

PRESENT:

North Ward:

Councillor D Bushby  
Councillor K Bines  
Councillor K Hind

South Ward:

Councillor Ms R Clarke  
Councillor S Inch

West Ward:

Councillor C Hawkins  
Councillor T Inch

East Ward

Councillor J Craigie  
Councillor J Hellyer  
Councillor J A McKenzie (Town Mayor)

IN ATTENDANCE:

Mr P Swan (Town Clerk)  
Mr R Coombes (Deputy Town Clerk)  
Mrs L Dixon-Chatfield (Town Clerk's Assistant)

83. APOLOGIES FOR ABSENCE

Councillors Mrs J Gubb (East Ward – personal), Mrs L Hellyer (East Ward – DCC Meeting), P Christie (North Ward – personal), D McGeough (North Ward – DCC Meeting), P Lawrence (South Ward – work commitments), and M Taylor (West Ward – personal).

84. DECLARATIONS OF INTEREST AND ANY REQUESTS FOR DISPENSATION ON ITEMS ON THE AGENDA

There were no Declarations of interest.

85. PUBLIC PARTICIPATION SESSION OF 15 MINUTES DURATION

There were no members of the Public present.

86. MINUTES

The Minutes of the Extra Ordinary Meeting held on 21 November 2023 were approved as a correct record.

(Vote – For: 9, Against: 0)

87. ACCOUNTS

It was proposed by Councillor McKenzie, seconded by Councillor Bushby and

RESOLVED: That the List of Payments be approved.

(Vote – For: 8, Against: 1)

88. DEVON COUNTY COUNCIL (COUNCILLOR) REPORT

Members had noted the report received from (County) Councillor Mrs L Hellyer.

(Councillor Craigie joined the Meeting.)

89. COMMUNICATION BROUGHT FORWARD ON THE DIRECTION OF THE MAYOR / TOWN CLERK

a. The Town Clerk advised members that Sergeant Clark (Bideford Police station) had requested / invited the Town Clerk and a councillor to attend a monthly Anti-social Behavioural Meeting.

Councillor Bushby volunteered to attend.

b. The Chairman invited Councillor Craigie to address Members on the accommodation issues impacting the (North Devon) Bideford Foodbank leading to a temporary shutdown of operation.

Councillor Craigie thanked the Mayor and advised that the Foodbank have been working with the Fire Brigade, who have been very helpful, in seeking to address fire safety issues at their premises through measures including a change of operating practices.

Arrangements have been made between the Trustees of the North Devon Food Bank and the Methodist Church to allow the Bideford Food Bank to operate from Methodist Church Hall during December 2023 and January 2024. The Church have simply asked for £150 per (four day) week, for eight weeks, to cover the utility bills (£1,200).

The Trustees, in turn, had requested support from the Council to meet the bill.

Councillor J Hellyer declared that the Trust had £231,000 in the Bank.

Councillor Craigie advised that the Trust spends £1,000 a week on food benefitting in excess of 250 people per week. It was expected that £25,000 will have been spent by the end of the financial year. He confessed that these were challenging times, and the support would help keep the operation in Bideford.

Councillor J Hellyer reaffirmed that the Trust had £231,262 in the Bank.

Councillor T Inch speculated on the number of salaried employees, noting Council grant funding criteria does not support staff costs.

Councillor Bushby, Chairman of Staffing, Finance and General Purposes, reflected on the Contingency Funding element within the annual grant budget and proposed that Councillor Craigie complete a grant application form and an E mail circulated to (S, F & GP) councillors to provide a mandate for the funding that would be subsequently resolved upon at the S, F & GP Meeting to be held on 4 January 2024.

(Councillor Craigie intimated that the funding could be paid straight to the Methodist Church.)

#### 90. MARKET MANAGEMENT COMMITTEE MEETING

The Minutes of the Meeting held on 2 November 2023 were approved and adopted.

(Vote – For: 7, Against: 2, Abstention: 1)

#### 91. PLANNING COMMITTEE MEETING

a. The Minutes of the Meeting held on 8 November 2023 were approved and adopted.

(Vote – For: 8, Against: 0, Abstention: 2)

b. The Minutes of the Meeting held on 29 November 2023 were approved and adopted.

