

Minutes of the Meeting of
SALCOMBE TOWN COUNCIL
held in the Library of Cliff House, Salcombe
at 6.30 pm on Wednesday 25th October 2023

COUNCIL MEMBERS PRESENT * - Attendance; A- Absent; N - No Apologies Received

Cllr Mark Goodey (Mayor)	*
Cllr Jasper Evans (Deputy Mayor)	*
Cllr Caroline Bricknell	*
Cllr Andrew Reed	*
Cllr Jess Denny	A
Cllr Eoghan Grace	*
Cllr Kizzy Sims-Stirling	*
Cllr Christine Milton	A
Cllr John Cooke	*
Cllr Craig Niven	A
Cllr Rob Wheeler	*
Cllr David Higgins	*

Also in attendance:

Dist Cllr Samantha Dennis	*
Dist Cllr Mark Long	A
Cty Cllr Rufus Gilbert	*
Richard Harding (South Hams Newspapers)	*
PS Peter Shotton	A
Sara Jones (Town Clerk)	*
Pete Robinson (Cemetery Manager & Project Officer)	*

1. APOLOGIES

Apologies received from Cllr Christine Milton, Cllr Jess Denny, Cllr Craig Niven and Dist Cllr Mark Long
Cllr Eoghan Grace – will be arriving later
Town Clerk – will be arriving later

2. DECLARATIONS OF INTEREST

To invite Members to declare any pecuniary interests and non-pecuniary interests that they may have in any matters to be considered at this meeting; and to note that a Member with a disclosable pecuniary interest, in any matter must, withdraw from the Chamber at the commencement of the consideration of that business or, if later, the time at which the interest becomes apparent, whilst also considering if there had been any changes.

None

3. OPEN FORUM

- i) Members of the public are invited to attend and discuss matters relating to the parish; they are invited to speak for a maximum of 3 minutes unless directed by the chairman of the meeting.

Stephen Alock read out a statement:

I am leading the campaign to get the path through the tennis club open - which it now is ... which is obviously very good news. I am here this evening primarily to thank you Mr Mayor and your Council for your support. Following our presentation to you in June we were impressed with the team you brought to the meeting with the representatives of the Tennis Club and pleased by the way in which matters were handled. The generally held view is that your involvement has helped significantly in getting this path reopened. In respect to the signs, we do not believe the wording reflects the true nature of the rights of access to the path. As some may be aware the signs were defaced on two occasions soon after they were put up. (As I think is widely known, I was in Cumbria at the time.) This campaign team does not encourage such activity however tempting it might be to put the facts straight. But, as more than one commentator has said, it does tell us the strength of feeling that exists about all this. Whilst the Tennis Club have made no official statement about the graffiti, it is understood one Club committee member has said that if the signs are defaced again, they will simply be removed, and the path will be closed. It shows us the tenuous nature of the access we currently enjoy. As is now widely recognised, public funds were awarded for works to that path the application for which clearly stated that access to the public would be granted. South Hams District Council continue to refuse to consider the facts of the case properly; we are now in dialogue with the Local

Government Ombudsman. But, the path is open and our thanks again for your part in helping to make this happen. Thank you.

ii) To note matters raised in the open forum and consider any to be added to the agenda for a future meeting

4. TO RECEIVE VERBAL OR NOTE ANY WRITTEN REPORTS FROM COUNTY OR DISTRICT COUNCILLORS OR ANY REPRESENTATIVE FROM THE DEVON AND CORNWALL POLICE

Councillors are welcome to raise any questions they have and consider any matters raised to be added to the agenda for a future meeting.

Cty Cllr Rufus Gilbert:

- Thanked the Council for hosting the Civic Lunch; enjoyed himself, along with his wife and was pleased to see the event being held at Cliff House.
- He has donated £250 to Salcombe Christmas Lights Committee from his Locality Allowance.
- The white lines in Ember Close will be painted; not sure timescale but confirming it will be done.
- Has received several 'thank yous' from members of the public for the resurfacing of Cliff Road.
- He briefly discussed the upcoming consultation meeting with the town; said it was a chance for Chris Rook (from DCC) and himself to hear what the town has to say. Advised that DCC have been complimentary about the way the Council has been going about the consultation process and their communication with them.

