



Town Clerk: Miss Joy Norris MSc ACG

The Town Hall, 1 High Street, Devon, EX15 1AB
town.clerk@cullomptontowncouncil.gov.uk
01884 38249

Notice is hereby given that a meeting of the Town Council will take place on **Thursday, 20th May 2021** starting at **19:00 hrs** in the Town Hall, 1 High Street, Cullompton, EX15 1AB

The Agenda for the meeting is attached. Copies of the reports will be available on the Town Council website or hard copies can be made available if you contact the Town Council Office (contact details are at the top of this notice)

The public are welcome to attend this meeting, and are encouraged to do so by using the internet, mobile phones or landline phones – please see the links below.

If you are using the internet please use the following link
<https://zoom.us/j/91595425723> Meeting ID: 915 9542 5723 or this QR Code



To access using a mobile telephone dial 02039017895,,91595425723# or 02080806591,,91595425723#

To use a landline dial 0203 901 7895, 0208 080 6591, 0208 080 6592, 0330 088 5830, 0131 460 1196, 0203 481 5237, 0203 481 5240 Meeting ID: 915 9542 5723

Members of the public are invited to ask questions or raise issues relevant to the work of the Committee as part of the item on the agenda called Public Participation; The overall time available for the Public Participation agenda item is restricted to 15 minutes unless the Chair decides otherwise. Individual speakers are restricted to 3 minutes and are asked not to repeat points that have been made previously. If you would like to ask a question or speak, please email enquiries@cullomptontowncouncil.gov.uk 2 working days before the meeting with your first and last names and give a brief outline of what you wish to say. This will ensure that your name is on the list to speak and will help us ensure that you are not missed – as you can imagine, it is easier to see and manage public speaking when everyone is physically present in the same room. Notification in this way will ensure the meeting runs as smoothly as possible.

Joy Norris
Town Clerk
Date: 14th May 2021

AGENDA

Town Council 20th May 2021

PUBLIC PARTICIPATION: 15 minutes is set aside as a specific agenda item to enable members of the public to bring issues relevant to Cullompton to the attention of Councillors. Up to 3 minutes is allowed for each person. Members of the public will only be permitted to speak during the Public Participation agenda item.

1.	Mayor's Announcements The Mayor may make announcements relevant to the work of the Town Council Note: announcements are for information only and not for debate, discussion or questioning.
2.	Apologies for Absence To receive apologies for absence from Councillors unable to attend the meeting.
3.	Declarations of Interests To receive any Declarations of Interest from Councillors and Officers in respect of matters to be considered at this meeting, together with an appropriate statement regarding the nature of the interest. Councillors and Officers are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
4.	Public Participation To allow members of the public present at the meeting to raise matters which are relevant to Cullompton; up to 3 minutes will be allowed for each person.
5.	Amendments To Standing Orders – Voting To consider amending Standing Orders regarding voting methods taking into account the introduction of hybrid meetings (Councillor present in the meeting room but live observation enable via internet etc). (Supporting Paper A)
5.	Minutes To confirm the Minutes of the meeting held on 26 th April 2021 as a correct record. (Supporting Paper B)
6.	Action List To receive and review the Action List relating to the Town Council. (Supporting Paper C)

7.	No 19 High Street To consider whether or not the Town Council wishes to pursue the acquisition of 19 High Street, Cullompton. Note: It may be necessary to consider passing a resolution to exclude the press and public for this item or part thereof on the grounds that publicity would be prejudicial to the public interest by reason of its confidential nature (financial information and items subject to negotiation)
8.	Recommendation from Policy, Finance and Personnel Committee – Letter To Internal Auditor To approve a draft letter to the internal auditor regarding the exercise of public rights in 2020 in accordance with the recommendation from the Policy, Finance and Personnel Committee. (Supporting Paper D).
9.	Co-Options To receive written applications for the office of town councillor and to co-opt candidates to fill the existing vacancies. (Supporting Paper E)
10.	Payments for Authorisation: To examine and agree the accounts due for payment (Supporting Paper F)
11.	Members Questions This agenda item is to give Councillors an opportunity to ask questions which are relevant to the work of the Committee. Note: questions are to be for the purpose of obtaining information and not for debate nor discussion.

