

MINUTES OF THE **MEETING** OF THE **POLICY & RESOURCES COMMITTEE** HELD ON **WEDNESDAY 21<sup>st</sup> JUNE 2023** AT 7.00 P.M. AT NEWTON'S PLACE, 43 WOLBOROUGH STREET, NEWTON ABBOT

**PRESENT:** Councillor M Joyce (Chairperson) Presiding  
P Bullivant – (Vice Chairperson)

Councillors L Cooke A Hall  
D Corney-Walker M Ryan  
C Davieson S Walker

Councillor R Buscombe attended the meeting.

In attendance: Phil Rowe – Town Clerk  
Sam Scott – Deputy Town Clerk  
Linda McGuirk – Principal Administrator

**74. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillor C Parker, Sally Henley – Town Development Manager and Nigel Canham – Communications Advisor.

**75. INTERESTS**

Councillor P Bullivant declared an interest in agenda items 8 – Newton's Place Signage, as he is a member of the District Councils Planning Committee and agenda item 15 - Bradley Community Centre, as he is a Trustee of the Bradley Community Association.

Councillor S Walker declared an interest in agenda item 15 – Bradley Community Centre, as he is a Trustee of the Bradley Community Association.

**76. MINUTES**

The Minutes of the Meetings of the Policy and Resources Committee held on:

- a) 15th February 2023 were received and signed as a correct record.
- b) 17<sup>th</sup> May 2023 Special meeting were received and signed as a correct record.

**77. PUBLIC PARTICIPATION**

None.

**78. REPRESENTATIVES ON OUTSIDE BODIES**

- a) To receive reports of Members attendance at any meetings of outside bodies.

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None

b) To receive reports from any outside bodies.

None

#### 79. **COMMITTEE TERMS OF REFERENCE**

The Committee gave due consideration to the Terms of Reference for the Policy & Resources Committee, circulated prior to the meeting.

Accordingly, it was:

**RESOLVED** that the Terms of Reference for the Policy & Resources Committee be hereby, approved and adopted subject to a minor amendment to point 3, to include 'Membership to be a maximum of 16 Councillors, including Ex Officio members, to be appointed annually.

#### 80. **SUB-COMMITTEE & WORKING GROUPS MEMBERSHIP**

The committee considered the membership of the Sub-Committees and Working Groups of the Policy & Resources Committee, arising from the discussion it was:

**RESOLVED** that membership of the Sub-Committees and Working Groups of the Policy & Resources Committee be:

Staffing Sub-Committee membership:

Cllrs L Cooke, D Corney-Walker, A Hall, M Joyce, C Parker and S Walker.

Neighbourhood Plan Monitoring Group membership:

Cllrs P Bullivant, L Cooke, D Corney-Walker, A Hall, M Joyce and C Parker.

#### 81. **NEWTON'S PLACE SIGNAGE**

The Town Clerk reported that members of the public struggle to find the Town Council offices. As part of the original Newton's Place project a planning application for exterior signage was declined by the Local Planning Authority. It was noted that the proposed signage for the side of the building had been acceptable but was declined as part of the larger signage application. It was suggested that a new planning application was submitted.

Members considered the proposed signage as per the design circulated prior to the meeting, arising from the discussion it was:

**RESOLVED** that the Town Council submits a planning application for the installation of Newton's Place and Town Hall and Community Space

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signage, to be located on the side of the building facing Newfoundland Way Car Park.

*Cllr A Hall abstained from voting.*

*Cllr P Bullivant, having declared an interest took part in the discussion and voted.*

## 82. **COURTENAY PARK BANDSTAND**

Further to minute 23/02(381) the Town Clerk provided an update on the negotiations with Teignbridge District Council (TDC) for the lease of the Bandstand. The Town Council's request for a 10-year lease has been declined by TDC who confirmed that any tenancy over 7 years is deemed as disposal of an asset and is subject to a convoluted process. TDC had suggested a license in perpetuity as an alternative.