18:40 Cty Cllr Rufus Gilbert left the meeting

Dist Cllr Sam Dennis:

CONSULTATIONS

There are several live consultations on SHDC's website, including one on the Council Tax Reduction Scheme (open until 28th November) and another on Public Space Protection Orders for Dog Control in the District (open until the 14th November). The latter takes place every three years and affects PSPO's such as when it is currently necessary for owners to keep dogs on leads in certain areas, where dogs are excluded, and the level of access to areas such as beaches.

The deadline for responding to the new administration's Draft Corporate Strategy has now been extended to the 30th November and I would encourage all residents to take a look and respond.

COMMERCIAL WASTE

1,500 properties registered for business rates have been written to asking for proof of a commercial waste contact. I am aware that there has been some negative press and poor reporting regarding this, both in the Daily Mail and The Times. To clarify, if you are a second homeowner you qualify for a domestic waste collection as you are paying council tax, if you are a holiday let owner and have registered for business rates you do not qualify for a domestic collection and must arrange a commercial waste collection.

This also relates to owners who rent a 2nd room even if it's just for 4 weeks.

Discussion took place regarding the confusion caused by to the wording of the letter. Dist. Cllr Sam Dennis advised that she is happy to chat with business owners and residents if there is any confusion.

ENFORCEMENT

Both Cllr Long and myself are taking part in a Task & Finish group set up the Overview and Scrutiny Committee on Enforcement. Please get in touch with any comments on enforcement, particularly in regard to the process.

Cllr Andrew Reed advised that the Planning Working Group are concerned regarding 3 properties; will write to Pat Whymer c/o ward councillors about these.

Police report received – see Appendix 2

5. TO APPROVE AS A TRUE RECORD THE MINUTES OF THE TOWN COUNCIL MEETINGS:

- i. Wednesday 27th September 2023
- ii. Extraordinary Meeting on Friday 6th October 2023

Not prepared so postponed approval of these to November's Full Council meeting.

Cllr Jasper Evans raised a resident's concerns regarding the delay in minutes being written. Members noted that the Town Clerk has a full workload along with the importance of the issuing of the minutes in a timely manner.

6. PLANNING & LICENSING APPLICATIONS

See Appendix Oct 23 P

Voting:

Abstentions: None

Against: None

For: All

7. TREE MAINTENANCE

Following the Tree Survey Walk carried out by Mark Long (Tree Warden) and Pete Robinson (STC's Project Officer), the Council was sent the contractors' quotes/specs by Pete. Max quoted cost was £7,800 +VAT

Pete advised that he sought quotes for each of the individual sites where works are needed and has received formal quotes, including their T&Cs from the contractors, bar one, who just quoted via email. He advised that Council could have confidence in all contractors and split the works i.e. use a contractor for each area based on cost. All will be asked for their PLI certification before starting the work.

Council **RESOLVED** to appoint:

Hi-Line for works at The Berry & Bonfire Hill
Pittman Trees for works at Bonfire Hill Allotments

Total costs for works: £3,736+VAT

Voting:

Abstentions: None

Against: None

For: All

ACTION: Project Officer

8. TO CONSIDER REQUEST FROM SALCOMBE PLAYERS REGARDING USING MORTUARY BUILDING AS A STORAGE FACILITY

19:10 Cllr Eoghan Grace arrived

Members discussed that Council may find a use for the building in the future, so need to bare this in mind. Council **RESOLVED** for Salcombe Players to lease the Mortuary building on the following basis:

- A rolling 3 month period
- No charge
- Insure their own property
- Vacate if requested
- For storage only

ACTION: Town Clerk

Voting:

Abstentions: None

Against: None

For: All

The Mayor, due to the request from the Town Clerk via Pete Robinson, moved Agenda items initially 9 (D-Day celebrations) & 11 until later in the meeting for when she had arrived.

