

Minutes of the Meeting of
SALCOMBE TOWN COUNCIL
held in Council's meeting room, Cliff House, Salcombe
at 6.30 pm on Wednesday 24th April 2024

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 Eoghan Grace	*
Cllr Kizzy Sims-Stirling	*
Cllr Christine Milton	*
Cllr John Cooke	*
Cllr Craig Niven	A
Cllr Rob Wheeler	*
Cllr David Higgins	*
Cllr Peter Dickinson	*

Also in attendance:

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

1. APOLOGIES

Apologies received from Cllr Craig Niven. Cllr Grace apologies in advance for late arrival.

2. DECLARATIONS OF INTEREST

Members were invited to acknowledge any declarable interests, including the nature and extent of such interests that they may have in any items to be considered at this meeting whilst also considering if there had been any changes.

Cllr Mark Goodey declared an interest in item 13 on Agenda

Cllr John Cooke declared an interest in item on Part II Agenda

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.*

Phil Ward – RNLI Chair of Fundraising;

Update report on Field of Light.

- o Last quarter all land agreements were signed. Planning permission granted on 15 March 2024.
- o The art installation will be 'open'/on view 4pm-10pm daily, 7 days p/week from 5th October 2024 – 10th January 2025.
- o Access for installation 4 weeks prior to 5 October for power supply, 20,000 stems/fibre optics
- o Electric cabling will be rented by Bruce Munro from Exeter based contractor, power supply by RNLI although delivered as one package
- o 2 x 20ft shipping containers will bring all equipment and stored on farm at East Portlemouth
- o Website holding page now live; salcombefieldoflight.com. The main website with charitable side will be live mid-May
- o Finalising National Grid connection and insurances
- o Opening night 5th October coincides with 'Salcombe Live' - keep main car parks open - Harbour Authority will delay recovery of boats until week later 7th October. Plan to close main route through town (open only to emergencies) and Whitestrand carpark
- o Finalising Park and Ride arrangement for 5th October
- o Expressed thanks to several people around town and Council for their support

James Allen – Resident;

Taken on removing the redundant Planning Application notices down from around the town. Raised awareness of the complacency of our community, all should be eyes open to helping out. Listed various

observations in need of attention for residents and Council alike to address, in order to resolve to make a difference.

- Cllr Christine Milton extended an invitation to James to join the Salcombe Green Team, an independent body.
- Cllr Rob Wheeler responded to various points raised and outlined the fact that most of the issues raised are not under Town Council control hence certain permissions and requests for action must be obtained and scheduled accordingly.

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

None

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.

Dist Cllr Mark Long reported:

- The new Enforcement plan in detail will be sent out to Town and Parish Councils soon
- Locks Hill development; Planning went to appeal and the Planning Inspectorate agreed with South Hams District Council and the Planning Appeal was dismissed, however there is a court case to be heard in August.

No reports from **Dist Cllr Rufus Gilbert**

Police report: see appendix April 2024 Police Summary

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

The minutes of the Town Council meeting dated 27th March 2024 were **APPROVED**

Against: 0

Abstain: 1 (Cllr David Higgins was not in attendance)

For: 9

6. PLANNING & LICENSING APPLICATIONS

See **Appendix April 2024 Planning**

19.15 Cllr Eoghan Grace arrived

7. OSSR

Cllr Andrew Reed advised that due to the short timing to produce quotes for the Council's s106 application it will not be possible for the Council to apply at this stage, leaving SHDC to choose between SYC and Salcombe Swimming Pool, who have recently applied for funding (see March's Town Council's meeting minutes). Town Clerk reminded Council that SHDC are waiting on which application the Council supports.

Council **RESOLVED** to agree in support of Salcombe Swimming Pool's application

Against: 0

Abstain: 1 (Cllr Caroline Bricknell on SSP committee)

For: 10

Action: [Town Clerk](#)

Dist Cllr Mark Long advised the Council vote is providing support for 100% of full funding to Salcombe Swimming Pool's application and whatever monies remaining will be allocated to Salcombe Yacht Club.

Cllr Sam Dennis advised that the s106 fund for 'Fitness' equipment i.e. Trim Trail, must be submitted as soon as possible due to the January 2025 deadline to apply for funding.

Action: [Cllr Andrew Reed](#)

8. CIVIC CHAIN

Council discussed the costs to fix and value the Mayor's chain and **RESOLVED** not to undertake cost of repair, but to seek a valuation for insurance purposes, at a cost of 1% of the valuation.

Against: 0
 Abstain: 0
 For: 11

Action: Town Clerk

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

Council considered the applicant's request to suspend three parking bays and one disabled bay opposite Orestone End, Fore Street in March 2025. Cllr Andrew Reed contacted Adam Keyes from Devon County County Highways who does not have an issue with the request but will take into consideration Town Council's opinion.

Council **RESOLVED** to agree applicant's request c

Against: 0
 Abstain: 0
 For: 11

Action: Town Clerk

10. OFFICE AND STAFFING MATTERS

Council **RATIFIED** the Council's approval of the decision made outside of a Town Council meeting, using Town Clerk's Delegation of Authority:

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 7th 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 Councils' 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.

