



## SALCOMBE TOWN COUNCIL

Dear Councillor,

You are summoned to attend the meeting of the Salcombe Town Council to be held in Salcombe Town Council Meeting Room, Cliff House, Cliff Road, Salcombe at 6:30pm on Wednesday 24<sup>th</sup> April 2024.

NOTE – Councillors are reminded that if a matter has not been specified on the agenda no formally binding decision can be made on it.

*SD Jones*

Clerk to the Council

18<sup>th</sup> April 2024

### **AGENDA**

#### **1. APOLOGIES**

To receive and note

#### **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.

#### **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.
- 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.

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

- i) Wednesday 27<sup>th</sup> March 2024

#### **6. PLANNING & LICENSING APPLICATIONS**

See Appendix April 2024 Planning

#### **7. OSSR**

To consider s106 funding applications.

#### **8. CIVIC CHAIN**

To consider the quotes to fix and value the Mayor's chain.

#### **9. SUSPENSION OF PARKING BAYS: ORESTONE END, FORE STREET**

To consider the applicant's request to suspend three parking bays and one disabled bay opposite Orestone End, Fore Street in March 2025.

#### **10. OFFICE AND STAFFING MATTERS**

To ratify the Council's approval of the following decisions; made outside of full Town Council meetings, using Town Clerk's Delegation of Authority:



## 1. Reviewing office workload

In discussion with the Town Clerk, HR Committee reflected on the decision made by Council, at March 2024's Town Council, meeting to make the D-Day Working Group into a Committee, without Terms of Reference being set by Council, along with the decision made by Council, at the same meeting, to withdraw the Town Clerk from all operational duties, specifically resolving to have no involvement in the organisation of the D-Day event, in order to purely focus on the VAT liability issue, in order to meet the submission deadline of the 7<sup>th</sup> May 2024.

The Town Clerk advised Cllr Craig Niven, as lead of the HR Committee that, as the Council cannot legally delegate any decision making to an individual councillor, and as per the Council's Financial Regulations, in particular 10.4: "A member may not issue an official order or make any contract on behalf of the council" and 11.1(h), which sets out the rules for obtaining quotes or estimates, specific work needed to be carried out for the D-Day Event, must be carried out by an Officer, and as H&S lead she will need to review the Risk Assessments and be fully involved with arranging the insurance for the event.

The HR Committee acknowledged the fact that only the Council can draw up Terms of Reference for a Committee and full Terms will need to be set at April's Town Council meeting.

The HR Committee therefore **RESOLVED** (a) to ask the Town Clerk, under her Delegation of Authority, to seek Council's authority, notwithstanding the impact this will have on the Town Clerk's time to carry out the VAT work, to enable the Town Clerk to spend time on the D-Day event, in order to:

- oversee/review specific work carried out by the D-Day Committee and
- either carry out herself or delegate to another Officer work that can only be completed by them on behalf of the Council, namely:
  - Arranging insurance for the event - Officer only, but in liaison with the D-Day Committee
  - Specific requirements made by the insurance company for the use of the gas beacon - D-Day Committee to make all decisions and carry out the work, but to liaise with an Officer to ensure insurance company are satisfied.
  - Road closure - Officer only
  - Apply for £500 grant through Cty Cllr Gilbert's locality fund - Officer only
  - Review the Risk Assessments, which are to be drawn up the D-Day Committee - Officer
  - Ensure the Flotilla comes under the complete responsibility of Salcombe Yacht Club (SYC), with confirmation that the Council has no responsibility from an insurance perspective. D-Day Committee to liaise with SYC, but an Officer to review.

The HR Committee noted that the Town Clerk strongly advised that an Officer, specifically the Town Clerk, needs to be involved with all decisions being made and the organisation of the event. Due to the VAT liability work, the HR Committee **RESOLVED** (b) to seek Council's authority for the D-Day's Committee's Terms of Reference to enable the D-Day Committee to make any further decisions and carry out any further work that needs to be completed, as long as they adhere to the Council's Standing Orders and Financial Regulations, and to absolve the Council's Officers from consequences of any decisions made without their consultation, with the Council, as a corporate body, taking full responsibility.

### 11. D-DAY COMMITTEE

To consider the Terms of Reference for the D-Day Committee

### 12. MOLES

To consider the removal of moles at The Berry

### 13. CLOSURE OF CLIFF ROAD AND NORTH SANDS CARPARK:

Due to filming in June 2024 to consider

- I. The closure of Cliff Road and North Sands carpark
- II. Extending Park n Ride service, if Tally Ho has availability, during the time the carpark will be closed.

### 14. 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
- ii. Councillors (including leads of Working Groups and liaison for local organisations)
- iii. Clerk
- iv. HR & Staffing Committee

#### **15. WORKING GROUPS AND COMMITTEES**

To consider membership of Working Groups and Committees

#### **16. COUNCIL'S PRIORITY LIST & PREVIOUSLY AGREED ACTIONS**

To review and consider Council's priority list and update Council on previously agreed actions.

#### **17. FINANCE**

- i. To receive invoices and payroll for approval and payment
- ii. To receive and approve finance report/bank reconciliation
- iii. To ratify NEST pension contributions to be paid by Direct Debit
- iv. To consider the renewing of the Council's membership of Devon Association of Local Councils (DALC) for 2024/25 at the cost of £496.00.
- v. To receive and note the Town Clerk's report on the work being carried out on the VAT Liability, with the view to consider the figures to be submitted on the VAT return and DCC's recharging of gross RingGo fees to STC.
- vi. To consider Parkinson Partnership carrying out more detailed work, if required, with Devon County Council with regards to the VAT liability incurred in relation to revenue received through Bonfire Hill carpark, along with ascertaining the correct way forward.

#### **18. EXCLUSION OF PUBLIC AND PRESS**

To consider a resolution that in view of the nature of the business about to be transacted at agenda item 19 below it is advisable, in the public interest, that the public and press be temporarily excluded.

#### **19. LEGAL**

- i) To discuss the reserved carparking spaces at Bonfire Hill carpark.
- ii) To discuss the rebuilding of a boundary wall within Salcombe

#### **18. NEXT MEETING**

To resolve that the Annual Town Council meeting will be held on Wednesday 22<sup>nd</sup> May 2024 commencing at 6.30p.m in Salcombe Town Council Meeting Room, Cliff House, Cliff Road, Salcombe.