9. HMS MAGPIE

Peter Robinson advised that HMS Magpie is due in Salcombe on the 10th November, but this is dependent on weather as sailing from Northern Ireland.

Council agreed to hold a Reception for the Council to meet the new Commanding Officer of HMS Magpie and the Crew, after the Remembrance Parade, on Sunday 12th November at The Kings Arms with **Town Clerk** to lead on this. No budget set.

10. REPAIRS

i. The next steps in looking to repair the leak at Salcombe Information Centre

Pete Robinson advised that he has looked at roof with Cllr Andrew Reed. He reported that it has been quite difficult to gain access to the roof to look for damage, but was given access to neighbouring property, and from a window and the drone shots he has obtained they have seen several slipped tiles and the gully is full of leaves – although not blocked completely.

Will need to scaffold, scaffolded last year to paint the building. Will need to review the whole roof.

Council **RESOLVED** for 3 quotes to be obtained

Voting:

Abstentions: None

Against: None

For: All

ACTION: Project Officer

ii. The rebuild of the wall on the boundary of Redfern Woods and a neighbouring property.

Council discussed the need to ascertain ownership of the wall. Initial look at deeds does not show ownership. Pete advised that the wall will have been in existence before houses were built. Cllr Rob Wheeler advised that the land was gifted years ago to the town. Pete advised that a stonemason is due to look at wall in order to quote and advised additional quotes may be needed; depending on price. Plus additional works may be required on the wall to future proof it.

Cllr John Cooke advised that wall runs alongside his property too.

Council **RESOLVED** for 3 quotes to be obtained

Voting:

Abstentions: None

Against: None

For: All

ACTION: Project Officer

19:30 Town Clerk arrived

11. MORTUARY BUILDING REPAIRS

i. **Cllr Rob Wheeler** advised that the repairs have been completed - some snagging on the wooden column where polyurethane adhesive has spilled still needs to be done.

Council **RESOLVED** that the final balance of invoice 30468 less 10%, to be paid to Heritage Preservation SW Ltd; total amount: £10,248

Voting:

Abstentions: None

Against: None

For: All

ACTION: Town Clerk

Cllr Rob Wheeler advised that Heritage Preservation have now agreed, within the quote received to replace the guttering and downpipe, to replace the white 'ogee' guttering on the side facing the Coronation Road properties with black half-round guttering and downpipe in plastic, as a goodwill gesture. The front and two short runs to be replaced with half-round cast aluminium - including downpipe.

Members noted that they did not understand why Heritage thought their initial quote does not infer that all guttering should be replaced.

Town Clerk advised Council that these guttering works have already been approved, but Council need to consider if they are happy to accept the goodwill gesture offered by Heritage to replace the guttering at the back of the building.

Council **RESOLVED** to accept goodwill gesture

Voting:

Abstentions: None

Against: None

For: All

- iii. Quote has been received for £632 for the painting of woodwork. Contractor has been used by Cllr Rob Wheeler, who was happy to recommend him. Members discussed urgency of painting to be carried out, as wood has been primed and poor weather coming in. As below £1K Town Clerk advised that Council do not need to go for 3 quotes, but for Council to decide on this.

Council **RESOLVED** to accept quote and appoint contractor.

Voting:

Abstentions: None

Against: None

For: All

ACTION: Town Clerk

12. D-DAY CELEBRATIONS

Town Clerk had sent Council information about D-Day 80 celebrations on 6th June 2024, ahead of the meeting, in order for members to consider whether Council wanted to hold an event. Discussion took place around bringing in other local organisations straight away onto a Working Group e.g. Salcombe Information Centre, Harbour Authority and Roger Barrett and the need for the event to be decided on fairly quickly to catch any newsletters/posts covering 2024 events.