*In accordance with the Public Bodies (Admission to Meetings) Act 1960, members of the public and press are very welcome to attend the meeting.
 Members of the public will only be permitted to speak during the Public Participation session listed on the Agenda*

Agenda No 5 Amendments to Standing Orders – Voting

RECOMMENDED that Standing Order 3s is amended to reflect –in-person, remote access and hybrid meetings s set out in 5 below.

1. Standing Orders Section 3 S(i) –(iii) set out the procedures for voting at either “in-person” meetings or those with remote attendance.
2. To meet legislative requirements and make meetings as safe as possible following the pandemic, as well as encouraging public participation, the Town Council is using a “hybrid” format with Councillors present in the Town Hall and members of the public encouraged to join via the Zoom platform.
3. Whilst the traditional method of voting by a show of hands worked when Councillors and members of the public were all present in the same room it was not effective for meetings with remote attendance where some Councillors do not have video and neither do some members of the public, so the Standing Orders were amended in 2020 to cater for meetings with remote access; similar limitations to view voting is also possible with the hybrid meeting format
4. Experience of voting with the remote access meetings and the need to update Standing Orders to reflect the use of hybrid meeting access make further amendments to Standing Orders necessary.
5. It is suggested that the existing Standing Order section s3 is deleted and replaced with the following:

S(i) Where a meeting is taking place either with Councillors in remote attendance or in a hybrid meeting where Councillors entitled to vote are in one location and other participants / observers / members of the public have remote access to the meeting the name of each person entitled to vote will be read out one by one (by the Chair or Town Clerk or person administering the meeting) and each voter must state how they are voting or if they are abstaining; the order in which the names are read out will be at the discretion of the meeting Chair but it will be usual practice for the meeting Chair to be the last person to vote. A paper or secret ballot will not be allowed. Subject to the provisions of standing order S(iv), any written record of the individual votes cast will be disposed of once the result of the vote is announced.

S(ii) Where a meeting is taking place and all those entitled to be present, including members of the public, are in one location and not remote access is enabled voting on a question shall be by a show of hands unless moved and seconded and approved by a majority of those present and voting, then a paper vote can be taken.

S(iii) Voting for Co-options will be by a show of hands (or if the meeting is being held

Town Council 20 May 2021
Supporting Paper A

by remote or hybrid attendance the voting method will be in accordance with Standing Order 3s(i) above), paper votes will not be allowed.

S(iv) At the request of a councillor, the voting on any question shall be recorded in the minutes so as to show how each councillor present used their vote or abstained. Such a request shall ideally be made before the vote is taken but in any case, must be made before moving on to the next item of business on the agenda.

Report Author: Town Clerk
Report Prepared



Town Clerk: Miss Joy Norris MSc ACG

The Town Hall, 1 High Street, CULLOMPTON, EX15 1AB
enquiries@cullomptontowncouncil.gov.uk
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**Minutes of the meeting of the Town Council held with remote attendance
on Monday 26 April 2021 commencing at 19:00 hrs**

Present

Chair: Councillor J Buczkowski

Councillors: E Andrews, M Dale, R Dietrich, I Emmett, G Guest, K Haslett, J Johns, J Lochhead,
M Smith and C Snow (arrived 19:14hrs)

In attendance

Officers: J Norris (Town Clerk) M Weston (Deputy Town Clerk)

2 members of the public attended the meeting plus a co-option candidate.

257. Mayor's Announcements

The town's flags were flown at half -mast during the period of public mourning for HRH The Prince Phillip Duke of Edinburgh and a book of condolence was opened. Council meetings were not held during the period of mourning and as this was the first Council meeting since the announcement of his death a minutes silence was held as a mark of respect.

The Mayor took the opportunity to remind everybody that on 6 May there were elections scheduled for the Police and Crime Commissioner, County Councillors and a local referendum on the Cullompton Neighbourhood Plan. Information the Cullompton Neighbourhood Plan can be found on the Town Council's website and details of polling stations can found on the Mid Devon District Council website.

