

Kingsteignton Town Council

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Mayor's Charity 2018/19
Kingsteignton Brownies and Girl Guides

Members of the public and press are entitled to be at the following meeting Public Bodies (Admission to Meeting) Act 1960 Section 1 extended by the Local Government Act 1972 S.100 unless precluded by the Town Council by resolution during the whole or part of the proceedings. Such entitlement does not however include the right to speak on any matter except at the beginning of the meeting providing that prior notice has been given to the Town Clerk.

Members of the public are invited to ask a question or make an observation to the Chairman. Notice should be given to the Clerk at least six working days prior to the meeting if there is a particular issue. Twenty minutes has been set aside for questions at the start of the meeting. Residents are welcome to stay and observe the rest of the meeting.

27 June 2018

To Members of Kingsteignton Town Council

You are hereby summoned under the Local Government Act 1972 Sch.12s.10 to attend the Full Council meeting of Kingsteignton Town Council at the Community Hall on **Wednesday 5 September 2018 at 7.00 p.m.** for the purpose of transacting the following business.

Carol Lakin

Town Clerk

FULL COUNCIL MEMBERS:

Mayor: Councillor R Peart

Deputy Mayor: Councillor B Austen

Councillors: R Bovey, T Dempster, J Green, K Jones, D Rollason, J Scagell, B Thorne, G Wickham

- **Police Report and to provide information on drugs**
- **Presentation – Dawn Eckhart, Devon Communities Together on starting a Neighbourhood Plan**
- **Public Participation**
- **County Councillor Ron Peart's Report**
- **District Councillors Reports: Cllr B Austen, Cllr R Peart, Cllr D Rollason, Cllr B Thorne**

AGENDA

Town Clerk
Mrs Carol LAKIN
Council Offices
Rydon Road
Kingsteignton
Devon TQ12 3LP



101/18 To receive apologies for absence and consider if the reason for the absence should be formally approved by the council

102/18 Declaration of Acceptance of Office as Deputy Mayor by Cllr Austen

103/18 To receive any declarations of interest

104/18 To receive the Mayor's Report

105/18 To receive and approve the minutes of the Full Council meeting held on 6 June 2018

106/18 To receive the Clerk's Report and report from Making Good Decisions Course

107/18 Deputy Clerk's Report from Clerks Essential Course attended 17 July 2018

108/18 To receive the Minutes of the following Committees:

- *Community Hall Committee:* 25 July 2018 – Cllr Jones
- *Recreation/Footpaths/The Fountain Committee:* 25 July 2018 – Cllr Rollason
- *Finance Committee:* 18 July 2018 – Cllr Rollason
- *Works, Services & Planning Committee* – 4 & 18 July 2018 – Cllr Peart

109/18 Representative Reports – Brief up-date and to fill vacancies

Ball Clay Heritage

Devon Association of Local Councils

Feoffees

Friends of Kingsteignton Library

Kingsteignton Youth Centre

Outdoor Bowling Club

Oakford Lawn (Kingsteignton Village Trust)

Parish Tree Warden

Ram Roast Fair

Rydon Primary School

St Michaels Primary School

Sibelco

Stover Canal Trust

Swimming Pool Association

Teign Estuary Focus Group

Teign School

Teignbridge Association of Local Councils

Teignbridge Cycling Forum

Twinning Association

Viridor

Cllr Thorne

Mrs C Lakin & Cllr R Peart

Cllrs Austen & Peart

Cllrs Peart & Wickham

Cllr Austen Peart & Rollason

Cllr Wickham

Cllr Jones

Cllr Austen

Cllr Jones

Cllr Thorne

Vacancy

Cllr Peart

Cllr Wickham

Cllr Scagell

Cllr Green

Cllr Thorne

Cllr Wickham

Cllr R Bovey

Cllr Peart

Cllrs Thorne, Wickham, Peart

110/18 **Public Meeting – 16 July 2018** – to consider report prepared by Cllrs Peart and Rollason as to actions to be taken by the Town Council following the Public Meeting held on 16 July 2018

111/18 Allocation of CIL Funds received from TDC - £52,627.73 – deferred from June Full Council meeting

112/18 TDC – Community Right to Bid – Notification of Decision - copy of letter attached and response from TDC as to reason request has been refused – for information

113/18 TDC – Public Consultation on the draft NA3 Wolborough Development Framework - running from 3 August 2018 until 4pm Friday 28 September 2018. Drop in session – Buckland Athletic FC 6 September 2018 2pm – 8 pm. To make comment

114/18 Neighbourhood Plan - to discuss whether to Town Council would like to progress with a Neighbourhood Plan

115/18 Oakford Lawn - to discuss the concrete post and repair and upgrade the metal posts currently in situ.