(Vote – For: 8, Against: 0, Abstention: 2)

#### 92. STAFFING, FINANCE & GENERAL PURPOSES (SF&GP) COMMITTEE MEETING

The Minutes of the Meeting held on 30 November 2023 were approved and adopted.

(Vote – For: 9, Against: 0, Abstention: 1)

#### 93. TOURISM COMMITTEE MEETING

The Minutes of the Meeting held on 28 November 2023 were approved and adopted.

(Vote – For: 10, Against: 0)

#### 94. REGENERATION BOARD MARKETING STRATEGY

Members considered the Regeneration Board Marketing Strategy request for match funding:

£1,500 to be allocated –

- Raise the profile of Bideford and specifically the compelling experiences on offer in the Town to help drive footfall i.e.
  - o Christmas Town Events,
  - o The strong independent retail offer, and market experiences
- Improve social connectedness. Foster a sense of belonging and community engagement with businesses, residents, schools, and churches.
- Elevate the visibility of Bideford to drive positive changes in the town centre.
- Encourage local and regional engagement with the town.

It was proposed by Councillor Hind, seconded by Councillor T Inch and

RESOLVED: That the Council support the Regeneration Board Marketing Strategy request for (£1,500) match funding.

(Vote – For: 10, Against: 0)

#### 95. TEMPORARY CHANGE TO CIVIC EVENTS IN 2024

Members had sight of a report from the Tourism Committee to make a temporary change to the Civic Events in 2024.

It was proposed by Councillor Bushby, seconded by Councillor S Inch and

RESOLVED: To defer the item awaiting further consideration from the Tourism Committee.

(Vote – For: 7, Against: 2 Abstention: 1)

#### 96. LOAN OF COUNCIL ITEMS FOR THE D-DAY COMMEMORATION

Councillor Bushby reminded Members that the Cabinet and Bideford / War related items had previously been displayed at the Pollyfield Centre in support of the previous Beacon Lighting Ceremonies.

It was proposed by Councillor Bushby, seconded by Councillor Craigie and

RESOLVED: Those arrangements are made for the Cabinet containing Bideford War related items to be displayed at the Pollyfield Centre for the D-Day Commemoration.

(Vote – For: 10, Against: 0)

#### 97. NOTICE OF MOTION

Submission by Councillor K Hind.

Amendment of Town Council Standing Order 4

##### 1. Delete paragraph (d) (v)

(may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer ( ) days before the meeting that they are unable to attend;)

##### 2. Insert:

Subject to standing orders 4(b) and (c) if an appointed member is unable to attend a committee or sub-committee and has notified the Clerk of the Council 24 hours before the appointed time of the Meeting of the inability to attend, the appointed member may appoint a substitute member to attend in their stead and must notify the Clerk accordingly.

##### 3. Add 4(d) xiii:

Town Councillors are not members of the public as defined for the purposes of standing order 3(d) and therefore cannot be excluded from attending committees and sub committees whilst business from which the public has been excluded by resolution is debated.

The Clerk provided Members with background detail:

- Devon Association of Local Councils “New Councillor Training,” had explained that only Council designated members could substitute for absent Committee appointed councillors i.e. democratically elected.
- Standing Orders (SOs) do not provide for random nominations (arranged by individual (Committee) councillors.
- Following 14 September 2023 Meeting where Members resolved not to appoint substitute members to Council Committees (contrary to SOs) advice was sought and provided by the National Association of Local Councils (NALC) Solicitor.
- The letter (previously circulated) provided detail on the “need to know” test and the right of access for a council member to committee (and sub-committee) meeting of which they were not a member.

The Clerk strongly recommended Members follow the Case Law and SOs otherwise they could risk operating “ultra vires,” (if the advice is not followed).

Councillor Hind led discussion that included:

- The principles of “Need to Know.”
- The mechanism for appointing substitutes.
- Councillor exclusion from Council business conducted in Part II when not appointed to Committee.
- District Council convention.
- Google searches on other Councils / higher tiers of government championed as bastions of propriety.
- Positive record of Bideford Town Council councillors’ attendance at Council / Committee Meetings.
- TDC Solicitor strongly urged following advice.
- Implications on Grievance and Appeal panels.
- Drafting of further letter to establish clarity.