258. Apologies for Absence

An apology for absence was received from councillor Knight and Councillor Smith advised he had another commitment between 19:30hrs and 20:15hrs

259. Declarations of Interests

No Declarations of Interest were made regarding any items on the Agenda.

260. Public Participation

This agenda item allows members of the public present at the meeting to raise matters which are relevant to Cullompton.

The Mayor said at the last meeting on 25 March there was a question regarding late documents which he said he would look into, and respond; he can confirm that he received the agenda and summons within the statutory timetable and he also received all relevant documents before the meeting and he hasn't had any communication from other Councillors that there papers were late.

There were no other questions or matters raised.

261. Minutes

The draft Minutes of the meeting held on 25th March 2021 were considered. (Supporting Paper A to the Agenda)

RESOLVED to confirm the draft minutes of the meeting held on 25 March 2021 as a correct record.

262. Action List

The Action List relating to the Town Council was received and reviewed. (Supporting Paper B to the Agenda)

RESOLVED to receive and note the action list

263. Vote of Thanks

Consideration was given to recording a formal vote of thanks for the work of former Councillor Michelle Rowe.

RESOLVED to record a formal vote of thanks to Michelle Rowe for her work as a Town Councillor

Note: 19:14hrs Cllr Snow joined the meeting as the vote was started and therefore did not participate in the vote.

264. Recommendation from the Town Centre & Economic Development Committee – Procurement Decisions

Consideration was given to a recommendation from the Town Centre and Economic Development Committee regarding procurement decisions and supporting the local economy. (Supporting Paper C to the Agenda)

RESOLVED that the Town Council will endeavour to support local businesses and traders when it is making procurement decisions and continues to support the buy local ethos and that it will strive to promote the local economy.

265. Arrangements For Meetings after 6 May 2021

Consideration was given to the arrangements for meetings after 6 May 2021 when the legislation permitting meeting by remote attendance expires. (Supporting Paper D to the Agenda)

RESOLVED

- (i) to delegate authority to the Town Clerk to take such steps as they deem necessary to facilitate meetings taking place in a safe manner
- (ii) that until July 2021 the public are positively encouraged to submit questions in advance and the Town Clerk reads them out during the public participation session
- (iii) that the Town Council issues a public statement setting out the reasons it is returning to holding meetings in the Town Hall.

266. Annual Calendar of Meetings May 2021- June 2022

Consideration was given to an Annual Calendar of Meetings for the 2021/2022 civic year (Supporting Paper E to the Agenda)

RESOLVED to agree the Annual Calendar of meetings from May 23021 until June 2022 attached as Appendix 1 to these minutes.

267. Co-Options

Consideration was given to a written application for the office of town councillor and to co-opt candidates to fill the existing vacancies. (Supporting Paper F to the Agenda)

19:43 hrs RESOLVED to suspend Standing Orders for 5 minutes to allow the applicant to speak and answer questions

RESOLVED *that there being 1 vacancy and 1 candidate, namely Martin Beckwith, in accordance with legislation and the Town Council's policy the Council formally declares the casual vacancy for Outer Ward filled by Martin Beckwith.*

268. Payments for Authorisation:

The accounts due for payment were examined.

- (i) Payments from 2020-2021 Budget (Supporting paper G (i) to the Agenda)
- (ii) Payments from 2021-2022 Budget (Supporting Paper G(ii) to the Agenda)

RESOLVED

- (i) That the invoices due for payment from the 2020/2021 budget totalling £12,959.45 and the gross and the direct debits and standing authorisation items totalling £331.11
- (ii) That the invoices due for payment from the 2021/2022 budget totalling £3,118.74 and the gross and the direct debits and standing authorisation items totalling £546.12

269 Ratification of Delegated Decisions

To ratify the decision(s) made by the Town Clerk in accordance with the delegated authority confirmed by Council at the meeting on 21 April 2020 ("that the Town Clerk is given delegated authority, following consultation with the Mayor and the Chair of the Policy, Finance and Personnel Committee, to take any necessary steps to deal with the emerging coronavirus

situation, recognising that the health and safety of staff, councillors and the public is the priority.”).

