models. The recommended version being substantially the same as that adopted by West Devon Borough Council. This represented the most suitable version and provided consistency for Councillors who served on other local authorities in Devon.

Registration forms were to be sent to Members, together with a copy of the Code incorporating an index and details of adoption, in the early part of the following week. Because of the tight timescale imposed by Government the Panel had recognised that changes were likely and therefore it had been suggested that this Code be adopted on an interim basis pending review. Similarly matters such as the Council's approach to dispensations and sanctions could be adopted in due course as more guidance became available.

RESOLVED THAT Tavistock Town Council:-

- a) Adopt the submitted Members' Code of Conduct for Tavistock Town Council on an interim basis, the Code to take effect on 1<sup>st</sup> July, 2012;
- b) Conduct a review of the Interim Code prior to calendar year end;
- c) Adopt the proposed changes to Tavistock Town Council Standing Order no. 1.24 as proposed;
- d) Endorse training to be made available to all Members of Tavistock Town Council in connection with the operation of the new Code of Conduct.

Noted That in particular Members expressed concern regarding the risks associated with the placing of personal information on Council websites.

The Meeting closed at 7.38p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

**MINUTES** of the Meeting of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **TUESDAY** the **19<sup>th</sup>** **June, 2012** at **7.15pm**

**PRESENT** Councillor Mrs A Johnson (Mayor)

Councillor H Smith (Deputy Mayor)

Councillors Mrs S Bailey, R Eberlie, Mrs J Metcalf, D Rose, E Sanders, J Sellis, J Sheldon, E Sherrell, A Tossell, B Trew, Mrs J Whitcomb.

**IN ATTENDANCE** Town Clerk, Assistant to Town Clerk, Financial Administrator

Mr D Kemp – Accountant to the Council

Note – Prior to the meeting presentations were made to Members from Mr J Ward (Anti-Social Behaviour Officer – West Devon and South Hams Councils) and Mr A Fleet (Tavistock Enterprise Hub).

In addition there was an opportunity for quiet reflection led by Reverend M Brierley, to receive reports and questions from the Public. For this session the following were present - Sergeant D Anning, County Councillor Mrs D Sellis.

Immediately prior to the commencement of the Meeting the Mayor, Councillor Mrs A Johnson, made a presentation to the outgoing Mayor's Cadet – Miss Lauren Bennatto and, in particular, thanked her for her work over the past 12 months.

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**62. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Mrs M Ewings, Mrs L Rose, P Sanders and D Whitcomb.

**63. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**64. CONFIRMATION OF MINUTES**

RESOLVED THAT subject to the inclusion of Councillor J Sellis on the list of Members appointed to the Plans Committee (Minute No. 7 refers) the Minutes of the Annual Meeting of the Tavistock Town Council held on Tuesday 22<sup>nd</sup> May, 2012 be confirmed as a correct record and signed by the Chairman.

**65. COMMITTEES**

The Council considered the following reports of Standing Committees:-

a) Plans Committee – 29<sup>th</sup> May, 2012

The Minutes of the Meeting of the Plans Committee held on Tuesday 29<sup>th</sup> May, 2012 (Minute Nos.21-31 inclusive);

b) Properties Committee – 22<sup>nd</sup> May, 2012

The Minutes of the Meeting of the Properties Committee held on Tuesday 22<sup>nd</sup> May, 2012 (Minute Nos. 17-20 inclusive);

c) Properties Committee – 12<sup>th</sup> June, 2012

Subject to the deferral of Minute Nos.47-48 to a later point in the meeting in view of the confidential nature of the business to be transacted the Minutes of the Meeting of the Properties Committee held on 12<sup>th</sup> June, 2012 (Minute Nos. 39-46 inclusive);

Noted That

i. Minute No. 42(a) – Works Superintendent’s Report

A hard copy of the Report of the Works Superintendent had been circulated, arising from which it was:

RESOLVED THAT Goose Fair charges for 2012 be held at the same level as for 2011.

ii. Minute No. 42(a) – Works Superintendent’s Report

A member of the Working Party established to assist with the issues arising from damage being caused to the hedge and trees on the Cemetery boundary on Grenville Drive commended the work of officers to take all necessary measures to address this serious matter.

d) Finance and General Purposes Committee – 22<sup>nd</sup> May, 2012

The Minutes of the Meeting of the Finance and General Purposes Committee held on 22<sup>nd</sup> May, 2012 (Minute Nos. 13-16 inclusive).

e) Finance and General Purposes Committee – 12<sup>th</sup> June, 2012

Subject to the deferral of Minute Nos. 57-60 to a later point in the meeting in view of the confidential nature of the business to be transacted and the amendment of Minute No. 53(d) so as to include the following additions to the Scheme of Travelling and Subsistence Allowances for Members of Tavistock Town Council:-

- The amendment of the “Tea” allowance to increase it from £2.94 to £3.00;
- The introduction of a passenger carriage, bicycle and motor-cycle rate;
- Removal from the claim form of any of the requirement for Members to submit a VAT receipt with mileage claims.