116/18 CCTV Oakford Lawn – to Ratify the Quotes approved at the Recreation/Footpaths/ The Fountain Committee meeting on the 25th July 2018.

1. Elite Electrical Team Ltd @a cost of £1,340.00 + vat
2. WPD BUDGET ESTIMATE (This estimate was valid for 90days and is likely the quote could be 10 per cent higher than budget estimate)

Copies of both attached.

117/18 Correspondence

- Kingsteignton Swimming Pool – Thank you letter for the grant of £12,185 from the Town Council towards the running costs of the pool
- **DALC Annual General Meeting** - Wednesday 3 October 2018 – Exeter Racecourse 10 am – 4 pm – £25 + vat. Mrs Lakin, Town Clerk to attend. Would any other councillors like to attend?
- **DALC** – New Councillors Short Course – Wednesday 17 October 2018 at Devon Communities Together or Thursday 29 November 2018 at Exeter Court Hotel from 6.30 pm to 9.00 pm Cost £25 + vat
- Following the amount of Nitrous Oxide Canisters being found at Clifford Park, the Clerk contacted the Headteacher, Mrs Wharf, at Teign School asking what steps Teign School are taking to address the growing drug problem. The following response has been received:

“Dear Mrs Lakin

Thank you so much for contacting me about this issue. We are in frequent contact with the police regarding concerns about young people who are frequenting the local parks, and so are aware that a number of students from a variety of the local secondary schools are present in Clifford Park.

As a school we take drug use very seriously and have a programme in place with the students to educate and deter them from getting involved with such substances. We follow an age appropriate

curriculum within our tutorials and Beliefs, Values and Citizenship lessons. Two weeks ago, we had a visiting speaker in from the St Giles Trust which was arranged in conjunction with the police to talk to the whole school about making good choices within the community and the dangers posed from drugs and getting involved with gangs. This was well received by the children who were eager to share their concerns and how they could keep themselves safe.

There are always those students who are harder to reach, and we do make use of the Y smart referral services through the local authority and try to work with families to support children making better choices.

It is something that worries us considerably at school as we have a desire to keep all our young people safe and not exposed to drug taking anywhere let alone in public spaces.

I am sure that you have already passed on your concerns to the police, but I am due to meet Rachel Crofts this week to discuss issues related to the safety of our students. I will raise this issue with her too.

Please do always contact me so that I can do my best to work with the local council in ensuring that the shared spaces are not being abused.”

Next Meeting: 3 October 2018

106/18 To receive the Clerk's Report and report from Making Good Decisions Course **Making Good Decisions**

Thursday 12 July 2018

Covered in this workshop:

- How decisions are legally made
- Voting at Full Council and in Committees
- Using skills of councillors
- Hold a Skills Audit with councillors getting to know each other and learning what skills they have to offer (Away Days or Briefing Session)
- Importance of Minutes, Terms of Reference for committees/Working Groups – Role of Chairs of Committees
- Working Groups should be time limited on specific projects and should always be reported back to committee
- Working Groups can make **NO** decisions and have **NO** budget
- Full Council remains responsible for all Committees and Working Groups
- Think about structure
- Sub Committees appointed by committees should be as open as committees
- Delegation to the Clerk to allow for emergencies
- How to handle an emergency

- Report back from Clerk to Council
- Background research – should be carried out an early stage
- Critical issue is when to consult – come up with a plan then consult
- Ensure information flows, keeping the news alive via articles in Newsletter, on website, facebook etc. Do not let projects go quiet. Be aware that anything put on a Facebook page is public

Meetings

- Agenda, Standing Orders and Code of Conduct needed.
- Debate is controlled by the Code of Conduct
- Pecuniary Interests – criminal offence not to declare e.g. if discussion on finances of a school affect the salary of a family member or close family member you **should not** debate, vote and should leave the room. When a member leaves the room, it should be minuted together with when they return to the meeting. Way to consider whether you should declare an interest is to ask yourself “If I was a member of the public would I think this is wrong”
- Personal Interests – you may stay in the room debate and vote
- Standing Orders are the Council Rule Book and should be reviewed annually as is a working document
- The Agenda should give enough information to allow for debate and for response to be given
- The Clerk is responsible for setting the Agenda
- Dispensation requests should be passed to the Town Clerk for approval
- Agendas should be long providing as much information as possible on each item, but minutes should be short, providing a short overview of the item and a resolution
- Listen to discussion and remain totally open.

