**Agenda Item 3a**

**MINUTES** of the Meeting of the **TAVISTOCK TOWN COUNCIL** held at the Council Chamber, Drake Road, Tavistock on **TUESDAY 27th MARCH, 2018 at 6.45pm.**

**PRESENT** Councillor Philip Sanders (Mayor)

Councillor P Ward (Deputy Mayor)

Councillors Ms L Crawford, Mrs M Ewings,

A Hutton, Mrs A Johnson, P Palfrey, Mrs L Roberts, H Smith, P Squire, A Venning and P Williamson.

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

Prior to the Meeting there was an opportunity for quiet reflection led by Councillor A Venning. A written report from County Councillor Mrs D Sellis was received together with an oral report from West Devon Borough Councillor and Tavistock Mayor, Councillor Philip Sanders.

Members also received a presentation from the Deputy Lord Lieutenant of Devon, Mr C Snow on the roles of the Lord Lieutenant and their Deputies.

1. **APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors A Lewis,

E Sanders, J Sheldon and Mrs J Whitcomb .

1. **DECLARATIONS OF INTEREST**

No Declarations of Interest were made at this point in the Meeting

1. **CONFIRMATION OF MINUTES**

RESOLVED THAT the Minutes of the Meeting of the Tavistock Town Council held on Tuesday 13th February, 2018 be confirmed as a correct record and signed by the Chairman (Appendix 1)

Noted That arising from consideration of the above and, more specifically;

1. Minute No. 299 - clarification was provided regarding the reduction in the projected underspend on the Duke Street re-pointing works, and the impact this would have on other planned works. It was confirmed that details of how the shortfall would be addressed would be brought back to a future Meeting. It was presently anticipated iro an extra £11,000 would need to be found from savings.
2. The General Manager confirmed that following tender exercises (Pannier Market electrical works) and subject to the necessary due diligence, an award was shortly to be made to Farnham Electrical. A related tender return for mechanical/electrical works was under review and to be awarded shortly subject to the necessary checks. Both tenders represented the most competitive received and were within the approved budget.

**EXCLUSION OF PRESS & PUBLIC**

1. **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 to consider that the Press and Public be excluded from the Meeting for the following items of business.

The Solicitor to the Council provided an update, with consideration being given on how to proceed where appropriate, with regard to the following matters:

1. **Long Leases;**
2. Meadowlands

The Solicitor outlined relevant considerations including, inter alia, legal considerations, the background to this matter and how the issue had arisen, the current position/prospective next steps and possible cost levels.

RESOLVED THAT in the event of mediation the Clerk in consultation with two Members (to be appointed) be authorised to negotiate on behalf of the Council in order that, if appropriate, a resolution could be achieved which would be binding.

Noted That

* a decision on which two Members would accompany the Clerk would be made once the date was known, and would be based on the skills and experience of said Members, also ensuring there would be no conflict of interest;
* Councillor P Sanders (Mayor) declared a Personal Interest in this matter, by virtue of being the Leader of West Devon Borough Council.

1. Corn Market

The Solicitor gave the background to this matter which dated back to the 1980s alongside relevant legal considerations including the treatment of costs in such situations and prospective next steps. Reference was made, in particular, to the recent actions of the Tenant. A Hearing was scheduled to take place on 18th April when the Town Council would seek an award of costs.

1. **Updates;**
2. St Eustachius’ Churchyard

The Council’s Solicitor confirmed that whilst Tavistock Town Council had historically cut the grass in the churchyard on a voluntary basis it had, not least on the evidence provided by the Church, no statutory obligation to do so or to undertake other works of maintenance.

It was the consensus that the Town Council would continue to cut the grass on a voluntary basis in the spirit of goodwill and without accepting any obligation so to do.

Noted That the following Declarations of Interest were made;

* Councillor P Sanders (Mayor) declared a Personal Interest in this matter, by virtue of personal association with a Church Warden
* Councillor Mrs A Johnson declared a Personal Interest by virtue of being on the electoral roll of the Parish Church.

1. Tennis Courts

The Council’s Solicitor confirmed that the Tennis Club had requested new 25-year Leases on the courts in order that they could seek funding from the Lawn Tennis Association.

Clarification was provided on which party was responsible for which courts, in respect of upkeep and maintenance.

It was confirmed that a draft Lease was currently with the Tennis Club, which would also retain public access to the courts and it was expected that this matter would be concluded shortly.

1. Tavistock Heritage Trust - Guildhall

It was confirmed that whilst the Lease preparation had taken some time, most of the obligations would be contained within a Service Level Agreement (SLA) which would sit alongside the Lease.

It was considered essential that the SLA and Lease did not contradict each other to avert potential for future issues.

The Press and Public were readmitted to the Meeting.

**ITEMS REQUIRING A DECISION**

1. **GENERAL FINANCE**

The Council considered the following:

1. **Schedule of Payments**

The Council received and considered a copy of the monthly accounts as at 31st January, 2018 (Appendix 2)

1. **Budget Monitoring Report**

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

1. **Year End Adjustments**

RESOLVED THAT in the event any year end overspends arose in revenue cost codes which were not otherwise addressed by an approved virement, these be defrayed as at year end, by the reallocation of any surplus from underspent departmental cost codes.