(Supporting Paper H to the Agenda)

RESOLVED to ratify the decision of the Town Clerk to purchase 10 additional microphones for the Town Hall audio system. Cost £1,390 (excl VAT). The supplier to be the same as for the initial audio system purchase.

270. Members Questions

This agenda item is to give Councillors an opportunity to ask questions which are relevant to the work of the Council

- The question was asked how do we widen the demographic of Councillors?
- Information on the format of reports for the Annual Town Meeting was requested.
- Roads have been marked for repair but are getting worse, the town Council needs to start getting more forceful with Devon County Council, please can this be a future agenda item
- There has been a lot of pavement resurfacing, it would have been nice if the Town Council had been consulted and able to make suggestions regarding priorities
- A Councillor was aware of complaints about the quality of work highway repairs on Swallow Way.

The meeting closed at 20:04hrs

No	Date of Meeting	Agenda item/Topic / Minute No	Resolution	Financial implications	To be actioned by	Priority	Remarks
1	12/03/2020	Sale of former BT phone Kiosk Minute 212	That the Council sell its Ex-BT phone kiosk to the London Fine Antiques Centre for the sum of £300.00 and these sale proceeds are to be used (in whole or in part) for a community event, project or facility within Cullompton.		DTC		BT asked to ensure that all service connections have been disconnected 17.03.20 BT confirmed services still connected, awaiting them to disconnect 12-16 weeks H2 10.08.20 confirmation received that power has been disconnected Agreement drafted by CTC Staff now to be forwarded to Tozers for checking Changes suggested by Tozers to be incorporated then document re-checked Document forwarded to Tozers 06.01.2021 for further check Agreement has been approved by CTC Solicitor is now with purchaser to check final details Deputy Town Clerk has been in touch with buyer' completion date to be agreed once lockdown is eased
2	14/05/2020	Motions regarding Code of Conduct	(i) creates a new Code of Conduct policy which states clearly whether or not the Town Council will support a Councillor in Code of Conduct complaints and in what circumstances it would not support a Councillor in a Code of Conduct complaint (ii) That Cullompton Town Council create mechanism(s), either using existing insurance or legal support arrangements or some other means to ensure all Cullompton Town Councillors have access to legal support including for Code of Conduct allegations (iii) Prepare paper for Councillors about code of Conduct complaints, investigations and D15 sanctions		TC		

Please Note:

1: information updated or added since the last report will be in bold, red text

2: Actions Completed / Decisions Implemented will be greyed out and removed from the next report

3	11/06/2020	Queen's Birthday Honours	Write nominations		TC		Nomination submissions have been drafted
4	27/08/2020	Committee Documents	- Cllr Buzckowski's proposals (i) inform staff of changes required to future agendas and minutes (ii) update meetings protocol guidance (iii) Change Zoom settings to enable recording (iv) set up account with sound cloud and link to CTC website (v) transfer all audio and video recordings of meetings held by CTC to sound cloud account		TC		(i) staff informed of changes to committee documents (ii) Zoom settings changed 03.09.20 Sound cloud account set -up recordings are being transferred committee by committee with links from the Town Council website 06.01.2021 Audio recordings of meetings held since resolution made are available on sound cloud via links on the relevant committee page of the Town Council's website
5	27/08/2020	Station Road Toilets	Inform developer of Council response		TC		Developer informed by phone (letter also to be sent) information included when responding to consultation on heads of terms
6	10/11/2020	Monitoring Officers Report	(i) Issue any existing NALC Guidance to Cllrs plus a briefing note covering recommendations 1-3 of report (ii) Research policy as described by MO for meeting notification		TC		(i) DCLG guidance, NALC Legal Topic Note and general advice emailed to Councillors (ii) 19.01.21 Monitoring Officer facilitated Councillor training session
7	26/11/2020	Grants	make grant of £250.00 to Cullompton Rangers Youth Football		TC		Waiting for club bank details
8	02.12.2020	Grant Application	notify Cultural Consortium of grant award		TC		Waiting for results of funding bid to be announced - Heritage England have said it will not be until after the May 2021 elections
9	25.02.21	Policies	Update policy list and website: Complaints; employee code of conduct		TC		(i) Complaints Policy & Procedure added to list & updated on website 24.03.21
10	25.02.21	Bank signatories	add Cllr Lochhead & Deputy Town Clerk to accounts as agreed		TC		
11	25.02.21	Parking at George's View	send letter to DCC & copy to DCC & MDCC Councillors		TC		letter / email sent 21.04.21