The Minutes of the Meeting of the Finance and General Purposes Committee held on 12<sup>th</sup> June, 2012 (Minute Nos. 49-56 inclusive).

RESOLVED THAT subject to any amendments listed above, the recommendations included in the forgoing reports of Committee Meetings be approved and the reports be received.

## 66. FINANCIAL MATTERS

The Town Council considered the following:

### a) Tavistock Town Council – Financial Statements for the Year 2011-2012

The Council considered the Financial statements for the year 2011-2012 which had been previously considered by the Finance & General Purposes Committee at its meeting on 12<sup>th</sup> June, 2012. The Council’s Accountant was in attendance to answer questions in connection with same.

RESOLVED THAT the Tavistock Town Council Financial Statements for the year ended 31<sup>st</sup> March 2012 be received and adopted as a reasonable statement of the activities of the Council and the Mayor and Town Clerk be authorised to sign same on behalf of the Council.

### b) Annual Return and Annual Governance Statement

The Council considered the Annual Return and Annual Governance Statement for Tavistock Town Council, which had previously been considered by the Finance and General Purposes Committee at its meeting on 12<sup>th</sup> June, 2012. The Council noted and endorsed the contents of Section 1 of the Return and considered each of the questions in Section 2 (the Annual Governance Statement), prior to agreeing a response the same.

RESOLVED THAT

- i. The Mayor and Responsible Financial Officer be authorised to sign Section 1 of the Annual Return.
- ii. The answers to the questions listed in Section 2 of the Annual Governance Statement be as follows – Questions 1-8 (Yes), Question 9 (Not Applicable)
- iii. The Mayor and Responsible Financial Officer be authorised to sign the Annual Governance Statement reflecting the above responses.

Noted That Councillor E Sherrell left the Meeting at this point.

**67. CODE OF CONDUCT**

The Council noted recent developments in connection with the development of a Code of Conduct applicable to Town/Parish Councils. A meeting of the Working Group established to consider same was scheduled to be held on Monday 25<sup>th</sup> June, 2012 and a report would be made to Special Meeting of Council scheduled for 27<sup>th</sup> June in order that Council could adopt a scheme compliant with the Government deadline of 1<sup>st</sup> July 2012.

**68. COMMUNICATIONS AND REPORTS SUBMITTED BY THE TOWN MAYOR**

Council noted the following:

a) Queen's Diamond Jubilee

A letter of thanks had been received on behalf of Her Majesty the Queen in response to a letter sent by the Mayor on behalf of the Town Council congratulating the Queen on the occasion of her Diamond Jubilee.

b) Correspondence – Lions Club

A letter had been received from the Lions Club thanking the Council for its support and, in particular, the work undertaken by the Works Superintendent and Works Administrator in delivering the Queen's Diamond Jubilee Celebrations.

**69. 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 which involved the financial and/or business affairs and/or consideration of legal matters and/or personal data of persons other than the Council it was

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

**70. COMMITTEES (CONTINUED)**

(CONFIDENTIAL – by virtue of relating to legal matters and/or the financial or business affairs of persons other than the Council)

The Council considered the outstanding reports of the following Standing Committees held on 12<sup>th</sup> June, 2012, consideration of which had previously been deferred (Minute No. 65 refers):

a) Properties Committee

Minute Nos. 47-48

b) Finance and General Purposes Committee

Minute Nos. 57-60 - subject to the following amendments to the recommendation included in Minute No 58, as follows:

“RECOMMENDED THAT the Council continue to defend the claim”.



Noted That the above decision was taken following a period of discussion regarding the issues, options and related matters associated with the above including the reporting of recent correspondence from the Council's Solicitor.

The ballot was taken by way of recorded vote.

In Favour: Councillors Mrs A Johnson, D Rose, H Smith, B Trew

Against: Councillors E Sanders, J Sellis, Mrs J Whitcomb

Abstained: Councillors Mrs S Bailey, D Eberlie, Mrs J Metcalf, J Sheldon, A Tossell

The motion was carried by four votes to three with five abstentions.

RESOLVED THAT subject to any amendments listed above, the recommendations included in the foregoing reports of Committee Meetings be approved and the reports be received.

**71. COUNCIL SEAL**

RESOLVED THAT The Council Seal be affixed to the various deeds and documents to be made or entered into for the carrying into effect of the decisions and matters approved.