Noted That a preliminary schedule of Year End Adjustments for the 2017-2018 Financial Year was insufficiently advanced to bring before Council at this time. This would be brought forward at a later date.

1. **Tenders – Pannier Market and Play Park**

RESOLVED THAT the Clerk, in consultation with the Mayor and/or Deputy Mayor, be authorised to issue, open and accept tenders in respect of works to the interior of the Pannier Market and to the Meadows Play Park (resurfacing), with acceptance being subject to falling within approved budget.

1. **BUDGET AND POLICY COMMITTEE**

The Council considered the Minutes of the Meeting of the Budget & Policy Committee (Appendix 4) held on 13th March , 2018 (Minute No’s 317-328)

RESOLVED THAT the recommendations included in the foregoing Report of the Committee be approved, and the Minutes be received.

Noted That in respect of:-

* Minute No. 322 - Members were encouraged to look online at the forthcoming General Data Protection Regulation (GDPR), in view of the level of changes being made;
* Minute No. 323 – plans previously issued with regard to the forthcoming Public Realm works had contained a ‘heritage’ element of 3 heritage plaques. Following consideration of these plans arising from consultation, a range of views regarding the heritage aspect had been received. The General Manager confirmed he had agreed to proceed with this element held in abeyance for the time-being, due to the tight timeline available to deliver these works. The plans had been approved by the Budget & Policy Committee and undertakings given to local traders that efforts would be made to improve footfall in that area.

The General Manager confirmed that this element could be added at a later date.

Noted That Councillor Mrs M Ewings declared a Personal Interest during consideration of the item and left the Meeting prior to its conclusion.

The future usage of the perimeter, with regard to marquees, vehicle access and outside seating for the various cafes, would require a final consideration/decision in due course.

1. **DEVELOPMENT MANAGEMENT AND LICENSING COMMITTEE (DM&L)**

The Council considered the following:-

1. **Development Management and Licensing Committee – 6th March, 2018** (Appendix 5)

The Minutes of the Meeting of the Development Management and Licensing Committee held on 6th March, 2018 (Minute No’s 308-316 inclusive)

1. **Development Management & Licensing Committee – 26th March, 2018** (Appendix 6)

The Minutes of the Meeting of the Development Management & Licensing Committee held on 26th March, 2018 (Minute No’s 331-339 inclusive)

RESOLVED THAT the recommendations included in the foregoing reports of the Committee be approved, and the Minutes be received.

**347. GUILDHALL FUNDING/SERVICE LEVEL AGREEMENT**

It was confirmed that a draft Heads of Terms had been distributed, attention being drawn in particular to the substance of the tenants general repairing obligations having been removed (Minute No. 343(v) above refers).

Tavistock Heritage Trust would be considering the Agreement on 28th March, 2018.

**ITEMS CIRCULATED FOR INFORMATION ONLY**

**348. SERVICE REPORTS**

The Council received and noted reports of the General Manager, Works Department, Town Hall and Pannier Market (Appendices 7-10 refer)

**349. FINANCE AND OTHER MATTERS**

The Council received and noted the following:-

1. Report of the Assistant to the Town Clerk (Appendix 11)
2. Town Hall and Markets Consultative Group – Notes of the Meeting held on 13th March, 2018 (Appendix 12)
3. Tavistock Townscape Heritage Initiative – Progress Report (Appendix 13)
4. Updates – the following updates were received from Council representatives;

* Tavistock BID Company – it was reported that the BID Manager was leaving her post on the 4th April 2018, and a replacement was being actively sought;
* Kingdon House Association – an application to the Dartmoor LEAF had been submitted, and if successful would allow for Phase 1 of the proposed works to be completed, which would make the building watertight. A response was expected on 10th April, 2018;
* Dartmoor National Park Authority – the review of the Development Management department had been completed, with new appointments having been made, including Mr C Hart as Head of Development Management.

**350. 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**

**351. BUDGET & POLICY COMMITTEE CONT’D**

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

Minute No. 330 of the Meeting of the Budget & Policy Committee held on 13th March, 2018 (Minute No. 345 above refers).

RESOLVED THAT the recommendations included in the foregoing report to the Committee be approved and the Minutes be received.

**352. TENDERS FOR THE PROVISION OF INSURANCE SERVICES TO TAVISTOCK TOWN COUNCIL**

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

The Town Clerk confirmed that two tenders had been received in respect of the above.

RESOLVED THAT the most competitive tender, as submitted by Royal Sun Alliance (via WPS Brokers), be accepted in the sum of £23,906.61.

It was also confirmed that the cover received either met, or exceeded, that of the previous insurance the Town Council had in place.

**353. PROPERTY AND FINANCE MATTERS**

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

1. Debtors

The Council considered and noted a list of all those with debts to the Council dating from earlier than the last Quarter Day (Appendix 14)

1. Updates

No oral update was provided in connection with outstanding legal matters as all matters had previously been covered.

The Press and Public were readmitted to the Meeting.

**354. 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 those decisions or matters approved by the Council this day.

The Meeting closed at 8.55pm.

Signed………………………………………………………………………………………….

Dated………………………………………………………………………………………….

CHAIRMAN