Members discussed the options, arising from the discussions it was:

**RESOLVED** that Newton Abbot Town Council hereby proceeds with a 6-year rolling lease with Teignbridge District Council for the Bandstand in Courtenay Park.

*Cllrs M Ryan, A Hall and P Bullivant abstained from voting.*

## 83. **POLICIES**

The Chairperson introduced the policy documents, previously circulated:

### a) Member Officer Protocol

Members were reminded that the Member Officer Protocol had been reviewed and agreed in principle in February 2023, subject to the inclusion of the following paragraph on page 3:

*To determine council policy and provide community leadership; Collectively, members are the ultimate policymakers determining the core values of the Council and approving the authority's policy framework, strategic plans and budget.*

It was **agreed** to include 'and precept' on the end of the paragraph above.

### b) Model Publication Scheme

Members were reminded that the Council has a statutory duty under the Freedom of Information Act 2000 to make information available to members of the public.

### c) Role of Representatives on Outside Bodies

Members considered how representatives on outside bodies report back to the Council and possible conflicts of interest where a councillor is both a

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representative and member of an organisation. Members are responsible for making a decision at the necessary time.

Following a review of the policy documents among Members it was:

**RESOLVED** that the policies in relation to the:

- Member Officer Protocol
- Model Publication Scheme
- Role of Representatives on Outside Bodies

be hereby, approved and adopted, subject to the agreed minor amendment.

#### 84. **ACCOUNTS INCOME & EXPENDITURE**

The Committee received and noted the overview of Income and Expenditure statements for the Policy and Resources Committee for the Period 1<sup>st</sup> April 2022 – 31<sup>st</sup> March 2023. Accordingly, it was:

**RESOLVED** that the Income and Expenditure Statements for the Policy and Resources Committee for the Period 1<sup>st</sup> April 2022 – 31<sup>st</sup> March 2023 be hereby approved.

#### 85. **LATE CORRESPONDENCE**

None.

#### 86. **DATE OF NEXT MEETING**

The next meeting would be held on Wednesday 6<sup>th</sup> September 2023.

#### 87. **EXCLUSION OF THE PUBLIC AND PRESS**

Due to the confidential nature of the business to be transacted it was hereby:

**RESOLVED** That under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following item of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

*Cllr A Hall abstained from voting.*

#### 88. **BRADLEY COMMUNITY ASSOCIATION**

The Town Clerk referred Members to the confidential report circulated prior to the meeting which set out the legal relationship between the owner/lessor of the Bradley Community Centre, the Town Council and the Bradley Community Association.

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Arising from the discussions, it was:

**RESOLVED**

(a) the Council’s officers to work with the remaining/new Trustees of the Bradley Community Association to:

- i. Review the Association’s Articles/Memorandum of Association with a view to adopting a model that is fit for the 21<sup>st</sup> Century and to limit the liability of its Trustees;
- ii. Agree a strategy with the Association to carry out repairs and maintenance of the Centre to ensure it is fit for purpose;
- iii. Adopt policies and procedures to ensure the safe and risk assessed operation of the Centre as required by legislation and the Centre’s insurance liabilities.

(b) that should for any reason the Bradley Community Association fail to work with the Council in relation to (a) above, legal proceedings be instigated for the forfeiture of the Underlease by reason of the Association being in breach of its obligations under the Underlease.

*Cllr L Cooke abstained from voting.*

*Cllr P Bullivant and S Walker, having declared an interest took part in the discussion and voted.*

**89. ALLOTMENTS**

Further to minute 23/02(375a) the Town Clerk informed Members that following unsuccessful legal proceedings by an ex-allotment tenant, who was evicted for non-cultivation of their plot, the claimant has subsequently submitted a financial claim against NATC, NADCAA and the Chairperson of NADCAA in relation to breaches of the Equality and Allotments Act.

A hearing of the defendant’s (NADCAA, NATC and the Chairperson of NADCAA) application to strike out the claimant’s claim will be held in July.

Members noted the report and awaited further updates from the Town Clerk in due course.

Meeting closed at 20:00

Chairperson.....Date.....

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