Communicate

- Ensure Insurance is in place and insurance company informed events etc.
- Risk Assessment should be carried out for every project/event. You should think through the process to ensure that everything is in place.

Powers

- If we do not have a Power to carry out work etc., then the council should not be doing it. For example, a Town Council does not have the Power to fill in potholes
- List of powers the council have is attached
- We also have the use of S137
- Councils that have the General Power of Competence are able to do anything that they do not have the Power to do under the above under this heading.
- If a grant is given under a specific Power and the project takes a change of direction it could be that the Council, then do not have the Power to carry on
- Other Powers to consider are:
 - Procurement issues
 - Environmental issues
 - Health & Safety
 - Planning
 - Highways
 - Crime and Disorder Act s.17 – The Town Council have a duty under this act to consider the impact of all their functions and decisions on Crime and Disorder in their local area. The Council should regularly review its decision-making processes;

ensure that all relevant members of the Council are fully aware of this Act and the associated responsibilities and duties and provide training if considered advantageous and review plans, strategies and policies regularly

- Contracts should be well drawn up and be something to take action against
- The Council should consider where things are being placed in respect of a playground etc., and make sure that a play area is situated in the right area.

Criteria for obtaining General Power of Competence:

- Two thirds of members to a council have to be elected – We need 8 elected councillors to be able to obtain and use the General Power of Competence (Elected Councillors: Cllrs: Austen, Jones, Peart, Wickham, Rollason, Stevenson and Thorne. None Elected Councillors: Cllrs: Bovey, Green, Dempster and Scagell)

Before a project is started a budget should be in place with separate budgets to capital and revenue, and work should not start prior to approval at a Full Council meeting.

Project Management

- Large projects should be professionally managed
- Consideration should be given to who will project manage and oversee the process
- They should be aware of technical aspects, financial implications etc

Role of the Council

- Decisions to be made
- Look at work load
- Increased community engagement
- Evaluation of the project
- Link back to the Council's Strategic Plan

Role of a Councillor

- Increased involvement in projects
- Communication
- All councillors should be involved
- Use different councillors' skills
- Keep the Clerk in the loop

Reviewing

- Report back to Full Council on a regular basis
- Report on Progress, budget, results, how to publicise, problems/issues
- To debate fully with relevant briefing papers being made available
- Recommendations for amendments.

It is important that all decisions are minuted

Clerks Essential Course.

Tuesday 17th July 2018

Attended by Mrs Lewis-Clarke Deputy Clerk

Covered in this workshop:

Roles and Responsibilities

Council

Is a local tier Government

A body Corporate (Main decision maker)

An employer

Responsible for Health and Safety

Requires insurance

Is governed by 1. Powers (Might have to do)

2. Duties (Have to do)

Is set up to represent and serve the community.

The council raises money from the Pre-cept (Council Tax)

Must Elect a chairman (Annually)

Must employ a Clerk and an RFO.

Must annually have external and internal accounts audits.

Councillors

Summoned to attend meeting's

Must give apologies to the Clerk

Is a holder of Public Office

Must provide a Declaration of any interest i.e. Pecuniary/Personal

Must Participate in meetings

Raise matters

Interface with the Public

Must sign 1. Acceptance of Office

2. Declaration of Interest

These forms then go to the monitoring officer (Public Document and should go on the website)

Cannot make an Individual decision

Chairman

Elected @ May AGM and is always the first thing that should be done.

Leads the Council 1. At Meetings

2. Public

Cannot make individual decisions

Works with the Clerk and is in control of the meeting

Presides over the TC Meeting

Can call an extra-ordinary meeting

Has an allowance (non-taxable)

Has a casting vote (extra vote)

Clerk

Is the Proper Officer

Is employed

Legal and Financial advisor

Takes minutes

Responsible for lawful decisions

Decisions recorded lawfully

Writes Agenda

Manages staff

Is responsible to the council

Carries out the decisions of the Council

Can be delegated Powers (only if they have gone through the council)

Liaise with other Organisations

Council as An Employer

Must give employees a Job Description

Wages

Contract

Appraisals

Pension Scheme

Grievance Procedures

Policies

There must be a full council resolution for any appointment made.

Pay rates must be in accordance with the 2018 new pay rates as per the National Agreement

Powers and Duties

These are in accordance with the Local Government Act 1972.