Town Clerk advised members that they may want to initially set up a Working Group with members only, in order to discuss the feasibility of holding an event e.g. whether Council leads and takes responsibility for the event, research event(s) Council may want to put on and to suggest a budget - reporting back to Council for a decision to be made, before they started bringing in other organisations.

Council **RESOLVED** for:

- Cllrs Jasper Evans, Rob Wheeler and John Cooke to set up a Working Group with Town Clerk to research options.
- To approach Salcombe Information Centre and Harbour Master to ask if they would be interested in joining the Working Group.
- **Cllr Jasper Evans** to ask Roger Barrett if he would be interest in joining the Working Group

Voting:

Abstentions: None

Against: None

For: All

ACTION: D-Day Working Group and Town Clerk

13. STANDING ORDERS

Town Clerk advised that on occasions members have made decisions outside of meetings, which are then ratified at the next Town Council meeting and that she is uncomfortable with this. An example being the purchase of Survey Monkey for the town consultation survey regarding DCC's on-street pay-n-display proposals. The urgency of needing this was discussed, hence why it was purchased.

She asked them to consider if there are any occasions whereby urgent decisions may need to be made outside of meetings, as this will need to be resolved within a Full Council meeting to enable this to take place.

Example being that the Help Out Hub have requested to use the Council's meeting room, which Town Clerk advised she hasn't brought to the Council yet as she is waiting on insurance company and Cliff House, but timing wise it will mean that Council will need to make a decision outside of a Full Council meeting.

Mayor raised the issue of how limiting it is having to make decisions at Town Council meetings and a way forward may be to add/amend Standing Orders to allow certain decisions outside of meetings.

Cllr Jasper Evans advised he agreed with Town Clerk's concerns, but stated the importance of adhering to the Standing Orders, rather than amending them – mentioned that Kingsbridge Council have several Committees, rather than Working Groups, which could be a way forward or calling extraordinary meetings if an urgent decision is needed. Also raised concerns about making urgent decisions and repenting at leisure.

Town Clerk advised that decisions can only be made in accordance with Standing Orders and if it is not under the Town Clerk's Delegation of Authority, then there must be an agenda item for discussion at Town Council meeting, otherwise any decisions made may be deemed to be unlawful.

For now Council felt that no decisions needed to be made outside of meetings apart from the usage of Council meeting room, but will review as and when future situations arise.

Council **RESOLVED** for:

- **Town Clerk** to have delegation of authority to enable local organisations to use Council meeting room at her discretion.

Voting:

Abstentions: None

Against: None

For: All

14. WORKING GROUPS AND LOCAL ORGANISATIONS

- i. **RESOLVED** for **Cllr David Higgins** to join Planning and SHDC Community Economic Working Groups.

Voting:

Abstentions: None

Against: None

For: All

- ii. **RESOLVED** for **Cllrs Craig Niven** and **Mark Goodey** to liaise with Philip Ward, on behalf of the Council, with regards to RNLI's Field of Light project.

Voting:

Abstentions: None

Against: None

For: All

- iii. Council discussed the format of the town meeting regarding DCC on street pay-n-display proposals. The Town Clerk advised the meeting that Cllrs Jess Denny, Andrew Reed and Jasper Evans have put themselves forward to attend a preliminary meeting with Chris Rook to finalise arrangements, although Cllr Andrew Reed advised that he could no longer attend.

The Mayor mentioned that the comments on the online survey the Town Council has now launched matches the concerns discussed by the Council. Cllr Rob Wheeler commented that comments left show a confusion around which Councils are responsible for what.

Town Clerk reminded the Council that they haven't as yet made a decision as a corporate body and therefore will not be able to advise/indicate what the Council's decision is.

RESOLVED for **Cllrs Jess Denny** and **Jasper Evans** to attend the meeting, alongside the Town Clerk, with Chris Rook at DCC, to discuss the format.