The Meeting closed at 8.29 p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

**MINUTES** of the Meeting of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **TUESDAY** the **8<sup>th</sup> May, 2012** at **7.15pm**

**PRESENT** Councillor P Sanders (Mayor)

Councillor Mrs A Johnson (Deputy Mayor)

Councillors Mrs S Bailey, R Eberlie, Mrs M Ewings, Mrs J Metcalf, D Rose, Mrs L Rose, E Sanders, J Sellis, J Sheldon, H Smith, A Tossell, B Trew, D Whitcomb, Mrs J Whitcomb.

**IN ATTENDANCE** Town Clerk, Assistant to Town Clerk

Note – Prior to the meeting there was an opportunity for quiet reflection led by the Reverend J Moles, together with updates from the County Councillor for the area and Sergeant D Anning.

In response to a question from a member of the public regarding the accessibility of the police service in the town, the Clerk undertook to write to the person concerned outlining the current situation and to the police requesting that they provide information to the public.

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**631. APOLOGIES FOR ABSENCE**

An apology for absence had been received from Councillor E Sherrell.

**632. DECLARATIONS OF INTEREST**

Councillors R Eberlie, Mrs A Johnson and Mrs J Metcalf declared a personal and prejudicial interest in Properties Minute No 617 by virtue of membership of the organisation concerned.

**633. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on 3<sup>rd</sup> April, 2012 be confirmed as a correct record and signed by the Chairman.

**634. COMMITTEES**

The Council considered the following reports of Standing Committees:-

a) Plans Committee – 10<sup>th</sup> April, 2012

The Minutes of the Meeting of the Plans Committee held on 10<sup>th</sup> April, 2012 (Minute Nos. 583-591 inclusive);

b) Plans Committee – 24<sup>th</sup> April, 2012

The Minutes of the Meeting of the Plans Committee held on 24<sup>th</sup> April, 2012 (Minute Nos. 597-605 inclusive);

c) Properties Committee – 1<sup>st</sup> May, 2012

Subject to:-

- i. The deferral of Minute Nos. 615-618 to a later point in the meeting in view of the confidential nature of the business to be transacted, and
- ii. Minute No. 609(b) – the last sentence to record the correct the spelling of “Bank Holiday”

The Minutes of the Meeting of the Properties Committee held on 1<sup>st</sup> May, 2012 (Minute Nos. 606-614 inclusive).

Noted That Minute No. 609(b). The Clerk advised the Council that, having regard to representations submitted by traders and the modest level of store opening anticipated by the Chamber of Commerce on 5<sup>th</sup> June, 2012, the Pannier Market would be closed on that day. Indicative assessments of footfall in the Pannier Market had been undertaken on the May Bank Holiday and these would help to inform future discussions with traders regarding operating arrangements.

d) Finance and General Purposes Committee – 1<sup>st</sup> May, 2012

Subject to the deferral of Minute Nos. 627-630 to a later point in the meeting in view of the confidential nature of the business to be transacted

The Minutes of the Meeting of the Finance and General Purposes Committee held on 1<sup>st</sup> May, 2012 (Minute Nos. 619-626 inclusive).

Noted That Minute No. 625(c) The Clerk confirmed that there would be an opportunity for further discussion on this matter at the informal Pre-Annual Council Meeting.

Arising from the Reports of Standing Committees it was

RESOLVED THAT subject to any amendments listed above the recommendations included in the foregoing Reports of Committee Meetings be approved and the Reports be received.

**635. COMMUNICATIONS OR REPORTS AS SUBMITTED BY THE TOWN MAYOR**

a. Super Link

The Council was advised of upcoming arrangements for a meeting of the “Super Link” Committee, organised by West Devon Borough Council. The Council would be represented by Councillors J Sheldon and H Smith (its representatives on the Southern Link).

b. The Mayor's End-of-Term Event

Council was reminded of arrangements for the Mayor's end-of-term event which was scheduled to be held at 7.30 p.m. on 21<sup>st</sup> April 2012 and would be attended by representatives of the Mary Budding Trust (the Mayor's 2011-12 charity).

**636. 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 which involved the financial and/or business affairs and/or consideration of legal matters and/or personal data of persons other than the Council it was

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

**637. COMMITTEES (CONTINUED)**  
(CONFIDENTIAL)

The Council considered the outstanding confidential reports of the following Standing Committees (Minute No. 634 refers):

a) Properties Committee – Minute Nos. 615-618

The Council considered Minute Nos. 615-618 in connection with the above – arising from which the following amendments were made:

- Minute No. 617 - the insertion of the words “The Committee received an update in connection with the above.”

Noted That Councillors D Eberlie, Mrs A Johnson and Mrs J Metcalf declared a personal and prejudicial interest in the above item, by virtue of membership of the organisation concerned.