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12	25.03.21 & 26.04.21	Chair's announcements	send letter of appreciation to M Rowe and informing of formal vote fo thanks		TC / Mayor		
13	25.03.21	Whistleblowing Policy	(i) amend policies list (ii) put on website (iii) inform staff (iv) email updated list and policy to Cllrs for memory stick		TC		(i) Policies list updated (ii) Website updated (iii) policies list and whistleblowing policy emailed to Councillors
14	25.03.21	fees & charges	(i) update prices on RBS (ii) update prices on relevant documents (iii) update information on website		TC		
15	25.03.21	Planning Committee ToR	Draft revised ToR for presentation to Town Council for approval		TC / Chair of Planning		
16	26.04.21	Meetings in the Town Hall	Issue public statement		TC		
17	26.04.21	Annual Calendar of Meetings	(i) print and post a colour A3 version to Cllrs Guest and Andrews (ii) email a copy to all members of staff and tell them where the original version is stored (iii) put a hard copy on one of the Town Hall Notice boards (iv) put a copy on the website (v) put all the dates / times on the website calendar (vi) update the Council information leaflet		TC		(iii) hard copy placed on tow hall noticeboards (iv) website calnder updated
18	26.04.21	co-option	(i) send forms to new councillor (ii) update website (iii) set up email		TC		(i) forms sent, completed, returned & fowrdded to MDDC (ii) website updated (iii) email set up

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Agenda No 8 Recommendation from Policy, Finance and Personnel Committee
Letter to Internal Auditor

RECOMMENDED that a letter is sent to the Internal Auditor confirming the date of the exercise of public rights in 2020, the text for the body of the letter to, to be signed by the Mayor to be as detailed in 3 below.

1. At its meeting on 13 May 2021 the Policy, Finance and Personnel Committee a recommendation from the internal auditor was considered regarding confirming the exercise of public rights in 2020.
2. The Committee resolved to recommend to Council that a letter to meet the audit requirements for the exercise of public rights for the 2019/20 AGAR (is drafted and presented to Council for approval.
3. To accord with the internal auditor's recommendation, the draft text of the letter body to be signed by the Mayor is

"The Town Council confirms that the Notice regarding the exercise of public rights was published on Friday 24 July 2020 on the Town Council website and on the notice board outside the Town Hall. The dates of the Period for the Exercise of Public Rights was 27 July – 7 September 2020 and the Notice was displayed for the whole of that period on the Town Council's website and the noticeboard outside the Town Hall. The publication of the Notice and period for the exercise of public rights was in accordance with the resolution made at the Town Council meeting on 25 June 2020 when it was agreed that the exercise of public rights would start during the week of 27 July 2020, (Minute 38)."

Report Author: Responsible Financial Officer
Report Prepared: 17 May 2021

APPLICATION FOR CO-OPTION TO CULLOMPTON TOWN COUNCIL

Thank you for your interest in becoming a Cullompton Town Councillor. Please provide the information below to assist the council in making their decision.

Please note that your name and the information in the “about you” section will be provided to Councillors to assist in the consideration of candidates for co-option.