Against: 0
Abstain: 0
For: 11

11. D-DAY COMMITTEE

Cllr Japer Evans presented the Terms of Reference for the D-Day Committee to the Council for consideration and the Council **RESOLVED** to approve the terms.

To make any further decisions, including under the Town Clerk's Delegation of Authority which shall subsequently be ratified at a meeting of the D-Day 80 Committee, carry out any further work, engage with third parties and take all actions and steps and do all things that the D-Day 80 Committee considers, acting properly, should be decided, carried out, taken or done to prepare for, implement and complete Salcombe D-Day 80 including, without limitation, in connection with (1) preliminary matters, (2) the programme of events and the brochure and (3) events on Salcombe D-Day 80, subject to Salcombe Town Council's powers, Standing Orders and Financial Regulations.

Against: 0
Abstain: 0
For: 11

12. MOLES

With reported activity present on The Berry, Project Officer Pete Robinson relayed the difficulty engaging a mole catcher who is willing to undertake the possibility of claims under their Public Liability Insurance. However, currently in dialogue with Steve Hepburn, who works for DCC and Malborough Parish and who previously worked for STC. STC insurers stipulated that they would issue consent if Steve's PLI has sufficient cover and on the understanding that they will not cover any secondary claim if liability has been refused on Steve's PLI. Council discussed and **RESOLVED** to engage the services of Steve Hepburn as along as Officers have seen and checked his PLI.

Against: 0
Abstain: 0
For: 11

Action: [Project Officer](#)

13. CLOSURE OF CLIFF ROAD AND NORTH SANDS CARPARK:

- i) Road closure from 10 – 12 June for filming. The Mayor advised that his understanding is that the footpaths and access to North Sands beach will be open and only closed off to public when filming is active.

Mayor Goodey expressed an interest and left the room. Cllr Jasper Evans chaired

Council discussed and **RESOLVED** to agree to support the forthcoming application to close Cliff Road and North Sands car park.

Against: 0
Abstain: 1 (Cllr Mark Goodey had left the room)
For: 10

- ii) Council discussed the offer from the film production team of extending Park n Ride service, if Tally Ho has availability, during the time the carpark will be closed and **RESOLVED** that the service is not necessary on this occasion.

Against: 0
Abstain: 0
For: 11

Action: [Town Clerk](#)

14. REPORTS

i. Mayor

8th of April - Attended a meeting of the HR committee.

12th of April - Attended a community economic plan meeting.

17th of April - Attended a meeting of the new Green Team of Salcombe.

18th of April - Met the artist Bruce Munro for coffee and to make his acquaintance.

19th of April - Attended a community economic plan meeting.

22nd of April - Attended an HR meeting with counsellors on a one to one basis to gain their views of the first year off the new council.

ii. Councillors (including leads of Working Groups and liaison for local organisations)

Cllr Christine Milton reported on;

- Town Regatta meeting – all plans on course as per schedule
- Park and Ride – With Project Office Pete Robinson had an audio meeting with Don McIntosh from Tally Ho, the report will be presented at next Council meeting
- Will follow up on request for Working Group member to attend a 'walk' along the Park and Ride route Knowle/Coronation Roads with Resident Gillian Parkinson on Saturday 4 May, as brought up at the recent Annual Town Meeting
- Enquired about the paint used at Shadycombe bus shelter with Don Macintosh who confirmed it was an unbranded paint. Will look further into.
- Signs to Town Clerk/Council needed for public awareness – Cllr Reed will investigate quotes for 7 signs
- Dilapidated cash point/phone box on Whitestrand car park – keeps receiving complaints about condition/state of it. No resolution despite attempts to contact BT and card provider and questioned ownership of the piece of land the box sits on. Dist Cllr Mark Long will investigate the ownership of said land due to its positioning – whether King's Arms, DCC or SHDC? **Action: Dist Cllr Mark Long**

Cllr Jasper Evans reported on;

- **Salcombe Green Team** set up with 26 volunteers. Affiliated membership with RHS and related insurances in place. Dist Cllr Mark Long commented that a weeding team had already attended the bank between Jubilee Park and Welcome Gardens. Cllr Christine Milton arranged with Ashby's of Salcombe for a generous 20% discount on all necessary gardening supplies.
- **Cliff House Woods** – the transfer of ownership from Cliff House Trust to Salcombe Town Council is moving slowly but there has been communication between Coodes and Beers Solicitors. Will continue to follow up regularly.
- **D-Day** – all plans getting into place. Beacon insurance yet to be confirmed
- **Asset Transfer** – meeting with SHDC, along with Dist Cllrs Mark Long and Sam Dennis, over The Berry and Whitestrand. There was encouragement to proceed to explore The Berry. Concern over the time pressure when assets could fall under Devon County Council as a Unitary Authority hence out of SHDC's control
- **Beacon** - Cllr Rob Wheeler advised that the recommended gas engineer offered his services FOC towards the insurance prerequisites for making the Beacon compliant.