- Minute No. 618(a) – The Council was advised of arrangements proposed to support the mediation in connection with this matter. In particular, the importance of the Council granting clear authority to the mediation panel was stressed together with providing sufficient general but non-prescriptive guidance to enable them to act effectively on behalf of Council.
- Minute No. 618(b) – The amendment of the related recommendation to read:

“RECOMMENDED THAT the tenant be advised that the current offer was unacceptable.”

Noted That

- i) Minute No 616 – the Committee received a verbal update in connection with the above with particular reference to measures in hand to identify prospective costings.
- ii) Minute No 618(b) the views of the Council's legal advisors had been received and were reported.

A special Meeting of Council would be arranged in due course.

b) Finance and General Purposes Committee – Minute Nos. 627-630

The Council considered Minute Nos. 627-630 in connection with the above.

RESOLVED THAT subject to any amendments listed above, the recommendations included in the foregoing reports of Committee Meetings be approved and the Minutes be received.

The Meeting closed at 7.55 p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

Minutes of the Meeting of the **TAVISTOCK TOWN COUNCIL** held in the Council Chamber, Drake Road, Tavistock on **TUESDAY** the **3<sup>rd</sup> April, 2012** at **7.15pm**

Present: Councillor P Sanders (Mayor)

Councillor Mrs A Johnson (Deputy Mayor)

Councillors R Eberlie, Mrs M Ewings, Mrs J Metcalf, D Rose, E Sanders, J Sellis, J Sheldon, H Smith, E Sherrell, D Whitcomb, Mrs J Whitcomb.

In attendance: Town Clerk, Assistant to Town Clerk

Note – Prior to the meeting there was an opportunity for quiet reflection, to receive reports and questions from the public.

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**575. APOLOGIES FOR ABSENCE**

An apology for absence had been received from Councillors Mrs S Bailey, Mrs L Rose, A Tossell and B Trew.

**576. DECLARATIONS OF INTEREST**

Councillors R Eberlie, Mrs A Johnson and Mrs J Metcalf declared a personal and prejudicial interest in Minute No..... by virtue of membership of the organisation concerned.

**577. CONFIRMATION OF MINUTES**

RESOLVED THAT

- a) The Minutes of the Meeting of the Tavistock Town Council held on 21<sup>st</sup> February, 2012 be confirmed as a correct record and signed by the Chairman subject to the amendment of Minute No.....
- b) The Minutes of the Extra-Ordinary Meeting of the Tavistock Town Council held on 5<sup>th</sup> March, 2012 be confirmed as a correct record and signed by the Chairman.

**578. COMMITTEES**

The Council considered the following reports of Standing Committees:-

- a) Plans Committee – 28<sup>th</sup> February, 2012

The Minutes of the Meeting of the Plans Committee held on 28<sup>th</sup> February, 2012 (Minute Nos.508-516 inclusive);

b) Plans Committee – 12<sup>th</sup> March, 2012

The Minutes of the Meeting of the Plans Committee held on 12<sup>th</sup> March, 2012 (Minute Nos. 532-540 inclusive);

c) Plans Committee – 27<sup>th</sup> March, 2012

The Minutes of the Meeting of the Plans Committee held on 27<sup>th</sup> March, 2012 (Minute Nos. 541-549 inclusive);

d) Properties Committee – 14<sup>th</sup> February, 2012

The Minutes of the Meeting of the Properties Committee held on 27<sup>th</sup> March, 2012 (Minute Nos. 550-556 inclusive).

NOTED THAT

a) Minute No. 556(b) – Tavistock Gateway Signage

Following a period of discussion the balance of opinion was that signage for the Town should appropriately incorporate the words ‘Market’ and ‘Stannary’.

b) Compton Organ

Further to Minute No. 553(c) – Town Hall Manager’s Report consideration was given to the potential cost and benefits associated with the acquisition of the ‘Compton Organ’ for installation in the Town Hall. In particular reference was made to the potential extent of installation and ongoing costs, the impact of any installation upon the current and future use of the Town Hall.

Arising from consideration of the foregoing it was

RESOLVED THAT the Council discontinue negotiations for the proposed acquisition of the Compton Organ and advise the prospective benefactor of its regret at being unable to proceed in this matter.

c) 556(a) – Usage of Meadows

The Council was advised of the outcome of discussions between the Works Superintendent and Assistant to the Town Clerk in respect of the foregoing Minute and endorsed progress on the basis outlined.

e) Finance and General Purposes Committee – 27<sup>th</sup> March, 2012

Subject to:

- i) the deferral of Minute Nos. 571-574 to a later point in the Meeting in view of the confidential nature of the business to be transacted the Minutes of the Meeting of the Finance and General Purposes Committee held on 27<sup>th</sup> March, 2012 (Minute Nos. 562-570 inclusive).

