



**Minutes of the of Credition Town Council Meeting held on  
Tuesday 16 May 2023 at 19.00 at Old Landscore School, Greenway, Credition.**

**Present:** Cllrs E Brookes-Hocking, J Downes, J Cairney, N Letch, F Letch, G Cochran, G Fawssett, S Huxtable, P Perriman, R Backhouse and G Stone

**Apologies:** Cllr J Harris

**In Attendance:** Rachel Avery - Town Clerk  
Two members of the public

*Before the meeting, Cllr Brookes-Hocking welcomed council members, new and returning, who introduced themselves.*

**2305/001 Public Question Time:**

- **To receive questions from members of the public relevant to the work of the council**

A member of the public congratulated the Liberal Democrats on the recent election and stated that they now have full control and a majority on the Town Council.

They wished to provide clarity of several significant misunderstandings which had taken place over the election period. However, Cllr Brookes-Hocking advised that these issues were not related to the work of the town council and were therefore not suitable to be received at this meeting.

**2305/002 Election of Chair/Mayor for 2023/24:**

- **Retiring Chair/Mayor will make a short speech**

Cllr Brookes-Hocking stated that she has enjoyed her second year as Chair and Mayor, which has been a privilege. She thanked councillors, who had all worked well together and she hoped that this would continue post-election. She reported that there is lots for the council to do and achieve, with things are changing rapidly. There is plenty for every member to do.

- **To seek nominations and elect the Chair/Mayor for the ensuing year**

One nomination had been received.

It was **resolved** to elect Cllr Brookes-Hocking as Chair and Mayor. (Proposed by Cllr Fawssett).

- **New Chair/Mayor to sign the Declaration of Acceptance of Office**

Cllr Brookes-Hocking duly signed the Declaration of Acceptance of Office.

**Election of Deputy Chair/Deputy Mayor for 2023/24:**

- **Chair/Mayor will seek nominations and elect the Deputy Chair/Deputy Mayor for the ensuing year**  
Whilst three nominations had been received, Cllr Harris had stated to the Town Clerk that she would withdraw her nomination should there be other councillors wishing to take on the role of Deputy Chair/Mayor.  
It was resolved that Cllrs Huxtable and Cochran undertake the role of Deputy Mayor and Deputy Chair, with Cllr Huxtable taking the role for the first six months. It was noted that a
- **New Deputy Chair/Deputy Mayor to sign the Declaration of Acceptance of Office**  
Cllr Huxtable duly signed the Declaration of Acceptance of Office.

**2305/003****Apologies:**

- **To receive and accept Town Councillor apologies**  
It was **resolved** to approve the apologies of Cllr Harris. (Proposed by Cllr Downes).

**2305/004****Declarations of Interest and Requests for Dispensations:**

- **To receive declarations of personal interest and disclosable pecuniary interests (DPI's) in respect of items on this agenda**  
Cllrs Cairney, Downes, F Letch and N Letch declared that as members of more than one authority, any views or opinions expressed at this meeting would be provisional and would not prejudice any views expressed at a meeting of another authority.  
Cllr Huxtable declared an interest in item 14 as an employee of Zurich.
- **To consider any dispensation requests**  
There were no dispensation requests.

**2305/005****Order of Business:**

There were no changes to the order of business.

**2305/006****Chair's and Clerk's Announcements:**

Cllr Brookes-Hocking thanked all who contributed to events in Crediton over the Coronation Weekend. She thanked the groups, organisations and attendees of the Big Sunday Lunch in the Town Square. She also thanked everyone who volunteered on the Monday Big Help Out, it was great that people got involved and she hoped that some may like to continue such great work.

The Town Clerk made the following statement:

*'In reference to the emails received today regarding the work undertaken as part of the King's Coronation Big Help Out, a huge amount of work took place both by organisations and individuals. As Town Clerk, it is wonderful to see the community coming together. However, as the Proper Officer of the Town Council, it is my responsibility to ensure it acts within its policies and procedures and any requests for council support will be considered within*