Voting:

Abstentions: None

Against: None

For: All

RESOLVED for format to be:

- Mayor to chair meeting
- Invite Chris Rook to advise the meeting of DCC's plans
- Invite questions from the town.
- Have the plans on A boards to invite discussion around these maps
- Send survey results to Chris Rook ahead of meeting
- Cllr John Cooke to be available for MOPs to help people complete survey if needed
- Cllr Rob Wheeler to record meeting – Mayor to let people know it's being recorded.

- iv. **RESOLVED** for members to form as a Working Group at the next Breakfast Meeting in order to draft a response to SHDC's Corporate Strategy Survey (which sets out SHDC aims and ambitions for 2024-2028) for this to then be considered by Full Council at November's TC meeting; deadline of consultation 30th November 2023.

Voting:

Abstentions: None

Against: None

For: All

- v. **RESOLVED** for **Cllr David Higgins** to liaise with Salcombe Rugby Club in being the Council's representative on the club's committee and their approach to the community's use of the clubhouse. Town Clerk reminded Council that she has not as yet paid their grant as this is part of the Council's stipulation in granting the monies to them.

Voting:

Abstentions: None

Against: None

For: All

- vi. Members discussed the importance of setting up a Working Group to consider the possibility of transferring SHDC's assets within Salcombe to the Council, which at the recent meeting with SHDC's representative, Cllr John Birch (Executive Member for Economic Development, Commercial Strategy & Governance) indicated they are open to having a discussion with the Council.

Town Clerk reminded the Council that his suggestion was to link this up with Salcombe's Community Economic Plan and liaise with Chris Shears to feed this through to SHDC.

Town Clerk advised that Cllr Craig Niven indicated prior to meeting he would be interested in joining a working group.

RESOLVED for

- **Cllr Andrew Reed, Cllr Jasper Evans, Cllr Rob Wheeler** (as lead) and **Cllr Craig Niven** to set up an Asset Transfer Working Group

Voting:

Abstentions: None

Against: None

For: All

RESOLVED for

- Terms of reference to be: to consider the transfer of SHDC's assets to Salcombe and to develop formal proposals for consideration by Council and submission to South Hams District Council.

Voting:

Abstentions: None

Against: None

For: All

15. REPORTS

Please note that these are reports on attendance at meetings, representatives on public bodies/associations or working groups; no matter will be raised for the Council to consider apart from any matters to be added to the agenda for a future meeting.

- i. **Mayor:** See Appendix 1
Advised that the protruding hedge at the top of Bennett Road, near Sandhills Road has now been cut back – making the junction much safer
- ii. **Councillors:**
Cllr Jasper Evans reported on the Community Working Group's meeting with Pete Robinson with regards to looking at renewing SHDC's Gardening and Maintenance contract, which expires next year. Looking to include areas of the towns that are slipping through the gaps between SHDC & DCC with the view of STC picking these up within the contract. Will need to go out to tender on this.
Discussed flailing of various areas; Pete advised that SHDC is contracted annually to do this and therefore best not to flail too early – usually March time.

ACTION: **Project Officer**

Cllr Caroline Bricknell:

Free Defib training on Thursday evening at Salcombe Youth Centre 18:30

Clerk:

No report

16. FINANCE

- i. Invoices and payroll received and approved for payment (see appendix 3)
Particularly of note:
- Defer payment to Tally Ho as awaiting schedule/report
 - Full payroll figures not received from payroll provider – HR & Staffing Committee to review when received
 - Council **RESOLVED** to move to Part II to discuss payments to Desmond Rex Ltd, later in the meeting. Due to the nature of the business discussed and the sensitivity of the information, the notes of the discussion for this agenda item are not available to the public.

Council **RESOLVED** for Desmond Rex Ltd (owned by Cllr Jess Denny) to be reimbursed for the overspend of £246.35 for the refurbishment of the Council's offices.

Council **RESOLVED** for Desmond Rex Ltd to invoice the Council, providing a breakdown of purchases plus services provided at zero cost, and to be reimbursed £11,783.90 incl VAT. Cllr Jess Denny to be advised by Town Clerk to complete a Notification of Interest.