NOTED THAT

a) Minute No. 568(ii) – Okehampton and Tavistock Design Briefs

Disappointment was expressed at the low level of attendance by Members of the Tavistock Town Council at a recent information and consultation event in respect of the above. In particular it was recognised that the Design Brief for Tavistock represented a Core Planning Policy which would shape the future of the Town for many years to come and it was considered important that the Town Council should be active in both shaping and influencing its future content and structure.

In the ensuing discussion reference was made to the various approaches which might be adopted, potential linkages to the Neighbourhood Planning Process and the importance of securing appropriate professional support to assist in developing the Council's proposals.

RESOLVED THAT

- a) West Devon Borough Council be requested to make a presentation to all Members of Tavistock Town Council outlining the progress of the consultation to date and identifying future arrangements;
- b) A Working Group comprising the Chairman of the Plans Committee, Councillors Mrs M Ewings, Mrs A Johanson, R Eberlie, Mrs J Metcalf be established to take this matter forward;
- c) The Council agree, in principle, to the engagement of a consultant to assist in the development of proposals.

It was further noted that as regarded potential liaison between the Town of Tavistock and Parish of Gulworthy (which abutted the development) Councillor D Whitcomb regularly attended meetings of the Gulworthy Parish and would provide a liaison point as/when necessary.

b) Minute No. 568(iii) – Superfast Broadband

The Council expressed its appreciation to Councillor J Sheldon for arranging a presentation in connection with the above held on 2<sup>nd</sup> April, 2012.

Arising from the Reports of Standing Committees it was

RESOLVED THAT subject to any amendments listed above the recommendations included in the foregoing Reports of Committee Meetings be approved and the Reports be received.



**579. WORKING TOGETHER IN THE INTERESTS OF TAVISTOCK**

a) Working together in the interests of Tavistock with West Devon Borough Council

The Council considered the Report of the joint meeting held between representatives of West Devon Borough Council and Tavistock Town Council on 20<sup>th</sup> March, 2012.

Arising from consideration of the foregoing it was

RESOLVED THAT

- i) A further workshop event be provided for Councillors at all tiers of local government representing the area to explore the opportunities and risks facing Tavistock with a view to developing a democratically led strategic vision for the town; and
- ii) Wherever possible the Borough and Town Councils seek to achieve collaborative 'quick wins' to demonstrate meaningful benefits for Tavistock; and
- iii) Consideration be given to the development of a Neighbourhood Plan for Tavistock in due course.

b) Portas Pilot - Update

The Council received an update in relation to the application which has been submitted on behalf of the town by the Tavistock BID Company to be considered as a Portas Pilot Town.

**URGENT MATTERS BROUGHT FORWARD AT THE DISCRETION OF THE TOWN MAYOR**

**580. GREAT WESTERN FRANCHISE REPLACEMENT CONSULTATION – DECEMBER 2011**

The Council considered a request from Okehampton Town Council that the Tavistock Town Council support its representations for an improved rail link from Exeter to Okehampton in connection with the above.

The consensus of opinion of the Council was that the above proposals be endorsed.

**581. 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 which involved the financial and/or business affairs and/or consideration of legal matters and/or personal data of persons other than the Council it was

RESOVLED THAT the Press and Public be excluded for the following items of business.

**582. COMMITTEES (CONTINUED)**

The Council considered the outstanding reports of the following Standing Committees (Minute No. 578 refers):

a) Properties Committee – Minute Nos. 557-561

RESOLVED THAT

- i) Minute No. 560(b) – The Council take immediate action to secure the premises providing café facilities and to prevent occupation without the consent of the Council.

NOTED THAT in his capacity as responsible Finance Officer and Proper Officer to the Council the Clerk advised that the Minutes would record that he advised against the above course of action which was specifically framed so as to preclude the Council making a decision informed either by relevant legal advice or an understanding of the material considerations and consequences associated with the action proposed.

- ii) Subject to the amendment of Minute No. 559 – Tavistock Museum Charitable Trust – Biffa Stage 2(a) to include the addition of the words ‘subject to satisfactory clarification regarding the current position of the ‘Grand Tor’.

The Council considered Minute Nos. 557-561 in connection with the above.

b) Finance and General Purposes Committee

The Council considered Minute Nos. 571-574 in connection with the above.

RESOLVED THAT subject to the above the recommendations included in the above Minutes (items a-b refers) be approved and the Minutes be received.