*its framework'.*

- 2305/007 Town Council Minutes:**
- **To approve and sign the minutes of the meeting held on Tuesday 02 March 2023, as a correct record** (minutes had been issued with the agenda)  
It was **noted** that the minutes would be approved by the council at the next meeting.
- 2305/008 Town Council Committees and Sub-Committees:**
- **To review and adopt the Committee Terms of Reference** (document had been issued with the agenda)  
It was **resolved** to adopt the Committee Terms of Reference. (Proposed by Cllr F Letch).
  - **To consider and approve nominations for the following committees:**
    - Planning and Town Strategy (8 members)**  
It was **resolved** to appoint Cllrs Perriman, Huxtable, Fawssett, Cairney, Harris, Brookes-Hocking, Cochran and N Letch to serve on the Planning and Town Strategy Committee. (Proposed by Cllr Fawssett).
    - Council Affairs and Finance (8 members)**  
It was **resolved** to appoint Cllrs F Letch, Backhouse, Huxtable, Cairney, Harris, Cochran, Fawssett and Brookes-Hocking to serve on the Council Affairs and Finance Committee. (Proposed by Cllr Cochran).
    - Community and Environment Committee (8 members)**  
It was **resolved** to appoint Cllrs Perriman, Stone, Harris, Cochran, Fawssett, Brookes-Hocking, Downes and N Letch to serve on the Community and Environment Committee. (Proposed by Cllr Fawssett).
    - Climate Emergency Committee (6 members)**  
It was **resolved** to appoint Cllrs Perriman, Cochran, Fawssett and Brookes-Hocking to serve on the Climate Emergency Committee. (Proposed by Cllr Cochran).
    - **Emergency Committee (4 members)**  
It was **noted** that this committee would be made up of the Chair/Mayor, Deputy Chair/Mayor and Chair of the relevant committee.
    - **To consider and approve the nominations for the following sub-committees:**
      - **Christmas in Crediton (4 members)**  
It was **resolved** to appoint Cllrs Brookes-Hocking, Huxtable and Cairney to serve on the Christmas in Crediton Sub-Committee. (Proposed by Cllr Cochran).
      - **Grants (5 members)**  
It was **resolved** to appoint Cllrs Brookes-Hocking, Huxtable, Harris, Fawssett and Cairney to serve on the Grants Sub-Committee. (Proposed by Cllr Cochran).
      - **Parish Paths (4 members)**  
It was **resolved** to appoint Cllrs Brookes-Hocking, Fawssett, Downes and Stone to serve on the Parish Paths Sub-Committee. (Proposed by Cllr Cochran).

2305/009

**Representatives on Outside Bodies:**

- **To consider and approve nominations for the following representatives on Outside Bodies:**
  - Hayward's Educational Foundation (1 member)**  
It was **resolved** to appoint Cllr Cairney. (Proposed by Cllr F Letch).
  - Crediton United Charities (2 members)**  
It was **resolved** to appoint Cllr Harris and Hannah Zorlu. (Proposed by Cllr F Letch).
  - **Devon Association of Local Councils (& Larger Councils Sub Committee) (1 member)**  
It was **resolved** to appoint Cllr Brookes-Hocking. (Proposed by Cllr F Letch).
  - **Crediton Twinning Association (2 members)**  
It was **resolved** to appoint Cllr F Letch. (Proposed by Cllr Brookes-Hocking). It was **noted** that the Twinning Committee have stated that the council may elect only one representative.
  - **Boniface Link Association (1 member)**  
It was **resolved** to appoint Cllr Harris. (Proposed by Cllr Cairney).

*Cllr F Letch left the meeting at 19.31*

- **Mid Devon Community Safety Partnership (1 member)**  
It was **resolved** to appoint Cllr Huxtable. (Proposed by Cllr Brookes-Hocking).
- **Friends of Crediton Station (2 members)**  
It was **resolved** to appoint Cllr Perriman. (Proposed by Cllr N Letch).
- **Sustainable Crediton (1 member)**  
It was **resolved** to appoint Cllrs Backhouse and Stone, subject to agreement from Sustainable Crediton. (Proposed by Cllr Cochran).
- **AQMA Steering Group (1 member)**  
It was **noted** that the AQMA Steering Group no longer exists.
- **Boniface Trail Association (1 member)**  
It was **resolved** to appoint Cllr Fawcett. (Proposed by Cllr Huxtable).
- **Crediton Chamber of Commerce (1 member)**  
It was **resolved** to appoint Cllr Cochran. (Proposed by Cllr Brookes-Hocking).
- **Okehampton Rail Forum (1 member)**  
It was **resolved** to appoint Cllr Perriman. (Proposed by Cllr Brookes-Hocking).
- **League of Friends of Crediton Hospital (1 member)**  
It was **resolved** to appoint Cllr N Letch. (Proposed by Cllr Brookes-Hocking).
- **Age Concern Trustee (1 member)**  
It was **resolved** to appoint Cllr Cairney. (Proposed by Cllr Brookes-Hocking).

2305/010

**Standing Orders:**

- **To review and adopt the Standing Orders**  
It was **resolved** to approve the Standing Orders. (Proposed by Cllr Huxtable).