Councillor Bines seconded the Motion.

Councillor Bushby proposed, and was seconded by Councillor S Inch, that Council heed advice given.

Councillor Bushby subsequently withdrew the proposal, making a further proposal providing for the Town Clerk to have discussions with the TDC Solicitor and subsequently writing to DALC / NALC seeking further advice. (He indicated that Councillor Hind could have sight of the letter.)

Councillor T Inch seconded the proposal.

Councillor Hind agreed adding that substitutes were not to be engaged in the interim.

It was proposed by Councillor Bushby, seconded by Councillor T Inch and

RESOLVED: That:

- a. The Town Clerk to have discussions with the TDC Solicitor.
- b. The Town Clerk writes to DALC / NALC.
- c. Substitutes are not used until the matter is resolved by Council.

(Vote – For: 10, Against: 0)

#### 98. NOTICE OF MOTION

Submission by Councillors Craigie, McKenzie Hind and Bines.

“That this Council joins the Northern Devon Railway Development Alliance as a founding member”

Bideford Town Council recognises the importance of multiple transport links to the rest of the country and aims to see Bideford reconnected to the national rail network for the benefit of the local economy and community as soon as practically possible.

This Council therefore Resolves.

- a. To join the Northern Devon Railway Development Alliance as a founding member.
- b. To call on other public bodies, voluntary and business stakeholders and others to take an active role in the Northern Devon Railway Development Alliance.
- c. Support ACE Rail 'Reconnection 2040 Agenda' to see Bideford fully reconnected to the national rail network by 2040.
- d. Urge both Neighbourhood Plan Steering Committee and Torridge District Council Local Plan Committee to reflect this desire in any plans they bring forward for public consultation.
- e. To urge the Torridge Levelling Up Partnership to use the funding made available to it by government to advance the cause of reinstating the railway line from Barnstaple to Bideford.
- f. To host the inaugural meeting of the Northern Devon Railway Development Alliance by 31st March 2024 and work with its other members to promote the reconnection of Bideford to the national rail network.

Councillor Craigie reminded members of the Council's hitherto support for ACE Rail and Mr Steer's Rail Project.

It was proposed by Councillor Craigie, seconded by Councillor Bushby and

RESOLVED: That the Motion is supported.

(Vote – For: 10, Against: 0)

#### 99. TORRIDGE DISTRICT COUNCIL – UPDATE

Councillor Bushby advised that:

- a. That the Sully House accommodation is in operation, with residents. He had visited the accommodation and individual Pods prior occupation and confirmed that they were “fantastic.”
- b. Quay 22 have attained Planning Permission for their outdoor structure.

#### 100. BRIDGE TRUST

Councillor McKenzie gave detail on income, Estate expenditure, Grants: individual, student and group.

The business of the meeting having been completed, the Mayor thanked the members for their attendance and the meeting concluded at 7.44 pm.

			VAT	NET	TOTAL	
1	412	Amazon		4.62	21.96	27.68
2	412	Amazon		15.25	76.25	91.50
3	512	DEC			119.94	119.94
4	512	MS Auto Repairs Ltd		44.34	221.68	266.02
4	612	Munk Signs		72.00	500.00	612.00
6	612	Bates		440.00	2,200.00	2,640.00
7	612	Amazon		4.28	21.34	25.62
8	712	Amazon		3.83	19.15	22.98
9	1212	Enterprise		195.23	676.14	871.37
10	1212	Hilife		9.66	49.79	59.45
11	1212	Taxi Tracking		3.27	16.38	19.65
12	1212	L.Dixon-Clatfield		3.65	48.88	52.53
13	1212	EDF		66.56	342.77	411.33
14	1212	Acorn		64.91	312.66	377.57
15	DD	Chery		22.20	111.62	133.82
16	CC19	Royal Mail		19.90	99.00	118.90
17	CC14	Royal Mail		110.38	551.92	662.30
				<b>892.14</b>	<b>5,331.88</b>	<b>6,224.02</b>
		Bank Balance at 1 Dec 23		-	Current Account	<b>12,190.04</b>
		Bank Balance at 1 Dec 23		-	Deposit Account	<b>615,000.00</b>