The Meeting closed at 8.53 p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

Minutes of the Meeting of the **TAVISTOCK TOWN COUNCIL** held in the Council Chamber, Drake Road, Tavistock on **TUESDAY** the **21<sup>st</sup> February, 2012** at **7.24pm**

Present: Councillor P Sanders (Mayor)

Councillors Mrs S Bailey, D Eberlie, Mrs M Ewings, Mrs J Metcalf, D Rose, Mrs L Rose, E Sanders, J Sellis, J Sheldon, E Sherrell, H Smith, A Tossell, B Trew, D Whitcomb, Mrs J Whitcomb.

In attendance: Town Clerk, Assistant to Town Clerk

Note – Prior to the meeting there was an opportunity for quiet reflection, to receive reports and questions from the public.

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**490. APOLOGIES FOR ABSENCE**

An apology for absence had been received from Councillor Mrs A Johnson (Deputy Mayor).

**491. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**492. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on 10<sup>th</sup> January, 2012 be confirmed as a correct record and signed by the Chairman.

NOTED THAT in response to Minute No. 441(d) - second bullet point – the Council was advised of progress to date in respect of communications with the Devon Historic Buildings Trust.

**493. COMMITTEES**

The Council considered the following reports of Standing Committees:-

a) Plans Committee – 31<sup>st</sup> January, 2012

The Minutes of the Meeting of the Plans Committee held on 31<sup>st</sup> January, 2012 (Minute Nos.446-454 inclusive);

b) Plans Committee –14<sup>th</sup> February, 2012

The Minutes of the Meeting of the Plans Committee held on 14<sup>th</sup> February, 2012 (Minute Nos. 455-463 inclusive);

c) Properties Committee – 14<sup>th</sup> February, 2012

Subject to:-

- i) The deferral of Minute Nos. 472-474 to a later point in the Meeting in view of the confidential nature of the business to be transacted;
- ii) The amendment of the recommendation included in Minute No. 470(b) to read:

“RECOMMENDED THAT Tavistock Town Council accede to the request on the basis that a prominent parking bay is made available for the Police, and the Police are encouraged to park there regularly and requested to provide evidence of usage over the next six months with a review”;

The Minutes of the Meeting of the Properties Committee held on 14<sup>th</sup> February, 2012 (Minute Nos. 464-471 inclusive).

Noted That: Minute No. 469 – Dog Fouling

Concern was expressed over the extent of current levels of dog fouling within the Town together with the challenges and opportunities which could arise from the proposed recommendation.

d) Finance and General Purposes Committee – 14<sup>th</sup> February, 2012

Subject to the deferral of Minute nos. 485-489 to a later point in the Meeting in view of the confidential nature of the business to be transacted the Minutes of the Meeting of the Finance and General Purposes Committee held on 14<sup>th</sup> February, 2012 (Minute Nos. 475-484 inclusive)

Noted That: Minute No. 483 - Superfast Broadband Update

- i) An update was received from Councillor J Sheldon in connection with the above. In particular, Members were advised of, and invited to, a meeting to be convened at the request of BT to be attended by Councillors at 4:30pm on Monday 2<sup>nd</sup> April, 2012. Further details would be circulated in due course.
- ii) Councillor E Sherrell left the meeting.

Arising from the Reports of Standing Committees it was

RESOLVED THAT subject to any amendments listed above the recommendations included in the foregoing Reports of Committee Meetings be approved and the Reports be received.

**494. CIVIC BUSINESS**

Having considered the nature of the business proposed to be transacted consideration of the above item was deferred to a later point in the Meeting.

**495. PORTAS PILOT**

The Council considered information in relation to a competition launched by the Government and Mary Portas to choose 12 towns to become 'Portas Pilots' with the winners benefiting from a share of £1m to help turn around their 'their unloved and unused' high streets.

Tavistock BID were supporting the proposal and an informal Officer meeting between representatives of the BID, Borough and Town councils had indicated that there was potential merit in participation.

RESOLVED THAT Tavistock Town Council support the development of a 'Portas Pilot' bid for Tavistock.

**URGENT ITEMS BROUGHT FORWARD FOR INFORMATION**

In view of the timescale for consideration the Mayor agreed to take the following three items as matters of urgency.

**496. MEADOWLANDS SWIMMING POOL**

The Council was advised that the Meadowlands Leisure Centre had been closed until further notice arising from problems with boilers serving the premises.

**497. APPLICATION FOR SECTION 106 'COMMUNITY FACILITY' FUNDS**

The Council was advised that the view of the Town Council was sought by the Borough Council in connection with an application from Whitchurch Pre-School for the £12,500 presently uncommitted arising from the development at Tiddy Brook. The majority of funds had previously been spent at Crowdale on recreational facilities and more recently toward a new Youth Café for Tavistock (£15,000) and improvements to the Town Council Whitchurch Play Area (£7,500).