Full Name and Title	Mr Jamie Paul Cloud Frost		
Home address			
Home Telephone			
Mobile Telephone			
Email Address			
Please indicate which Ward you wish to stand in. You can stand in all Wards in which there are vacancies but may be asked at the Full Council meeting to co-opt new members to explain the reason for your choice.			
North Ward	Please	Outer Ward	
About You. Please provide the council with some background information about yourself. Continue on a separate sheet if necessary.			
<p>I am a 37 year old born and bred local, I lived in halberton for the first 20 years, then into Tiverton and now into Cullompton. I have known cullompton for a long time as I went to school here in all my schooling years, My Grandad and my Aunt lived up St Andrews estate and are now in the cemetary also located there.</p> <p>I want to see Cullompton grow again as it was when I was younger, I am under the impression that Cullompton and Tiverton are polar opposites, Whereas tiverton is the shopping town, Cullompton seems to be the residential one, I believe we can get more businesses into Cullompton and raise the economy of the town.</p> <p>The market is of big intrest for me as is new developments, The market signifies this town as the old and cherished place it is and gives the history and locally produced foods and drinks a good foot hold.</p> <p>Planning is also a big intrest for me as I believe that we should be looking more and more at low carbon homes and the benefit the propose to the area, There is nowadays a vast range of products coming onto the market which produce 75% less carbon than the standard counterparts.</p> <p>If I was able to stand for the council, I would be the one asking questions, Breaking from the norm to work outside the box and bring in new ways to do and think about things.</p> <p>Many thanks for your time.</p> <p>Regards Jamie Frost</p>			

*delete as appropriate

APPENDIX B

CO-OPTION ELIGIBILITY DECLARATION

1. In order to be eligible for co-option to Cullompton Town Council, you must be a British subject, or a Citizen of the commonwealth or European Union and, on the relevant date (i.e. the day on which you are nominated or, if there is a poll, the day of the election) be 18 years of age or over. You must also be able to meet one of the following eligibility criteria set out below (please tick which applies to you):

I am registered as a local government elector for the parish; or	<input type="checkbox"/>
I have, during the whole of twelve months preceding the date of my co-option, occupied as owner or tenant, land or other premises in the parish; or	<input checked="" type="checkbox"/>
My principal or only place of work during those twelve months has been in the parish; or	<input checked="" type="checkbox"/>
I have, during the whole of twelve months, resided in the parish or within 3 miles of it.	<input checked="" type="checkbox"/>

2. Please note that under Section 80 of the Local Government Act 1972, a person is disqualified from being elected as a local Councillor or being a member of a local council if he or she is:

- a. Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint Committee on which the council is represented; or
- b. Is a person who has been adjudged bankrupt or has made a composition or arrangement with his or her creditors. This disqualification for bankruptcy ceases in the following circumstances:
 - i. If the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that his or her debts have been fully discharged;
 - ii. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his or her part;
 - iii. If the person is discharged without such a certificate.

In 2ai or 2aii above, the disqualification ceases on the date of the annulment and discharge respectively.

In 2aiii above, it ceases on the expiry of 5 years from the date of discharge; or

- c. Has, within 5 years before the day of election or since his or her election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than 3 months without the option of a fine; or
- d. Is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices.

DECLARATION

I (insert full name) _____ Jamie Paul Cloud Frost _____ hereby confirm that I meet the qualification criteria and am not disqualified for any reason from holding the office of Councillor at Cullompton Town Council and that the information provided on this form is, to the best of my knowledge, true and accurate.

Signed:



Date: 29/03/2021

[illegible]

Invoice Date	Invoice Number	Ref No	Supplier A/c Name	Description	A/C	Net Value	VAT	Invoice Total	Authorised	Authorised
Payments made by Direct Debit										
21/04/2021	E2013817256	3715	ALLSTAR	Fuel for Van	4135	30.33	6.07	36.40		
			ALLSTAR Total					36.40		
26/04/2021	26333001	3726	OPUS	Town Hall Gas 27.3.21-25.4.21	4405	70.44	3.52	73.96		
			OPUS Total					73.96		
30/04/2021	2021-25089		Soldo	April Subscription		10.00	2.00	12.00		
			SOLDO Total					12.00		
Contra Payment										
15/04/2021	54814957	3713	DEVON COUNTY	P&D Service Charge	4105	36.98	7.39	44.37		
			DEVON COUNTY Total					44.37		