Council **RESOLVED** that The Kings Arms invoices the Council for purchases for the Civic Lunch and Coronation Weekend and for Cllr Christine Milton to be advised by Town Clerk to complete a Notification of Interest.

- Balance in Lloyds bank to be transferred to CCLA less £10k which is to be left as a floating balance.

Voting:
Abstentions: None
Against: None
For: All

- ii. Received and approved finance report/bank reconciliation – see appendix 4
Bank balance as at 22/10/23: £595,336.37

Voting:
Abstentions: None
Against: None
For: All

- iii. **RATIFIED** the purchase of a 24 month contract with BT for phone and broadband, at a cost of a one off fee of £19.95+VAT and £49.95/month +VAT

Voting:
Abstentions: None
Against: None
For: All

- iv. **RATIFIED** paying £15 cleaning fee to Salcombe Rugby Club for town meeting being held on 1st November regarding DCC's on-street pay-n-display proposal.

Voting:
Abstentions: None
Against: None
For: All

- v. Considered and discussed the need to purchase a laptop for office administrator:
 Dell Latitude 5440 - £768.98+VAT
 HP Probook - £670.19+VAT
 Refurbished HP Elitebook 840 - £405 incl Vat with 1 year warranty
 Council **RESOLVED** to purchase HP laptop for £405 with 1 year warranty

Voting:
Abstentions: None
Against: None
For: All

ACTION: Town Clerk

- vi. **RATIFIED** the purchase of a year's contract with Survey Monkey at a cost of £300 pa

Voting:
Abstentions: None
Against: None
For: All

- vii. Council received and considered the second report regarding the potential VAT liability from Parkinson Partnership. Town Clerk advised that she has pulled together and has sent a lot of information already with regards to the income the Council has received over the years, to Parkinson Partnership (PP) - VAT specialist, who are currently establishing what's business and non-business income.

She also advised there is still a considerable amount left to do including:

- Establishing whether DCC or STC had a contract with Ringo
- Breakdown of income and charges from DCC for the period 2016- end of Sept 2018
- Need to be confident in the true income figure received since 1st June 2016
- Need to look at invoices issued over the named period, as these will need to be reissued with VAT taken into account.
- Look at vatable expenses to ensure offsetting correct expenses against income.
- She advised the date has now been established by PP for when the Council should have registered for VAT – which is 1st June 2016. This is though based on the test case (Isle of Wight) and HMRC may not accept this date and look to go further back for registering. Council will need to send a letter to HMRC advising why it's not registered before now - PP will help Council draft the letter.
- Clerk advised that Council needs to be bear in mind the workload this is generating and impact on office when looking at projects.

Council **RESOLVED** to register for VAT with effect from 1st June 2016.

Voting:
Abstentions: None
Against: None
For: All

ACTION: Town Clerk

- viii. Town Clerk advised she is waiting on quotes from insurance company, but suggested Council consider reviewing the Council's insurance regarding:
- a. Adding walls, gates and fences located within the boundaries of Salcombe.
 - b. Adding new office equipment and assets to the insurance.

Council **RESOLVED** to postpone considering this until quotes have been received.

Voting:
Abstentions: None
Against: None
For: All

17. EXCLUSION OF PUBLIC AND PRESS

Council considered and **RESOLVED** that in view of the nature of the business about to be transacted at the agenda items below, in the public interest, the public and press be temporarily excluded.

Voting:
Abstentions: None
Against: None
For: All

18. RETAIL SHOP

The Town Clerk advised Council that she has been told that a retail shop in Salcombe may potentially close; due to the sensitivity of the information the notes for this agenda item are not available to the public.

*21:30 Council **RESOLVED** to extend the meeting*

Voting:
Abstentions: None
Against: None
For: All

19. NEXT MEETING

To resolve that the next meeting will be held on Wednesday 22nd November 2023 commencing at 6.30p.m in the library at Cliff House.

22:02 Meeting ended

Signed: Mark Goodey
Mayor

20/12/23