The information would be circulated to Members of the Council and, with the consent of the Planning Committee, an indicative view returned to the Borough Council prior to its deadline following the meeting of the Planning Committee scheduled to take place on 28<sup>th</sup> February, 2012.

**498. QUEEN'S DIAMOND JUBILEE MARKET**

The Chairman of the Properties Committee advised the Council of a suggestion from BID that the two organisations work together to provide a 'Jubilee Market' in Bedford Square on the Saturday preceding the Queen's Diamond Jubilee. The arrangement would work on the basis of BID providing the entertainment and the Town Council co-ordinating the market.

The consensus of opinion was that this was a proposal worthy of support which should be progressed by the Market Reeve.

**499. 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 which involved the financial and/or business affairs and/or consideration of legal matters and/or personal data of persons other than the Council it was

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

**500. CIVIC BUSINESS**

a) The Annual West Devon Mayoral Awards

A nomination had been submitted by Councillor Mrs A Johnson in connection with the above.

RESOLVED THAT the Council endorse the submitted application.

b) Diamond Jubilee Service – Exeter Cathedral

The Council had been invited to appoint a representative to attend at a Diamond Jubilee Service being held at Exeter Cathedral.

RESOLVED THAT Honoured Town Burgess, Mrs Norma Woodcock and her husband be appointed to represent the Council at the above event. The Council to meet reasonable related expenses.

**501. COMMITTEES (CONTINUED)**

The Council considered the outstanding reports of the following Standing Committees (Minute No. 493 refers):

a) Properties Committee – Minute Nos. 472-474

Subject to the amendment of the recommendations included in Minute No. 474 to read

‘RECOMMENDED THAT Tavistock Town Council consider the matter further at its March Meeting’

the Council considered Minute Nos. 472-474 in connection with the above.

b) Finance and General Purposes Committee

The Council considered Minute Nos. 485-489 in connection with the above.

Noted That: an update was provided in connection with the note to Minute No. 488.

RESOLVED THAT subject to the above the recommendations included in the above Minutes (items a-b refer) be approved and the Minutes be received.

Noted That: pursuant to the above the Council was advised of progress, to date, in connection with an insurance claim made against the Council relating to an incident which had occurred in January 2009.

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

**502. COUNCIL SEAL**

RESOLVED THAT The Council Seal be affixed to the various deeds and documents to be made or entered into for the carrying into effect of the decisions and matters approved.

The Meeting closed at 8.20 p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

DRAFT

**MINUTES** of the Meeting of the **TAVISTOCK TOWN COUNCIL** held in the Council Chamber, Drake Road, Tavistock on **TUESDAY** the **10<sup>th</sup> JANUARY, 2012** at **7.08pm**

**PRESENT** Councillor P Sanders (Mayor)  
Councillor Mrs A Johnson (Deputy Mayor)

Councillors Mrs S Bailey, D Eberlie, Mrs M Ewings, Mrs J Metcalf, D Rose, Mrs L Rose, J Sellis, J Sheldon, H Smith, A Tossell, D Whitcomb, Mrs J Whitcomb.

**IN ATTENDANCE** Town Clerk, Works Superintendent, Assistant to Town Clerk

Note – Prior to the meeting there was an opportunity for quiet reflection, to receive reports and questions from the public.

Arising from the foregoing an apology for absence had been received from the Police. The Council noted an open invitation to all Councillors to attend an open day at the Tavistock Police Station between 3pm and 6pm on Friday 27<sup>th</sup> January, 2012.

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**438. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors E Sanders, E Sherrell and B Trew.

**439. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**440. CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on 29<sup>th</sup> November, 2011 be confirmed as a correct record and signed by the Chairman.

**441. COMMITTEES**

The Council considered the following reports of Standing Committees:-

a) Plans Committee – 6<sup>th</sup> December, 2011

The Minutes of the Meeting of the Plans Committee held on 6<sup>th</sup> December, 2011 (Minute Nos.376-383 inclusive)

b) Plans Committee –20<sup>th</sup> December, 2011

The Minutes of the Meeting of the Plans Committee held on 20<sup>th</sup> December, 2011 (Minute Nos. 393-400 inclusive)



c) Plans Committee – 3<sup>rd</sup> January, 2012

The Minutes of the Meeting of the Plans Committee held on 3<sup>rd</sup> January, 2012 (Minute Nos. 405-413 inclusive)

d) Properties Committee – 3<sup>rd</sup> January, 2012

Subject to:-

- i) The deferral of Minute Nos. 423-424 to a later point in the meeting in view of the confidential nature of the business to be transacted; and
- ii) The matters listed below

The Minutes of the Meeting of the Properties Committee held on 3<sup>rd</sup> January, 2012 (Minute Nos. 414-422 inclusive)

Noted That

- Minute No. 420(e) Cornish Mining Consultative Forum

RESOLVED THAT Councillor D Whitcomb be appointed to serve as the Council's representative on the Cornish Mining Consultative Forum.