- 2305/011 Financial Regulations:**
- **To review and adopt the Financial Regulations**  
It was **agreed** to review and adopt the Financial Regulations at the July meeting, subject to review by the Council Affairs and Finance Committee. (Proposed by Cllr Huxtable).
- 2305/012 Risk Register:**
- **To review and approve the Risk Register**  
It was **resolved** to approve the Risk Register. (Proposed by Cllr Cochran).
- 2305/013 Insurance 2023/24:**
- **To review and approve the council's insurance requirements**  
It was **resolved** to approve the requirements. (Proposed by Cllr Brookes-Hocking).
  - **To review the quotations received and approve a provider**  
It was resolved to approve the quotation received from Zurich. (Proposed by Cllr N Letch).  
*Cllr Huxtable did not participate in the debate or vote.*
- 2305/014 Asset Register:**
- **To review and approve the asset register**  
A query was raised regarding youth work supplies. It was **agreed** that the Town Clerk would clarify and the asset register would be reviewed at the July meeting.
- 2305/015 2022/23 Accounts:**
- **To receive and note the contents and recommendations within the internal audit report from the Council's Internal Auditor for the financial year 2022/23** (report will be issued with the agenda)  
The report was **noted**, highlighting that there was an outstanding query relating to pensions which the Town Clerk was investigating. (Proposed by Cllr Brookes-Hocking).
  - **To receive and approve the Council's accounts for the financial year 2022/23** (document will be issued with the agenda)  
It was **resolved** to approve the accounts for the financial year 2022/23. (Proposed by Cllr Cochran).
  - **To consider, approve and sign the Annual Governance Statement 2022/23 (Section One of the Annual Return 2022/23)** (Copy of the annual return will be issued with the agenda)  
It was **resolved** to approve and sign the Annual Governance Statement for the financial year 2022/23. (Proposed by Cllr Cochran).
  - **To consider, approve and sign the Annual Accounting Statements 2022/23 (Section Two of the Annual Return 2022/23)** (Copy of the annual return had been issued with the agenda)  
It was **resolved** to approve and sign the Annual Accounting Statements for the financial year 2022/23. (Proposed by Cllr Cochran).

- 2305/016 General Power of Competence:**
- **To resolve that CREDITON Town Council confirms that, in accordance with the Localism Act 2011, it hereby considers itself an ‘eligible council’ to exercise the General Power of Competence having met the following criteria:**
    - **At the time of this resolution two thirds of the members of the Council have stood for election**
    - **The Town Clerk holds the Certificate in Local Council Administration (CiLCA), which includes Section 7 of CiLCA 2012**
- It was **resolved** that CREDITON Town Council holds the General Power of Competence (Proposed by Cllr Cochran).
- 2305/017 Councillor Training:**
- **To note that new and returning member training has been arranged for Thursday 21 September 2023**
- The date of the member training was **noted**.
- 2305/018 Allocated S106 funds:**
- **To note and discuss the email from Mid Devon District Council regarding the use of allocated funds to resurface the older children’s park and zip wire (copy of email had been issued with the agenda)**
- The Town Clerk read the following email received from the MDDC S106 Officer:
- CREDITON Town Council have approached Mid Devon District Council about the spending of circa £230K of open space s106 funding at Newcombes Meadow on a community hub facility at the entrance to Newcombes Meadow. Mid Devon District Council have advised that funding would NOT be released for such a community project because it is not compliant with the terms of the legal agreement. The funding was secured via a planning obligation in accordance with the Council’s policies on providing open space facilities through development.*
- There was a legal obligation on the developer to pay a contribution towards “provision of play and associated facilities at Newcombes Meadow, CREDITON” which has been fulfilled.*
- Furthermore there is a legal obligation (in four parts) on the Council (MDDC) firstly, to ensure that the contribution is spent or committed for spend by the Council (MDDC) within 10 years from the date it was paid towards the purpose for which it was paid (otherwise there is an obligation on the Council to refund the relevant financial contribution together with all interest accrued thereon), and secondly (Schedule 2, part 1; paragraph 4), To ensure any financial contribution paid to the Council (pursuant to this deed) is used solely towards funding the use or works for which it was paid.*
- MDDC has confirmed that whilst it will consider applications from relevant third parties to spend the s106 funding, it will only support applications that are in strict accordance with the terms of the legal agreement and those*

*policies pertaining to the provision of open space, under which the contribution was secured. An application for a community hub is not considered to be a valid open space project and therefore would not be supported as to do so would render the Council (MDDC) in breach of its legal obligation and at risk of having to repay any sum not spent in accordance with the terms of the legal agreement, together with interest accrued.*

Cllr Downes stated that the way S106 agreements are made and spent is unclear. There is an intention from MDDC councillors that allocations will be made clearer and will include meetings with town and parish councils. There is also an intention to simplify understanding of where the funds come from and how it can be used. At the moment, there is no monitoring and reporting process for both MDDC and town and parish councils.

*Standing orders were suspended*

A member of the public asked a question about S106 funds at Coplestone and the way in which contract negotiation takes place at MDDC.

A member of the public asked about control of S106 funds and how Crediton Town Council could support the ‘Ark in the Park’ which requires a large budget. They asked if S106 could be used for grant funding leverage to obtain additional funding.

*Standing Orders were reinstated*

It was **noted** that the £234,000 allocation had already shrunk by other projects being funded by the district council, including new benches and play area resurfacing.

Cllr Downes explained that the S106 funds were not available as a vehicle for match-funding.

Cllr Huxtable requested that the Town Clerk ask MDDC if the developer to contact the developer to change the remit of the funds.

**2305/019**

**Date of next meeting: Tuesday 18 July 2023 at 19.00**

The date of the next meeting was **noted**. The meeting was closed at 20.33.

Signed .....

Dated.....