Cllr Andrew Reed reported on;

- **Community Drop-in Surgery** – no public attended on Thursday 18 May at Cliff House. Suggests the need to arrange more future dates and venues to allow for a wider and longer public awareness push.
- **Community Economic Plan** – has had 7 meetings to date. Survey goes live on 1 May.

Cllr John Cooke report on;

- Crabfest Sunday 5 May update – assured that all multi receptacle green bins provided for the day by Devon Contract Waste will be zero to landfill

iii. Clerk

- Appendix – Clerk's Report

iv. HR & Staffing Committee

- HR – Cllr Craig Niven absent from meeting – no report to present due to individual staff meetings yet to be completed

15. WORKING GROUPS AND COMMITTEES

To consider membership of Working Groups and Committees

Council **RESOLVED** to agree the inclusion of Cllr Peter Dickinson's membership to the following groups and committees; Asset Transfer, Legal, Finance, Website & Social Media, Planning, Trees and Unregistered Land.

Against: 0
Abstain: 0
For: 11

Action: Town Clerk

16. COUNCIL'S PRIORITY LIST & PREVIOUSLY AGREED ACTIONS

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

Town Clerk advised that she has sent this report to Council and emphasised that list has not changed due to the VAT submission priority and any items not actioned on the list will have a reason as to why delayed.

Due to the urgent time frame within to investigate the groundwork required to form a considered view for the Asset Transfer i.e. The Berry before DCC becomes a Unitary Authority, Cllr Jasper Evans raised a Point of Order - to turn the Assets Transfer Working Group into a Committee with Terms of Reference for due diligence. Town Clerk requested for an Officer to be present at all meetings, to ensure that the Officers are aware first hand of what is happening, can give impartial advice where needed and ensure meetings and decisions are lawful.

- i) Council discussed and **RESOLVED** to change the Asset Transfer Working Group to a Committee with said Terms of Reference;

To take any further decisions, steps and actions, including under the Town Clerk's Delegation of Authority which shall subsequently be ratified at a meeting of the Assets Transfer Committee, as the Assets Transfer Committee considers, acting properly, should be taken and decided to carry out due diligence with South Hams District Council and such third parties as the Assets Transfer Committee considers appropriate in connection with the possible transfer of land at The Berry, Salcombe by South Hams District Council to Salcombe Town Council, subject to Salcombe Town Council's powers, Standing Orders and Financial Regulations.

Against: 0
Abstain: 0
For: 11

- ii) Council **RESOLVED** the Councillor members of the Asset Transfer Committee named as; Cllr Rob Wheeler (Chair), Cllr Jasper Evans, Cllr Mark Goodey, Cllr Andrew Reed, Cllr Peter Dickinson.

Against: 0
Abstain: 0
For: 11

- iii) Council discussed and **RESOLVED** against the need for a Council Officer to be present at THE Asset Transfer Committee meetings.

Against: 11
Abstain: 0
For: 0

17. FINANCE

- i) Council received and **RESOLVED** approval of the payment of invoices and payroll

Against: 0
Abstain: 0
For: 11

Action: Town Clerk

- ii) Council received and approved finance report/bank reconciliation with current Lloyds bank and CCLA balance: £494,241.34

Against: 0
Abstain: 0

For: 11

Action: Town Clerk

- iii) Council **RATIFIED** NEST pension contributions to be paid by Direct Debit

Against: 0

Abstain: 0

For: 11

Action: Town Clerk

- iv) Council **RESOLVED** to agree to the renewing of the Council's membership of Devon Association of Local Councils (DALC) for 2024/25 at the cost of £496.00.

Against: 0

Abstain: 0

For: 11

Action: Town Clerk

- v) Council received and acknowledged with thanks the Town Clerk's report on the work being carried out on the VAT Liability, for arbitrary decision on the figures to be submitted on the VAT return. Council **RESOLVED** acceptance of DCC's recharging of RingGo fees to STC.

Against: 0

Abstain: 0

For: 11

Action: Town Clerk

- vi) This motion was withdrawn by Town Clerk

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.

None

19. LEGAL

- i) Council **RESOLVED** for Town Clerk to approach Salcombe Harbour Hotel with regards to formalising a contract for the car parking spaces and the applicable rent.

Cllr John Cooke left room as has a declared interest in next item.

- ii) Council discussed and **RESOLVED** to accept the rebuilding of the section of the boundary wall in disrepair within Salcombe without agreeing to ownership.

Against: 0

Abstain: 0

For: 10

Action: Town Clerk

20. NEXT MEETING

Council **RESOLVED** that the **next meeting will be held on Wednesday 22nd May 2024** commencing at 6.30p.m. in the Town Council Meeting Room, 1st Floor, Cliff House.

Against: 0

Abstain: 0

For: 11

Action: Town Clerk

Meeting lasted 2hrs 02mins

Minutes approved:

Mark Goodey
Town Mayor
Date: 22/05/24