S137 LGA 1972

General Power of Competence (Need to be a Qualified Clerk CILCA)

KTC Responsibilities

Should have standing orders on website

Powers to Discharge Function

Can delegate to Sub committees but decisions cannot be delegated

Should have code of conduct

Publish agendas / minutes on website within 30 days

Set up working groups and allocate RA/CDA

DALC can provide a bespoke course for all Councillors

All Councillors should have a copy of Standing Orders and these should be reviewed annually

All Councillors should have a copy of the Code of Conduct which should be reviewed every 4 years

Financial Regulations should be reviewed every 2 years

All of the above must have been adopted by the Council

Agenda

Should go out in 2 parts 1. A summons

2. A notice

A member of the public can only speak at a meeting if it has been agreed in standing orders

A copy of an agenda was provided for information and referral

Agendas should be long and detailed

Minutes

Should be short

Record legal decisions

A legal report

Short synopsis and decision

If a Councillor does not attend 6 months continuous meetings they can be disbarred unless it has been agreed that they have extenuating circumstances

They must be kept forever and never destroyed but can be archived

With regards a **Recorded Vote**

Stop the meeting

Make a chart and record Cllrs name, ask each YES/NO/ABSTAIN

Freedom of Information/ Data Protection

Applies to notes and emails

Encourage all Cllrs to have a dedicated email address as FOI/DP applies to personal emails

We should have a publication scheme (LOOK AT IVYBRIDGE/TAVISTOCK TC SITES)

Privacy notice on emails (look on Cranbrook Town Council website)

113/18 TDC – Public Consultation on the draft NA3 Wolborough Development Framework - running from 3 August 2018 until 4pm Friday 28 September 2018. Drop in session – Buckland Athletic FC 6 September 2018 2pm – 8 pm. To make comment

Public Consultation on the draft NA3 Wolborough Development Framework

From **Friday 3rd August until 4pm on Friday 28th September 2018** we will consult on a draft NA3 Wolborough Development Framework

The Teignbridge Local Plan 2013-33 (Policy NA3) allocates land at Wolborough, Newton Abbot for at least 1,500 homes, 10 hectares of land for employment, a road linking the A380 (South Devon Highway) to the A381 (Totnes Road), education facilities, and other associated community facilities.

The draft Development Framework Plan is intended to be a positive response to the Local Plan requirement for a comprehensive landscape and design led masterplan for Wolborough. We would welcome your views on its content.

Where to find the draft Wolborough Development Framework

You can see the draft Wolborough Development Framework and its supporting documents as follows:

- Online [at www.teignbridge.gov.uk/wolborough](http://www.teignbridge.gov.uk/wolborough)
- At the Council's Forde House offices, Brunel Road, Newton Abbot during office hours Monday – Friday 9am – 4pm
- At Passmore Edwards Public Library in Newton Abbot

Public drop-in session

Teignbridge officers will be available to speak with you and answer your questions about the consultation on the following date and at the following location

Thursday 6th September 2018, 2pm – 8pm

Buckland Athletic F.C.
Kingskerswell Rd
Newton Abbot
TQ12 5JU

Have your say

Please let us have your comments by completing the online survey at www.teignbridge.gov.uk/liveconsultations - this is the easiest and fastest way for you to respond.

You can also comment by e-mail at forwardplanning@teignbridge.gov.uk but please make sure you include:

- Your postal address
- Which part of the draft Wolborough Development Framework and/or supporting documents you are interested in
- What changes to the document(s) you want to see

Letters can also be submitted, or you can request a printed response form from us.

Send your written responses to: Planning Consultations, Teignbridge District Council, Forde House, Brunel Road, Newton Abbot, TQ12 4XX

Response Guidance

Comments cannot be treated as confidential, and anonymous or verbal comments cannot be taken into consideration. Comments will be published on our website excluding phone numbers, email addresses and signatures. You can see copies of all representations online at www.teignbridge.gov.uk/localplanreview or at our offices, by appointment.

Inappropriate comments including those which are racist, sexist, xenophobic, defamatory, prejudiced or otherwise likely to cause offence will be removed and not considered. All representations must be received during the consultation period. Any responses received after this deadline may not be considered.

If you need this information in another format, or have any queries please email forwardplanning@teignbridge.gov.uk or call 01626 215735.

If you have an email address and would like to receive the consultation, please email forwardplanning@teignbridge.gov.uk to confirm your preference to be consulted via email.