- Minute No. 421(b) Devon Historic Buildings Trust, Tavistock Guildhall and Police Station – it was

RESOLVED THAT the Clerk write to the Devon Historic Buildings Trust inviting it to outline how it intends to involve/liaise with the Council with regard to the development of the Tavistock Guildhall and former Police Station site.

e) Finance and General Purposes Committee – 3<sup>rd</sup> January, 2012

Subject to:

- i) the deferral of Minute nos. 435-437 to a later point in the Meeting in view of the confidential nature of the business to be transacted; and
- ii) the matters listed below; and

The Minutes of the Meeting of the Finance and General Purposes Committee held on 3<sup>rd</sup> January, 2012 (Minute Nos. 435-434 inclusive)

Noted That

- Minute No. 429(b)(ii) Goose Fair 2011 (Park and Ride) –

RESOLVED THAT Councillor Mrs J Whitcomb be appointed to the Goose Fair Steering Group (in place of former Councillor R Pike).

- Minute No. 432 Human Resource Services

RESOLVED THAT a Tender Board/Sub-Committee be constituted with authority to select and appoint a Human Resource provider for the Council comprising the Chairman and Vice Chairman of the Finance and General Purposes Committee, together with Councillors R Eberlie, D Rose and D Whitcomb.

- Minute No. 433(b) Superfast Broadband for Tavistock – following a period of discussion it was

RESOLVED THAT Councillor J Sheldon be appointed to represent the interests of Tavistock to support the case for bringing Superfast Broadband to the Town (same to be classified as an approved duty in respect of reasonable travelling and other allowances) subject to:

- Securing the formal support of the Chamber of Commerce and Business Improvement District for the Town together with the encouragement of support from other key potential users in the Town such as Tavistock College, Kelly College and the Hospital; and
- A report on progress being brought before each succeeding meeting of the full Council

Arising from the reports of Standing Committees it was

RESOLVED THAT subject to any amendments listed above the recommendations included in the foregoing reports of Committee meetings be approved and the reports be received.

### **URGENT ITEM**

In view of the timescale for determination the Mayor agreed to take the following item as a matter of urgency.

#### **442. TOWN CENTRE SHOPPING AND LEISURE STUDY**

The Council was advised of an invitation to up to three or four Members of the Council to attend at a workshop to share thoughts about current and future shopping and leisure provisions in towns within the Borough of West Devon. The meeting would be held at Bridestowe Village Hall on Monday 30<sup>th</sup> January, 2012 from 2pm–4pm. Members interested in attending were requested to notify the Clerk.

#### **443. 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 which involve the financial and/or business affairs and/or consideration of legal matters of persons other than the Council it was

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

#### **444. COMMITTEES (CONTINUED)**

The Council considered the outstanding reports of the following Standing Committees (Minute No. 441 refers):-

a) Properties Committee – Minute Nos. 423-424

In relation to Minute No. 424 the Council received further updates in respect of the items listed arising from which it was

RESOLVED THAT

i. Drain at Abbey Rise

Tavistock Town Council endorse the approach recommended by the Council's legal advisors;

ii. Cattle Market

Tavistock Town Council endorse the approach outlined in paragraph 2.2(a) of the Report\* subject to agreement being reached with the other party, as necessary, regarding the disposition of the lease boundary in respect of that part of the Pixon Lane car park which was proposed to be developed by the Town Council and Devon County Council.

\*Note this including being on the basis that the other party meets the Council's legal costs.

iii. Auction Rooms

Tavistock Town Council

- Support the approach outlined in paragraph 3.5(a) of the Report subject to each party meeting their own costs and the equal sharing of joint costs;
- the Council appoint, should its offer of mediation be accepted, Councillors Mrs M Ewings, D Rose and P Sanders, to represent the Council's interests and to have delegated authority to determine the matter in full, subject to consultation with the wider Council Membership in advance of any mediation process;
- In the event that one of the above is unable to act Councillor Mrs S Bailey to be appointed as reserve.

Noted That The Council was advised of anticipated costs associated with the foregoing proposals .

b) Finance and General Purposes Committee

The Council considered Minute Nos. 435-437 in connection with the above.

RESOLVED THAT subject to the above resolutions, the recommendations included in the above Minutes (items a-b refer) be approved and the Minutes be received.

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

**445. COUNCIL SEAL**

RESOLVED THAT the Council Seal be affixed to the various deeds and documents to be made or entered into for the carrying into effect of the decisions and matters approved.

The Meeting closed at 8.39 p.m.

Signed \_\_\_\_\_

Dated \_\_\_\_\_